

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

Meeting Date: 6/3/2003

Reference No.: CB-18-2003

Proposer: Peters

Draft No.: 1

Sponsors: Peters, Shapiro

Item Title: An Ordinance allowing certain improvements to nonconforming buildings, structures, and uses without the requirement for a special exception

Drafter: Jackie Brown, Director
PZED Committee

Resource Rick Santos
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 3/25/2003

Executive Action: __/__/____

Committee Referral: 3/25/2003 PZED

Effective Date: 7/23/2003

Committee Action: 4/9/2003 FAV

Date Introduced: 4/22/2003

Public Hearing: 6/3/2003 1:30 P.M.

Council Action: 6/3/2003 ENACTED

Council Votes: PS:A, MB:A, SHD:A, TD:-, CE:A, DCH:A; TH:A, TK:A, DP:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECON. DEV. COMMITTEE REPORT

DATE: 4/9/03

Committee Vote: Favorable, 4-0 (In favor: Council Members Harrington, Dean, Exum and Knotts)

The Zoning Ordinance provides that certified nonconforming uses may not be altered, enlarged, or extended without a special exception. There are ten exceptions to this rule provided in Section 27-242(b) of the Ordinance, and CB-18 provides an additional exception, for safety improvements pursuant to an agreement between the property owner and the Maryland-National Capital Park and Planning Commission (M-NCPPC). The Planning Board transmitted this bill to the Council for sponsorship.

Adrian Gardner, M-NCPPC General Counsel, summarized the purpose of the bill and explained that the bill allows M-NCPPC to obtain improvements to nonconforming uses for safety purposes in an expeditious manner without the longer review process associated with a special exception. Mr. Gardner indicated that the safety improvements must be delineated on the certified nonconforming use site plan.

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-18-2003.

BACKGROUND INFORMATION/FISCAL IMPACT

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

Generally, alterations, extensions, or enlargements to nonconforming buildings, structures, or uses require approval of a special exception. The Zoning Ordinance allows exceptions to this requirement for improvements to certain uses. This bill provides an additional exception for safety improvements made to an existing certified nonconforming use.

CODE INDEX TOPICS: