

Planning

Chapter 2

Planning and zoning authority is derived from Article II of the State of Maryland Land Use Article. These functions include the creation and amendment of the general plan, and the exercise of all planning, zoning, and subdivision platting to guide and accomplish coordinated, systematic, and comprehensive development within the Regional District. Laws passed by the State of Maryland affect planning at the local level. Beginning in 1992, the State of Maryland, under the leadership of Governor Glendenning, introduced Smart Growth legislation. The 1992 Economic Growth, Resource Protection, and Planning Act addressed the issue of growth management, including agricultural preservation and the targeting of public resources to areas with existing infrastructure. Additional major pieces of legislation have been adopted since 1992 that continue to guide planning efforts at the local level. These include the 2006 House Bill 1141 and House Bill 2; the 1997 Priority Funding Areas Act; the 2009 Smart, Green, and Growing Legislation; the 2010 Sustainable Communities Legislation; and the 2012 Sustainable Growth and Agricultural Preservation Act. More information about Smart Growth in the State of Maryland and the laws that have shaped it can be found on the Maryland Department of Planning website at www.planning.maryland.gov/OurWork/smartGrowth.shtml.

To this end, plans are developed and implemented to guide new development while protecting adjacent properties and significant environmental, historical, or cultural features. Traffic analyses are conducted to determine whether existing roads are adequate to accommodate projected traffic generated by new development. Strategies are developed to help strengthen existing neighborhoods and protect them from deterioration. In Prince George's County, plans vary in scale and level of detail from the *Plan Prince George's 2035 Approved General Plan*, which covers the entire County, to smaller sector plans. These types of plans are described below.

Unless otherwise noted, questions about any of the subjects discussed in this chapter should be directed to the Community Planning Division at 301-952-3972.

Plans and studies are available for purchase at the Planning Information Services counter, located in Room L2 of the County Administration Building (301-952-3208 or 301-952-3195). A list of the plans and their supporting documents, as well as other types of Planning Department studies and informational materials are also available online free of charge at www.pgplanning.org/projects.htm or www.pgplanning.org/resources/publications.htm. Many of the branch libraries have reference copies; however, availability varies from branch to branch.

The General Plan

Plan Prince George's 2035 Approved General Plan (Plan 2035) is the primary official public policy document guiding the County's physical development.

Plan 2035 establishes where and how we should grow and evolve as a County over the next 20 years, as well as which parts of the County will not experience substantial change. The plan emphasizes focused and concentrated growth to locations where infrastructure already exists to ensure that new development does not disproportionately use our County's limited resources and harm our natural environment. It organizes the County's 34 centers into two principal categories—Regional Transit Districts and Local Centers. It also organizes the remainder of the County into four growth areas—Employment Areas, Established Communities, Future Waters and Sewer Service Areas, and Rural and Agricultural Areas. The plan directs the majority of new residential and employment growth to the eight Regional Transit Districts; all having extensive transit and transportation infrastructure. The plan contains recommendations for directing medium- to medium-high residential development, along with limited commercial uses to Local Centers, rather than scattering them throughout the Established Communities.



Plan 2035 also provides guidance for transportation and mobility, natural environment, housing and neighborhoods, community heritage, culture and design, healthy communities, and public facilities. It does not offer detailed recommendations concerning specific parcels of land or public facilities. This occurs at the next level of planning: area master plans, sector plans, and functional plans. These plans are amendments to Plan 2035.

Master Plans

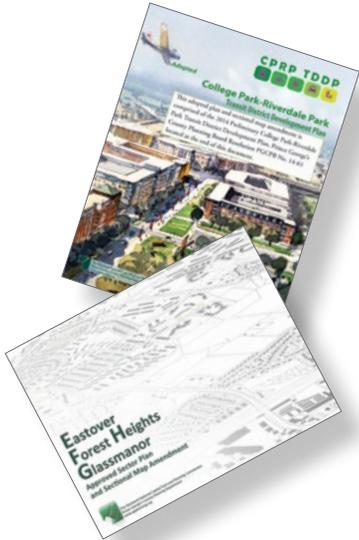
For planning purposes, the County is divided into seven subregions, which are further divided into 36 planning areas. Each planning area is a fairly cohesive district that is typically bounded by a major highway, political boundary, and/or a natural border such as a stream valley. Master plans may be prepared for an individual planning area, group of planning areas, or entire subregions.

Master plans provide specific recommendations on the environment, historic preservation, living areas and housing, commercial areas, employment areas, urban design, circulation and transportation (including highways and mass transit), and public facilities. Where appropriate, some plans may cover additional issues such as economic development and neighborhood revitalization.

Master plans also address the adequacy of public facilities. Land use proposals are analyzed for their impact on schools, police, fire, rescue, libraries, health, parks, and trails. Recommendations are then made to correct any projected deficiencies of these public services and assets. In addition, an analysis of the balance between the proposed land uses and the proposed transportation system is undertaken.

The master plans are the final authority on highway and mass transit right-of-way land reservations. The planned land uses become the basis for decisions on where new schools, fire stations, and other public facilities will be needed in the future. Master plans are also used to guide decisions on zoning change, special exceptions, and subdivision





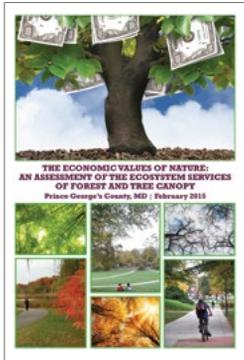
applications. Probably the most important function of the area master plans is that they are used as the basis for comprehensive rezoning (sectional map amendments), discussed in detail in Chapter 3, Zoning.

Sector Plans

In some instances it is desirable to prepare a sector plan for an area that is smaller than a planning area or that consists only of portions of several adjacent planning areas. This typically occurs because of some special situation that requires a plan for a limited geographic area. For example, the construction of the Metrorail system has changed the expected land uses in the vicinity of the Metrorail stations. The Planning Board has responded by preparing a number of transit district development plans. These plans establish land use and zoning for properties within approximately a one-half mile radius of the stations. A sector plan often involves a specific land use evaluation for a portion of major corridors or economically viable focus areas such as town centers or highway intersections.

Functional Plans

There are also a number of plans that comprehensively cover specific topics for the entire County. These are referred to as functional plans. There are functional plans for transportation, historic resources, green infrastructure planning and preservation, parks and recreation, trails, schools, public safety, and water resources.



Plan Preparation

The Prince George's County Zoning Ordinance stipulates a process that must be followed in preparing the General Plan, master plans, sector plans, and functional plans. The steps in this process are summarized below. (Some of these steps are not required for two types of sector plans; specifically minor public facility amendments and transit district development plans.)

PREPLANNING

During this phase the project scope is developed, preliminary data is collected, a professional service contract prepared, if necessary, and the public participation program is developed.

PLANNING

Step 1: Goals, Concepts, Guidelines, and Public Participation Program

Subsequent to plan initiation, the Planning Board submits goals, concepts, and guidelines as well as a public participation program to the District Council for authorization to proceed with the plan. The public participation program must encourage a balance of participation by the area's citizens and businesses affected by the plan to include property owners, area civic associations, local business groups, government agencies, and any municipality situated within the area covered by the plan. The program also includes techniques to keep the larger affected community informed.

Step 2: Initiation

The District Council authorizes the Planning Board to prepare a plan when it approves the Planning Department's annual work program. The Planning Board then directs staff to proceed with preparation on their behalf.

Step 3: Preparation of a Preliminary (Draft) Plan

Preparation of the preliminary plan is the responsibility of Planning Department staff. Plans are developed through a team effort, combining the talents of professionals with expertise in such areas as land use, transportation, environmental planning, and public facilities planning. The goals, concepts, and guidelines approved by the District Council provide the general framework that guides staff during the process. Staff consider all feedback arising from the public participation program. Federal, state, county, and municipal agencies whose activities may impact the planning area are also involved.



Step 4: Joint Public Hearing

The District Council and the Planning Board must conduct at least one joint public hearing on the preliminary plan so that members of the public can offer their recommendations before the plan is finalized. The draft plans are made available to the public, free of charge, at distribution points in the community. Notice of the hearing is mailed to all property owners in the planning area and advertised in the County's newspapers of record. Municipalities must receive the notices.

All written and oral testimony and any supporting evidence presented at the hearing become part of the official record. The record is typically, but not necessarily, kept open for a minimum period of 15 calendar days after the hearing, which can be extended by the council. Additional materials may be submitted during this period.

Before adoption, the Planning Board must submit the draft public facility proposals to the District Council and County Executive to determine if there are any inconsistencies between the plan proposals and existing and proposed county and state public facilities. Any inconsistencies must be eliminated or accommodated prior to adoption of the plan.

Step 5: Adoption by the Planning Board

After the close of the public hearing record, Planning Department staff prepare and transmit an analysis of the testimony to the Planning Board. The Planning Board then considers the testimony, makes any changes, adopts the plan, and endorses the sectional map amendment. The adopted plan and endorsed SMA are then transmitted to the District Council for approval.

Step 6: Additional Public Hearing

The District Council can hold an additional joint public hearing to consider amendments to the adopted plan not based on the record of the original public hearing. The notification for the second public hearing is 15 days and advertising requirements are the same as for the original public hearing.

Step 7: Final Action by the District Council

Following receipt of the adopted plan or after the additional public hearing, if held, the District Council either: (1) approves the adopted plan as submitted by the Planning Board; (2) approves the plan with amendments or revisions; or (3) disapproves the plan and returns it to the Planning Board for further consideration. Adopted and approved plans are published and filed with the Clerk of the Circuit Court, representing County policy until amended.

POST APPROVAL (Sectional Map Amendments Only)

Step 8: Possible Revisory Petitions

If a citizen does not agree with the District Council's decision on a sectional map amendment, the individual may submit a revisory petition within 30 days. The criteria for evaluation of revisory petitions are contained in Section 27-228 of the County Zoning Ordinance. The petition will be transmitted to the District Council's legal counsel for review. The maximum time for the District Council to act on the petition is five months. A public hearing will be scheduled on the issue.

Step 9: Notice Requirements

Upon District Council approval of the plan and concurrent SMA, notice must be sent to three newspapers of record and owners of property rezoned in the planning area.

Step 10: Zoning Map Revisions and Publication of the Document

All text and maps in the plan will be revised to reflect the changes made by the Planning Board and the District Council, and all zoning changes will be submitted to the tax assessor. The final document will be published and made available to the public within one month of approval.

