

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/23/2008
Reference No.: CB-029-2008
Draft No.: 3
Proposer(s): Dean
Sponsor(s): Dean, Harrison
Item Title: An Ordinance concerning Regional Urban Community for the purpose of defining the Regional Urban Community use, permitting the use in the M-X-T Zone, permitting the use in the R-M Zone, and making related amendments to the Zoning Ordinance.

Drafter: Karen T. Zavakos, Legislative Officer
Resource Personnel: Nell W. Johnson, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	5/20/2008	Executive Action:	
Committee Referral:	5/20/2008 - PZED	Effective Date:	9/8/2008
Committee Action:	6/4/2008 - HELD		
Date Introduced:	7/1/2008		
Public Hearing:	7/23/2008 - 9:00 AM		
Council Action (1)	7/23/2008 - ENACTED		
Council Votes:	MB:A, WC:A, SHD:A, TD:A, CE:A, AH:A, TK:-, EO:A, IT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-107.01, 27-276, 27-508, 27-515, 27-521, 27-528, 27-544, 27-547

COMMITTEE REPORTS:

PLANNING, ZONING & ECONOMIC DEVELOPMENT

Date 6/18/2008

Committee Vote: Favorable as amended, 4-0 (In favor: Council Members Exum, Dean, Dernoga, and Olson)

Staff informed the committee that since the time of the June 4th committee meeting, the Planning Board had reviewed a Proposed Draft-2 of CB-29-2008. Proposed Draft-2 included the amendment requested by Council Member Dean, the bill's sponsor, during the June 4th meeting, as well as an amendment on page 7, line 16, to change "right-of-way" to "maintenance."

Craig Rovelstad, Master Planner with the Community Planning South Division and Project Leader for the Westphalia Sector Plan, provided a powerpoint presentation as an overview and background of the Westphalia Sector Plan and Public Facility Financing Plan. Mr. Rovelstad's overview, which was also presented to the Planning Board on June 5th, included a rationale for CB-29-2008, information on the approved zones within the Sector Plan and General Plan Center boundaries, and proposed development projects within these boundaries.

The presentation clarified that a Regional Urban Community is a new use category for urban development only at

General Plan Centers and criteria for the use includes size, mix of uses, relationships and zoning categories. The presentation also noted that CB-29-2008 clarifies certain design, transportation, and environmental site plan review criteria.

On June 5, 2008, the Planning Board voted to support the regulations proposed in CB-29-2008 (DR-2).

Council Member Exum commented that it is often the case that plans which have been proposed by the Planning staff and approved by the Council have not come to fruition in terms of mixed use. Ms. Exum noted that progress is being made, but traditionally what has been done in the past does not work and she looks forward to mixed use projects which may benefit as a result of tools such as the Regional Urban Community use.

Judy Robinson addressed the committee and submitted written comments regarding her objections to CB-29-2008 and her request for the committee to vote unfavorably on the bill. Ms. Robinson's comments noted that the Council needs to consider the total impact of all zoning category revisions on the entire county, and ensure equity in the process.

In casting his vote for a favorable report on CB-29-2008, Proposed Draft-2, Council Member Dean commented that during the process of developing this legislation, he relied on technical staff for appropriate recommendations on the regulations contained in the bill. Upon a second by Council Member Dernoga, the committee voted favorably on Draft-2.

PLANNING, ZONING & ECONOMIC DEVELOPMENT

Date 6/4/2008

Held in committee.

Staff gave an overview of the legislation and informed the committee of referral comments that were received. CB-29-2008 creates a new use in the Zoning Ordinance, a Regional Urban Community, and permits the use in the M-X-T (Mixed-Use-Transportation Oriented) and R-M (Residential Medium Development) Zones. The bill provides a definition for a Regional Urban Community and permits the Planning Board to approve a Conceptual Site Plan (CSP) for a Regional Urban Community in the M-X-T Zone if the Board finds that the proposed development will meet the purposes and requirements of the M-X-T Zone and the CSP meets all the regulation requirements. CB-29-2008 also amends the M-X-T Zone development regulations by adding development design regulations for a Regional Urban Community and sets development design standards for this use in the R-M Zone.

Council Member Dean indicated that CB-29-2008 had been reviewed by the Westphalia Public Facilities Financing Plan Technical Group's Legislative Subcommittee and the subcommittee agreed to forward the bill for his sponsorship and consideration by the County Council. Mr. Dean noted a proposed amendment to the legislation on page 6, line 17, to change "\$0.10 per square foot" to "\$0.30 per square foot."

The Planning Department staff presented CB-29-2008 to the Planning Board for comment on Thursday, May 29, 2008. The Board concluded that an additional informational briefing and some clarification as to how the provisions of the legislation would affect development were needed in order for a position on the legislation to be adopted. That further briefing was scheduled for Thursday, June 5, after which the Board planned on taking a position. As a result, the Planning Board requested that the committee hold the legislation until transmittal of the Board's decision, or if that was not possible, the Board would provide their position prior to the public hearing on the bill.

Council Member Dean requested that the committee hold the bill until the next scheduled committee date to allow time for the Planning Board to provide a position. Staff was directed to include the proposed amendment on page 6, line 17, in a Draft-2 for the Planning Board's review.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This bill defines and establishes a new Regional Urban Community use in the M-X-T and R-M Zones and establishes regulatory measures for the use in the Conceptual Site Plan and Comprehensive Design Plan processes and Landscape Manual.

7/23/2008 - CB-29-2008 was amended on the floor; DR-3 enacted.

CODE INDEX TOPICS:

INCLUSION FILES:
