

PRINCE GEORGE'S COUNTY COUNCIL
COMMITTEE REPORT
2017 Legislative Session

Reference No.: CB-102-2017

Draft No.: 2

Committee: PLANNING, ZONING AND ECONOMIC DEVELOPMENT

Date: 10/04/2017

Action: FAV (A)

Committee Vote: Favorable as amended, 3-0 (In favor: Council Members Harrison, Franklin and Patterson)

The Committee Director gave an overview of the legislation and informed the Committee of written referral comments received. Council Member Lehman, the bill's sponsor, informed the Committee that CB-102-2017 is intended to facilitate the development of certain residential uses in an area within her district that had been considered for rezoning from commercial to residential during the most recent master plan/sectional map amendment review; however, consensus was not reached for this area which currently adjoins residential units.

The Planning Board opposed the legislation and suggested amendments as provided in a September 28, 2017 letter to Council Chairman Davis as follows: Footnote 66 (D) should be deleted. The language appears to waive all requirements and regulations for the zone and establishes development standards at the time of Detailed Site Plan review. Footnote 66 (E) should be revised because it is not clear what criteria will be used for architectural review to ensure compatibility of the development with the existing neighborhood. Planning staff recommends architectural standards be established to serve as the basis of review, such as exterior finish materials, window fenestration or end walls, and exterior deck design.

The Office of Law reviewed CB-102-2017 and offered comments indicating that the bill may be subject to challenge as it appears to be drafted for a specific parcel and is treating properties differently by not subjecting properties to the requirements of the C-M Zone. The bill also conflicts with the stated purposes of the C-M Zone.

Michele LaRocca, representing Behnke Nurseries, testified in support of the legislation.

The Committee voted favorably on the legislation including an amendment to Footnote 66 (E) to include the additional language recommended by the Planning Board concerning architectural criteria for review at the time of Detailed Site Plan.