

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/24/2013
Reference No.: CB-029-2013
Draft No.: 2
Proposer(s): Franklin, Campos, Davis, Harrison, Toles, Turner
Sponsor(s): Franklin, Campos, Davis, Harrison, Turner, Toles
Item Title: An Ordinance concerning special exceptions for the purpose of establishing time limits during the special exception review process and making clarifying amendments

Drafter: Jackie Brown, PZED Committee Director
Resource Personnel: Brendon Laster, Chief of Staff District 9

LEGISLATIVE HISTORY:

Date Presented: 5/14/2013
Committee Referral: 5/14/2013 - PZED
Executive Action:
Effective Date: 9/9/2013

Committee Action: 6/5/2013 - FAV

Date Introduced: 6/18/2013
Public Hearing: 7/24/2013 - 10:00 AM

Council Action (1) 7/24/2013 - ENACTED
Council Votes: WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

27-296, 27-302, 27-303, 27-307

COMMITTEE REPORTS:

PZED Committee Report

Date 6/5/2013

Committee Vote: Favorable, 4-0 (In favor: Council Members Franklin, Harrison, Olson and Patterson)

Council staff summarized the purpose of the legislation and informed the committee of written referral comments that were received. CB-29-2013 amends the Zoning Ordinance to establish time limits during various steps in the special exception review process including application acceptance, Zoning Hearing Examiner hearing, and clarifies the process for requests by Planning Board to the Zoning Hearing Examiner to delay the hearing. The legislation was amended on the floor at first reading and presented as a Draft-2.

Council Member Franklin, the bill's sponsor, informed the committee that he proposed CB-29-2013 to reduce the special exception process from the current 1 to 2 years to generally half this time making the process more business friendly.

The Office of Law reviewed CB-29-2013 and found it to be in proper legislative form with no legal impediments to its enactment. The Department of Environmental Resources takes no position on the legislation. The Planning Board also takes no position. Daniel Lynch, of McNamee Hosea, testified in support.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This legislation amends the Zoning Ordinance to provide certain time limits for the Planning Board and Zoning Hearing Examiner during the Special Exception review process.

5/14/2013 - CB-29-2013 (DR-1) was amended on the floor prior to presentation as follows:

1. On page 2, line 15 after "Subtitle", insert "Subject to Section 27-303,"
2. On page 2, line 31, remove the bracket "["
3. On page 3, line 4, remove the bracket"]"

CB-29-2013 (DR-2) was presented.

CODE INDEX TOPICS:

INCLUSION FILES:
