



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

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PGCPB No. 17-26

M-NCPPC No. 17-05

RESOLUTION

WHEREAS, Titles 14 through 27 of the Land Use Article of the Annotated Code of Maryland (formerly Article 28 of the Annotated Code of Maryland) generally charge the Commission with regulating the land use planning, zoning, and development of the Maryland-Washington Regional District ("Regional District"); and

WHEREAS, pursuant to Titles 21 and 22 of the Land Use Article of the Annotated Code of Maryland (formerly Article 28, Section 7-108) the Commission has authority to initiate and adopt certain plans pertaining to the physical development of that portion of the Regional District located in Prince George's County; and

WHEREAS, pursuant to Titles 20 through 22 of the Land Use Article of the Annotated Code of Maryland (formerly Article 28, Section 7-111), the Commission has the responsibility for planning, platting, and zoning functions primarily local in scope, as distinguished from the regional planning functions of the Commission relating to or affecting the Regional District as a planning unit; and

WHEREAS, pursuant to Section 25-801 of the Land Use Article of the Annotated Code of Maryland (formerly Article 28, Section 5-201), the Commission, through the Prince George's County Planning Board, has the responsibility for providing an adequate and balanced program of recreation to serve the varied needs and interests of the several age groups among the residents of Prince George's County, and to coordinate this program with the Commission's park functions; and

WHEREAS, pursuant to Section 17-110 of the Land Use Article of the Annotated Code of Maryland (formerly Article 28, Section 5-101), the Commission has the authority to own, acquire, control, maintain and operate real property for the purposes authorized in this Article including parks, forests, roads, other public ways, grounds and spaces, public recreation buildings, community buildings and other public buildings; and

WHEREAS, pursuant to Section 4-104 (a) of the Local Government Article of the Annotated Code of Maryland, the Commission is defined as a special district, and in accordance with Section 4-104(b) a local government may not divest, exercise or duplicate any special power or duty conferred on a special district, except recreational facilities subject to the consent of the special district; and

WHEREAS, pursuant to Section 4-415(d) of the Local Government Article of the Annotated Code of Maryland, the annexation process begins by resolution of The City of Bowie; and

WHEREAS, Section 4-403(b)(2) of the Local Government Article of the Annotated Code of Maryland requires the consent of at least 25 percent of the assessed valuation of the real property in the area to be annexed and;

WHEREAS, the property known as Karington is the subject of a Planning Board approval for Preliminary Plan 4-04035, by Resolution No. 04-247(C)(A), which contains 47

Conditions, and several conditions call for the applicant to construct a trail, part of which may be situated on Commission properties.

NOW THEREFORE,

1. The City of Bowie, a municipal corporation situated in that portion of the Regional District located in Prince George's County, desires to proceed with two annexations into municipal boundaries real properties owned and operated for public use by the Commission and more fully described in Exhibit A (legal descriptions).
2. The first annexation area proposed by the City of Bowie includes an athletic stadium known as the Bowie Baysox Stadium, owned by the Commission.
3. The second annexation area proposed by the City of Bowie is located along Collington Branch, south of Central Avenue, adjacent to the "Karington" subdivision.
3. The Planning Board supports the City of Bowie's annexations of the proposed areas and hereby recommends that the Commission grant its consent.

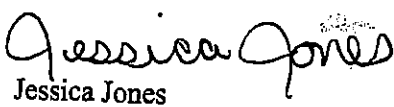
BE IT FURTHER RESOLVED, that an appeal of the Planning Board's action must be filed with the Circuit Court for Prince George's County, Maryland within thirty (30) days following the date of notice of the adoption of this Resolution.

* * * * *

This is to certify that the foregoing is a true and correct copy of the administrative action taken by the Prince George's County Planning Board of The Maryland-National Capital Park and Planning Commission on the motion of Commissioner Washington, seconded by Commissioner Geraldo, with Commissioners Hewlett, Bailey, Doerner and Washington voting in favor of the motion, and with Commissioner Geraldo absent at its regular meeting held on Thursday, February 16, 2017 in Upper Marlboro, Maryland.


Adopted by the Prince George's County Planning Board this 16th day of February, 2017.


Patricia Colihan Barney
Executive Director

By 
Jessica Jones
Planning Board Administrator

PCB:JJ:MF:arj


APPROVED AS TO LEGAL SUFFICIENCY


M-NCPPC Legal Department

Date 2/17/17

CERTIFICATION

This is to certify that the foregoing is a true and correct copy of Resolution No. 17-05 adopted by the Maryland-National Capital Park and Planning Commission on motion of Commissioner Fani-Gonzalez and seconded by Commissioner Wells-Harley, with Commissioners Hewlett, Anderson, Bailey, Cichy, Doerner, Dreyfuss, and Geraldo, voting in favor of the motion, and Commissioner Washington being absent from the meeting held on Wednesday, March 15, 2017, in Riverdale, Maryland.



Patricia Colihan Barney
Executive Director