

**PRINCE GEORGE'S COUNTY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 6/11/96

**Reference No.:** CB-13-1996

**Proposer:** M-NCPPC

**Draft No.:** 1

**Sponsors:** Del Giudice

**Item Title:** An Ordinance to exempt certain types of permits of a minor nature that are issued without Planning Board review from the requirements of Subtitle 27, Zoning

**Drafter:** Jimi Jones  
M-NCPPC

**Resource Personnel:** Ruth Senes  
M-NCPPC

**LEGISLATIVE HISTORY:**

**Date Presented:** 3/12/96

**Executive Action:** \_\_/\_\_/\_\_ \_\_

**Committee Referral:**(1) 3/12/96 PZED

**Effective Date:** 8/26/96

**Committee Action:**(1) 6/3/96 FAV

**Date Introduced:** 6/11/96

**Pub. Hearing Date:** (1) 7/9/96 2:00 P.M.

**Council Action:** (1) 7/9/96 ENACTED

**Council Votes:** SD:A, DB:A, JE:A, IG:N, AMc:A, WM:A, RVR:A, AS:A, MW:A

**Pass/Fail:** P

**Remarks:** (See CR-11-1996)

**PLANNING, ZONING & ECONOMIC DEV. COM. REPORT**

DATE: 6/3/96

Committee Vote: Favorable, 5-0 (In favor: Council Members Wilson, MacKinnon, Estepp, Maloney and Russell).

Staff provided the history of "permits of a minor nature", which were first created in 1991. These permits, which do not require Planning Department review, were intended for improvements that do not have Zoning Ordinance regulations applicable to them, such as mechanical equipment inside buildings, replacement of windows, siding, and roofing, as well as interior alterations. Although there were no applicable zoning regulations, the issuance of permits for these types of improvements was being delayed or denied if the existing building was in any way nonconforming. The list of

permits of a minor nature, which originally included eight types of permits, was required to be adopted by resolution of the Council, and could only be amended in this way. In 1993, there were two additional types of permits added, which were related to life safety improvements and compliance with the Americans with Disabilities Act.

This legislation clarifies that any permits issued pursuant to the provisions of "permits of a minor nature" are not subject to the requirements of the Zoning Ordinance. This is consistent with the original purpose of minor permits, since the Planning Board is solely responsible for determining compliance with the provisions of the Zoning Ordinance, and in the absence of this review, no such determination is made. The legislation does not impact any other aspect of the permit review process for these improvements. It also specifies that the exception does not apply to property located in a historic district or on the Master Plan for historic preservation, as a historic resource.

The Office of Law and the Legislative Officer found the bill to be in proper legislative form, the Department of Environmental Resources supports the bill, and the Chamber of Commerce supports the legislation. The Committee requested clarification on the intent and impact of the addition of the words "as a historic resource" to Section 27-255 (c) (2). This information will be provided prior to the public hearing.

#### **BACKGROUND INFORMATION/FISCAL IMPACT**

**(Includes reason for proposal, as well as any unique statutory requirements)**

Section 27-255 of the Zoning Ordinance currently allows certain permits of a minor nature to be issued without the Planning Board's review and recommendation. A list of such permits must be recommended by the Planning Board and the Director, Department of Environmental Resources, and approved by the District Council. The proposed legislation exempts this list of permits of a minor nature from the requirements of Subtitle 27.

#### **CODE INDEX TOPICS:**