

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2017 Legislative Session

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<b>Reference No.:</b>	CB-096-2017
<b>Draft No.:</b>	2
<b>Committee:</b>	PLANNING, ZONING AND ECONOMIC DEVELOPMENT
<b>Date:</b>	9/27/2017
<b>Action:</b>	FAV (A)

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Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Harrison, Franklin, Glaros, Patterson, and Toles)

The Committee Director provided an overview of the legislation and informed the Committee of written referral comments that were received. Council Member Harrison, the bill's sponsor, explained that CB-96-2017 will facilitate and encourage residential development around the Metro stations located in Prince George's County.

The Planning Board opposed the legislation with an explanation provided in a September 21, 2017 letter to Council Chairman Davis. The letter states "Under footnote 65(B), there are numerous consequences for requiring an applicant to submit a grading permit prior to any review or approval of the proposed development. This is wasteful to the applicant as, among other things, they also need to submit a Detailed Site Plan application, which may result in changes that would impact the grading permit that could emerge through the review and approval of the DSP. The letter (E) under footnote 65 should also be deleted. The language would waive all requirements and regulations for the I-1 Zone and establishes development standards at the time of DSP review. This process defeats the entire purpose of zoning and denies the District Council and/or the Planning Board the ability to apply any objective standards to the development and should be deleted."

The Department of Permitting, Inspections and Enforcement submitted comments indicating that if enacted, the legislation will impact enforcement function which seeks to enforce zoning regulations and could result in complaints from residents pertaining to noise, dust, light and other visual impacts from industrial operations. The Office of Law reviewed CB-96-2017 and offered the following comments: Page 2, the current footnotes end at 63. This footnote should be numbered 64; Page 2, (C), language such as "the use" or "development" should be added at the beginning of (C) for clarity. This bill may be subject to challenge as it is treating properties differently by not subjecting certain properties to the requirements of the I-1 Zone.

The Zoning and Legislative Counsel gave an overview of a Proposed Draft-2 (DR-2) prepared at the sponsor's request to address some of the referral comments received. In Proposed DR-2, the language in (B) under footnote 65 is deleted and the language in (E) becomes (D).

Thomas Haller, representing Old Line Realty, testified in support of the legislation indicating that it allows properties to be developed in accordance with County goals for development

around Metro stations.

The Committee voted favorable including the amendments in Proposed DR-2 as well as an additional clarifying amendment in the new (B) under footnote 65 to insert “The use” at the beginning of the sentence.