

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

2022 Legislative Session

Bill No. CB-061-2022

Chapter No. 43

Proposed and Presented by Council Members Dernoga, Ivey, and Burroughs

Introduced by Council Members Dernoga, Ivey, Burroughs, Hawkins, Harrison, Streeter,
Turner, Glaros, Medlock, and Franklin

Co-Sponsors _____

Date of Introduction September 20, 2022

ZONING BILL

1 AN ORDINANCE concerning

2 Administration—Development Applications—Standard Review Procedures—Pre-Application

3 Neighborhood Meeting Requirements

4 For the purpose of amending the Zoning Ordinance to require electronic distribution of pre-
 5 application neighborhood meeting summaries to attendees at the meeting that provide email
 6 contact information.

7 BY repealing and reenacting with amendments:

8 Section 27-3402,

9 The Zoning Ordinance of Prince George's County, Maryland,

10 being also

11 SUBTITLE 27. ZONING.

12 The Prince George's County Code

13 (2019 Edition; 2021 Supplement).

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,

15 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional

16 District in Prince George's County, Maryland, that Section 27-3402 of the Zoning Ordinance of

17 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,

18 be and the same is hereby repealed and reenacted with the following amendments:

19 **SUBTITLE 27. ZONING.**

PART 3. ADMINISTRATION.

SECTION 27-3400. STANDARD REVIEW PROCEDURES.

Sec. 27-3402. Pre-Application Neighborhood Meeting.

(a) General The pre-application neighborhood meeting is intended to inform owners and occupants of nearby lands about a proposed development application to be reviewed under this Ordinance, and to provide the applicant an opportunity to hear comments and concerns about the development proposal in order to resolve conflicts and outstanding issues, where possible. Pre-application neighborhood meetings are opportunities for informal communication between applicants and the landowners and occupants of nearby lands, and other residents affected by development proposals. Participation in any preliminary, pre-application neighborhood meeting is for informational purposes only. Any resultant participation and/or written summary of same shall not be part of the administrative record for any development application that may be filed and accepted.

(b) Applicability.

(1) A pre-application neighborhood meeting is required before any of the following development applications are submitted:

- (A) Zoning map amendments (ZMA) (Section 27-3601);
- (B) Planned Development (PD) zoning map amendments (Section 27-3602);
- (C) Chesapeake Bay Critical Area Overlay (CBCAO) zoning map amendments (Section 27-3603);
- (D) Special exceptions (Section 27-3604);
- (E) Detailed site plans (Section 27-3605(d)); and
- (F) Major departures (Section 27-3614(e)).

(2) A pre-application neighborhood meeting may also be held at the applicant's option before the submission of any development application not identified in Section 27-3402(b)(2) above. Pre-application neighborhood meetings are particularly encouraged as opportunities for informal communication before submitting any application requiring a public hearing in accordance with Section 27-3600, Application-Specific Review Procedures and Decision Standards.

(3) The informational mailings and meetings required by this Subsection are in addition to all postings and notices required by this Ordinance and State law.

(4) If a development application is not accepted for review in accordance with the requirements of Section 27-3403, Application Submittal, within one year of the date the pre-application neighborhood meeting is conducted, the applicant shall conduct a second pre-application neighborhood meeting in accordance with this Section.

(c) Procedure. If a pre-application neighborhood meeting is conducted, it shall comply with the following requirements:

(1) Meeting Location and Time. The meeting shall be held at or after 6:00 p.m. on a weekday or between 10 a.m. and 4 p.m. on a weekend, at a location that is convenient and generally accessible to neighbors residing in proximity to the land subject to the proposed application.

(2) Notification

(A) Informational Mailing

(i) The applicant shall mail notice of the meeting at least 30 days before the meeting.

(ii) Notice shall be mailed to:

(aa) The Planning Director;

(bb) All persons to whom mailed notice of a public hearing on the application is required by Section 27-3407, Scheduling of Hearings and Public Notice;

(cc) Any municipality in which the land subject to the application is located, and every municipality located within one mile of the land subject to the application, and any municipal planning department;

(dd) All civic associations registered in accordance with Section 27-3402(d), Civic Association or Resident Registration; and

(ee) All adjacent landowners (including owners whose land lies directly across a street, alley, or stream from the land subject to the application being reviewed).

(iii) A civic association entitled to an informational mailing may waive the requirement, and an applicant's filing of a signed waiver constitutes its compliance with the mailing requirement, for the entity signing.

(B) Posted Notification. The applicant shall also post notification of the pre-application neighborhood meeting on the land subject to the application at least 30 days before the date fixed for the meeting.

(C) Notification Contents. The mailed and posted notifications shall state the time and place of the meeting, the purpose of the meeting, include a current zoning sketch map clearly identifying the land area associated with the development, summarize the general nature of the development proposal, and the type of development approval or permit sought. Additionally, the notice shall include the application number, contact information for the M-NCPPC to obtain more information about the application after it is filed, an applicant telephone number and email address for persons wishing to meet, an explanation of the procedures and the necessity for becoming a person of record for the proposed application, and a statement that no government agency has reviewed the application. Developer or builder information shall be provided if different than the applicant.

(3) Conduct of Meeting and Summary

(A) Generally. The pre-application neighborhood meeting shall be open to the public. At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to reasonable questions or concerns neighbors raise about the proposed application, and discuss ways to resolve reasonable conflicts or concerns.

(B) Project Materials. The applicant shall ensure the following materials are available for review and discussion at the pre-application neighborhood meeting:

(i) A map of the proposed development site clearly indicating the site location and streets in the vicinity;

(ii) Illustrations depicting the layout and design of the proposed development, existing conditions, and the neighborhood context;

(iii) A development fact sheet or summary that includes, but is not limited to, the size of the proposed project, proposed land uses, proposed number of dwelling units and/or amount of gross square footage, proposed density and intensity of the project, proposed building heights, and anticipated parking need;

(iv) Information explaining the development review process and how members of the public may participate; and

(v) Sign-in sheets including the meeting date and time, meeting address, project address, property owner name, applicant name and contact information, and space for participants to include their name, organization, address, phone number, and email address.

(C) Written Summary of Meeting

(i) The applicant shall prepare a written summary of the pre-application neighborhood meeting that includes a list of those invited to the meeting, meeting attendees and/or a copy of the sign-in sheet, copies of the materials distributed or made available for review during the meeting, and any other information the applicant deems appropriate.

(ii) The applicant shall email a copy of the written summary of the pre-application neighborhood meeting to all attendees that have provided an email address.

(iii) If the applicant complies with all the requirements for the pre-application neighborhood meeting established in Subsections 27-3402(c)(1), 27-3402(c)(2), and 27-3402(c)(3)(A), above, and no one attends the meeting, the applicant may state this in the written summary, and demonstrating compliance with the relevant subsections, has no further obligations under this ordinance to conduct a pre-application neighborhood meeting.

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1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
2 (45) calendar days after its adoption.

Adopted this 25th day of October, 2022.

COUNTY COUNCIL OF PRINCE GEORGE’S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE’S COUNTY,
MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.