

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

Meeting Date: 11/19/2001 **Reference No.:** CB-72-2001

Proposer: Shapiro, Hendershot **Draft No.:** 3

Sponsors: Shapiro, Hendershot

Item Title: An Ordinance revising the requirements for amending
an approved Transit District Overlay Zone

Drafter: Kimberly Shearin-Cotton
Legislative Coordinator
M-NCPPC

Resource Faroll Hamer
Personnel: MNCPPC

LEGISLATIVE HISTORY:

Date Presented: 9/25/2001 **Executive Action:** ___/___/___

Committee Referral: 9/25/2001 PZED **Effective Date:** 11/19/2001

Committee Action: 10/10/2001 FAV(A)

Date Introduced: 10/23/2001

Public Hearing: 11/19/2001 10:00 A.M.

Council Action: 11/19/2001 ENACTED

Council Votes: RVR:A, DB:A, JE:A, IG:A, TH:A, AS:A, PS:A, MW:A

Pass/Fail: P

Remarks: _____

11/19/2001: Amended on the floor; DR-3 enacted

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 10/10/2001

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Shapiro, Wilson, Estep and Russell).

This legislation amends the process for amending an approved Transit District Overlay Zone and related Transit District Mandatory Development Requirements. The bill repeals the current process and replaces it with a shorter, less complicated process. The new process eliminates primary and secondary amendments and the requirement for a Council hearing. The new process maintains current appeal and call-up procedures for the District Council for Detailed Site Plans and therefore

does not undermine or lessen the opportunity for municipalities and citizens to participate. The new process proposed in CB-72 allows either the District Council or the property owner to initiate an amendment. Current site plan review procedures would still be applicable for the Detailed Site Plan or Conceptual Site Plan that is required with the amendment application.

CB-72 allows the Planning Board to approve development standards that are different than the approved Transit District Development Requirements only if it is determined that the alternate standards will benefit the development and the Transit District. In addition, the alternate standards must not substantially impair the implementation of the Transit District Development Plan.

The sponsors of the bill explained to the Committee that this legislation is intended to attract businesses and development that the County encourages around the Metro stations. The legislation removes the current lengthy process that often deters developers and business owners from seeking amendments.

The County Executive and the Planning Board provided correspondence to the file in support of CB-72. The Legislative Officer and the Office of Law find the bill to be in proper legislative form. The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting CB-72.

Terri Schum, City of College Park Planning Director, addressed the Committee and provided a letter stating the City Council's position on the legislation. The City Council recommended that the bill be amended to clarify that the Planning Board may not apply development standards which differ from the approved Transit District Mandatory Development Requirements for standards dealing with maximum building height, maximum parking caps and parking ratios.

The Committee voted favorably on the legislation with direction to staff to incorporate appropriate language to address the City's concerns. Draft-2 contains amended language on page 11, lines 25-28, on page 13, lines 23-30, and on page 14, lines 1 and 2, in accordance with the Committee's action.

BACKGROUND INFORMATION/FISCAL IMPACT

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

This legislation changes the process for amending a Transit District Overlay (T-D-O) Zone and describes the process for amending development standards which pertain to the zone. The current process for amending a T-D-O Zone involves a lengthy procedure for primary and secondary amendments. This legislation would provide a simpler amendment process that is similar to that of the Development District Overlay Zone.

CODE INDEX TOPICS: