Reference No: CR-121-1991

## AGENDA ITEM SUMMARY

Draft No: 2

Prince George's

Meeting Date: 11/26/91

County Council

Requester: CO. EXEC.

DATE: 11/25/91

Item Title: To permit certain grading, building and

use and occupancy permits of a minor nature to be issued without the Planning

Board's review

Sponsors C MC CA D

Date Presented \_\_/\_/ \_ Executive Action \_\_/\_/ \_ \_ Committee Referral(1) 11/19/91 P&Z Effective Date \_\_/\_/\_

Committee Action (1) 11/25/91 FAV(A)

Date Introduced 11/19/91

Pub. Hearing Date (1) \_\_/\_\_ :\_\_ :\_\_ :\_\_ :\_\_

Council Action (1) 11/26/91 Adopted

M : A\_, P\_: A\_, WI: A\_, \_\_: \_\_, \_\_: \_\_, \_\_: \_\_

Pass/Fail P

Remarks

Joseph Healey, Resource Eugene Lauer,

Drafter: DER Personnel: DER

## LEGISLATIVE HISTORY

PLANNING AND ZONING COMMITTEE REPORT

Committee Vote: Favorable as amended, 5-0 (In favor: Council Members

Castaldi, Del Giudice, MacKinnon, Mills and Wineland).

The Planning Board, who had not had the opportunity to review the resolution prior to its transmittal by the County Executive, recommended the deletion of number 9, stockpiling permits, from the minor permits list. A memorandum was presented that explained the Planning Board's position.

There was also concern by Committee Members that as CB-89-1991 is currently written, the exemption from Planning Department review would not apply to properties within the Chesapeake Bay Critical Area. The Committee requested that an amendment be prepared to CB-89-1991 that deletes the language regarding the Chesapeake Bay Critical Area. Willie Furr and Jim Carr, representing DER, Bill Henaghan, representing the M-

NCPPC, and Joyce Nichols, the Council's principal Counsel, had no objections to this amendment. However, it was also agreed that number 3 on the list of minor permits, "replacement or removal of underground tanks", should undergo Planning Department review when the property is within the Chesapeake Bay Critical Area, and the resolution should be amended accordingly.

## BACKGROUND INFORMATION/FISCAL IMPACT (Includes reason for proposal, as well as any unique statutory requirements)

On October 25, 1991, the Planning and Zoning Committee favorably endorsed Draft 2 of CB-89-1991, which provides authority for the Planning Board and the Director, Department of Environmental Resources, to develop a listing of selected minor permits that could be exempt from review by the Planning Department and forward the recommended list to Council for approval.

The Council members requested that such recommendation be in the form of a resolution. Also, the Council members requested the resolution be expedited in order that they may act on it simultaneously with the enactment of CB-89-1991.