

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2019 Legislative Session

Reference No.: CB-022-2019

Draft No.: 2

Committee: PLANNING, HOUSING, AND ECONOMIC DEVELOPMENT

Date: 06/06/2019

Action: FAV (A)

REPORT:

Committee Vote: Favorable as amended, 4-0 (In favor: Council Members Glaros, Davis, Dernoga, and Ivey)

The Planning, Housing, and Economic Development Committee Director summarized the purpose of the legislation and informed the committee as to comments received on referral. This legislation amends the County Zoning Ordinance to repeal the restrictions as to bedroom percentages applicable to development of multifamily residential dwellings.

Council Member Glaros, the bill sponsor, informed the Committee that CB-22-2019 addresses an issue with the bedroom percentage limitations that has arisen several times especially in her district with the University of Maryland and the Route 1 Sector Plan. Council Member Glaros explained that the bedroom percentage limitations date back to a time period during which the County had concerns with the growth of affordable garden-style apartments and wanted to limit the percentages of bedrooms and consequently the number of families. She commented that the legislation removes the outdated provision since this is no longer a concern given today's housing market and to address an issue raised concerning the legality of the limitations as it relates to fair housing practices.

The Office of Law reviewed CB-22-2019 and determined that it is in proper legislative form with no legal impediments to its enactment. The Planning Board supports CB-22-2019 with amendments as described in a letter dated May 23 to the Council Chairman. The Planning Board's letter included the following analysis of the legislation.

“The original intent for mandating bedroom percentages is no longer clear to the Planning Board. Data indicates multifamily dwellings generate fewer school pupils than single-family detached and townhouse dwellings, and current trends demonstrate moderate multifamily development is weighted towards a smaller number of bedrooms than may have been the case decades ago.

Further, restricting the number of bedrooms in the manner required by Section 27-419 may be contrary to the County's affordable housing goals as contained in the Comprehensive Housing Strategy. Finally, Section 27-419 has created many non-conforming uses over time, contributing to administrative complexity with no discernable public purposes.

The County Council’s adopted Zoning Ordinance removes the requirements mandating bedroom percentages. Therefore, CB-22-2019 brings the ordinance that remains currently in force closer to the Council’s adopted ordinance. The bill will serve as a useful stopgap provision until the new, modernized ordinance takes effect.

The Planning Board recommends deletion of all remaining references to bedroom percentages in other sections of the current Zoning Ordinance.”

Letters addressed to PHED Committee Chair Glaros in support of CB-22-2019 were received from Housing Initiative Partnership, Inc (HIP)., Maryland Building Industry Association, and Coalition for Smarter Growth.

Maryann Dillon, Executive Director of HIP, testified in support of the legislation.

The Committee voted favorable with the Planning Board’s recommended amendment to delete all other references to bedroom percentages in other sections of the Zoning Ordinance.