

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2021 Legislative Session

Reference No.:	CB-053-2021
Draft No.:	2
Committee:	COMMITTEE OF THE WHOLE
Date:	09/09/2021
Action:	FAV(A)

REPORT:

Committee Vote: Favorable as amended, 8-0 (In favor: Council Members Hawkins, Anderson-Walker, Dernoga, Franklin, Glaros, Harrison, Ivey, and Turner)

The Committee of the Whole convened on September 9, 2021 to consider CB-53-2021. The Planning, Housing and Economic Development Committee Director summarized the purpose of the legislation and informed the Committee of written comments received on referral. CB-53-2021 amends the Zoning Ordinance to provide a maximum parking regulation for development of property in the M-X-T (Mixed Use-Transportation Oriented) Zone.

The Planning Board supports the legislation with amendments and provided the following analysis by letter dated July 22, 2021 to Council Chair Hawkins:

“The Planning Board understands the need to revise parking space regulations in the M-X-T Zone. It is understood that large surface parking lots with numerous parking spaces have increased impermeable surfaces, create an urban heat island effect, decreased walkability, and reduced access to multimodal transportation. Therefore, changes to the current maximum parking space regulations in the M-X-T Zone make sense.

First, it should be noted, this bill as drafted will only impact M-X-T zoned properties located outside of Development District Overlay Zones (DDOZs) and Transit District Development Overlay Zones (TDOZs). Zoning text amendments do not impact design standards within the adopted DDOZs and TDOZs. It should be noted that most DDOZs and TDOZs set maximum parking spaceregulations separately depending on the overlay zone.

Second, applying the 115 percent maximum parking space requirement to residential developments where townhouses and multifamily dwelling units are developed could result in insufficient parking. There are already resident and visitor parking space complaints regarding insufficient parking. The proposed language could exacerbate current problems.

The Planning Board recommends the bill specify which M-X-T Zone uses are subject to

the 115percent parking space requirement. The 115 percent parking requirement should only apply to non-residential uses. In addition, parking spaces within a structure should not be counted in the calculation of the maximum number of parking spaces.

The adopted Zoning Ordinance does not carry forward the M-X-T Zone. If this bill is adopted, it will not need to be adapted to the adopted Zoning Ordinance. The adopted ordinance contains parking maximums that vary depending on use, location, and zone. In the new zoning ordinance, parking spaces located in parking structures do not count against parking space maximums in the Transit-Oriented/Activity Center base zones.”

The Office of Law reviewed CB-53-2021 as it was presented on July 13, 2021 and finds it to be in proper legislative form. The Office of Law sees no legal impediments to its adoption.

The Committee reviewed a Proposed Draft-2 (DR-2) containing amendments requested by the bill sponsor to address Planning Board’s comments. Proposed DR-2 included amendments to Section 27-574 (b)(3) on page 3 as follows:

(3) The total number of parking spaces required for all uses proposed in the M-X-T Zone and in a Metro Planned Community shall be the greatest number of spaces in any one (1) hour for the combined total of all uses proposed, based on the calculations in paragraphs (1) and (2), above. This total is known as the base requirement. The maximum parking allowable FOR NON-RESIDENTIAL USES is 115% of the base requirement for M-X-T properties. PARKING SPACES WITHIN A PARKING STRUCTURE SHALL NOT BE COUNTED IN THE CALCULATION OF THE MAXIMUM NUMBER OF PARKING SPACES.

In response to Council Member Turner’s question concerning the bill’s impact on prior approved and multi-phase projects, the Council’s Zoning and Legislative Counsel explained that the provisions of CB-53-2021 will only apply prospectively to M-X-T Zone projects for which applications are submitted after the effective date of the legislation.

The Committee voted favorable, 8-0, on CB-53-2021 with amendments as contained in Proposed DR-2.