

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 7/30/96

Reference No.: CB-31-1996

Proposer: Del Giudice

Draft No.: 2

Sponsors: Del Giudice

Item Title: An Ordinance for the purpose of providing for the reversion of zoning for publicly owned land in the R-O-S Zone prior to conveyance of the land to another public entity

Drafter: Mary Lane
PZED Committee Director

Resource Personnel: Joyce Nichols
Principal Counsel

LEGISLATIVE HISTORY:

Date Presented: 5/29/96

Executive Action: __/__/__ __

Committee Referral:(1) 5/29/96 PZED

Effective Date: 9/16/96

Committee Action:(1) 6/19/96 FAV (A)

Date Introduced: 7/2/96

Pub. Hearing Date: (1) 7/30/96 1:30 P.M.

Council Action: (1) 7/30/96 ENACTED

Council Votes: SD:A, DB:A, JE:-, IG:A, AMc:A, WM:A, RVR:-, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 6/19/96

Committee Vote: Favorable with amendments, 3-0 (In favor: Council Members Wilson, MacKinnon and Maloney).

This legislation was discussed in concept at the March 18 committee worksession on CR-7-1996, which is the resolution to initiate the R-O-S Zone Countywide Map Amendment. During the discussion of the amount and type of parkland that should be placed in this zone, the Parks Department expressed concern that devaluing Commission-owned land would not be fiscally prudent

in cases where land is needed by another public entity, such as METRO or SHA, for construction of a public facility. In these cases, the other agency compensates the Commission based on the full market value of the property, which is based on the uses permitted in the zone. The R-O-S Zone is the least intensive zone, and therefore the least valuable. This legislation provides for the reversion of the zoning of the property to the most recent previous zoning category upon notification of intent to acquire it. It only applies to land that is being acquired by other public entity. The language was developed by attorneys for the Commission, the Council and the Office of Law.

The Legislative Officer finds the bill to be in proper legislative form, WSSC takes no position, and the Planning Board supports the bill, with several clarifying amendments. These amendments expand the first "whereas" clause on page 1 of the bill, and clarify in Section 27-113.01 (b) and (c) that the Planning Board is not actually amending the zoning map, but simply noting the reversion that took place automatically upon notification by a public entity of intent to acquire the land. These amendments were accepted by the Committee.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The R-O-S Zone was created primarily to be applied to publicly owned land that is intended to remain in an undeveloped state, with only limited recreational and institutional uses located on it. However, public land, particularly parkland, is at times unexpectedly needed by other public entities, such as METRO or the State Highway Administration, for other public uses that are not consistent with the purposes of the R-O-S Zone. This legislation provides for the reversion of the zoning of property in these cases from the R-O-S Zone to the previous zoning classification for the property, in order to eliminate the artificial diminishment in value of the land.

CODE INDEX TOPICS: (Zoning)

Land conveyed by the United States of America or Maryland	27-113
<u>Conveyance of public land zoned R-O-S to another public entity.....</u>	<u>27-113.01</u>