

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

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**Meeting Date:** 9/11/2001

**Reference No.:** CB-58-2001

**Proposer:** Shapiro

**Draft No.:** 2

**Sponsors:** Shapiro

**Item Title:** An Ordinance defining Residential Revitalization, creating a consolidated review process to encourage Residential Revitalization within designated Revitalization Tax Credit Districts, and permitting Residential Revitalization for existing multi-family dwellings and one-family attached dwellings

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**Drafter:** Kimberly Shearin-Cotton  
Legislative Coordinator  
M-NCPPC

**Resource** Cheryl Harrington  
**Personnel:** Legislative Aide

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**LEGISLATIVE HISTORY:**

**Date Presented:** 7/10/2001

**Executive Action:** \_\_/\_\_/\_\_\_\_ \_\_

**Committee Referral:** 7/10/2001 PZED

**Effective Date:** 9/11/2001

**Committee Action:** 7/25/2001 FAV(A)

**Date Introduced:** 7/31/2001

**Public Hearing:** 9/11/2001 10:00 A.M.

**Council Action:** 9/11/2001 ENACTED

**Council Votes:** RVR:A, DB:A, JE:-, IG:A, TH:A, WM:A, AS:A, PS:A, MW:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

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**PLANNING, ZONING & ECONOMIC DEV. COM. REPORT**

DATE: 7/25/2001

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Shapiro, Wilson, Estep and Russell).

Council Member Shapiro, the bill's sponsor, informed the Committee that he proposed this legislation as a revitalization tool to encourage and assist the rehabilitation of older apartment buildings in designated revitalization areas of the County. Mr. Shapiro indicated that the legislation was prepared in cooperation with the Planning Department and applicants who have expressed interest in multifamily redevelopment projects.

The legislation provides for a consolidated process, Detailed Site Plan review, for a Residential Revitalization project that includes the redevelopment of multifamily or one-family attached dwellings that may not comply with regulations concerning parking, height of structures, lot size and coverage, setbacks, etc. for the zone in which the property is located. Other applications normally required to modify these regulations such as special exceptions, validations of permit issued in error, and certifications of nonconforming use would not be necessary.

Staff presented a Proposed Draft-2 (DR-2) of the bill that included clarifying amendments proposed by Russell Warfel, attorney representing two multifamily redevelopment sites, as well by the Department of Housing and Community Development (DHCD). The changes in Proposed (DR-2) are as follows:

Page 2, line 15, after “or redevelopment of”, insert “any form of”.

Page 5, line 21 delete the first “and” and after “location”, insert “, and design”.

Page 6, line 7, delete “possible” and replace it with “practical”.

Page 6, line 18, after “Conforms with the”, insert “housing goals and priorities as described in the”.

Page 6, line 19, delete “Consolidation” and replace it with “Consolidated”.

The following clarification of language in this legislative history is provided to address concerns raised by DHCD regarding certain provisions contained in the bill. Regarding Section 27-445.09(b)(5), it is noted that there is no cap on the maximum number of parking spaces, and that (b)(5) is not intended to reduce parking spaces, but to reduce the parking requirement. Regarding Section 27-445.09(c)(3), the language requiring a finding by the Planning Board that a Residential Revitalization project “serves a need for housing in the neighborhood or community” is not intended to require a market study to determine if a project will serve housing needs in the community. Finally, regarding Section 27-445.09(c)(4), the language “benefits project residents and property owners in the neighborhood” (a required finding by the Planning Board), is not intended as a requirement that the property owner prove that property values will increase in the surrounding community.

DHCD also requested that the legislation be amended to provide an effective date on the day of its enactment as opposed to the 45 days normally required for a zoning bill to be effective. This was requested due to financing issues related to Manchester Square, one of the pending multifamily redevelopment projects that is intended to be developed pursuant to the provisions for Residential Revitalization contained in CB-58-2001.

The County Executive supports the legislation with the amendments recommended by DHCD. The Planning Board supports the legislation. The Legislative Officer and the Office of Law find the bill to be in proper legislative form. The Office of Audits and Investigations has determined there should be no negative fiscal impact on the County as a result of enacting CB-58-2001.

Michele LaRocca, of Meyers, Rodbell & Rosenbaum, P.A., spoke in support of the legislation and suggested that language added to the definition of Residential Revitalization in Proposed DR-2, “any form of” on page 2, line 15, should also be included in other sections of the legislation. Ms. LaRocca suggested that this language be added in the Use Tables on pages 3 and 4 after “Comprising”, and on page 5, line 11, after “shall be limited to”.

As a result of inserting “any form of” in the various sections of the bill as it pertains to existing multifamily dwellings, the Office of Law recommended that the bill title be amended to delete the word “certain” on page 1, line 5.

The Committee voted favorably on the amendments included in Proposed DR-2 as well as those suggested by DHCD concerning the immediate effective date as well as those suggested by Ms. LaRocca and the Office of Law.

**BACKGROUND INFORMATION/FISCAL IMPACT**

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

This legislation defines Residential Revitalization and permits this type of development in certain residential zones within designated Revitalization Tax Credit Districts.

**CODE INDEX TOPICS:**