

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2017 Legislative Session

Reference No.: CB-036-2017
Draft No.: 1
Committee: PLANNING, ZONING AND ECONOMIC DEVELOPMENT
Date: 5/03/2017
Action: FAV

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

Staff provided an overview of the legislation and informed the Committee of written referral comments that were received. CB-36-2017 amends the regulations concerning attached residential units within Mixed Retirement Developments in the R-S (Residential Suburban) Zone.

Council Member Turner, the bill's sponsor, informed the Committee that CB-36-2017 is follow-up corrective legislation to CB-91-2016, enacted by the County Council on November 15, 2016 for the purpose of increasing the permitted percentage of attached dwelling units within the R-S (Residential Suburban) and R-L (Residential Low) Zones. CB-36-2017 further amends the regulations to provide that the percentage limitation does not apply to Mixed Retirement Developments in the R-S Zone.

The Office of Law reviewed CB-36-2017 and determined that it is in proper legislative form with no legal impediments to its enactment. The Planning Board supports the legislation with an amendment as detailed in their position letter dated April 21, 2017 to the Council Chairman. "Currently, the Residential Low Development (R-L) Zone permits an exemption to the total number of attached dwelling units for Mixed Retirement Developments under certain circumstances." The Planning Board recommends amending the bill to permit the exemption to apply to all comprehensive design zones with Mixed Retirement Developments. Those zones include: Major Activity Center (M-A-C), Local Activity Center (L-A-C), Residential Urban Development (R-U), Residential Medium Development (R-M), and Residential Low Development (R-L) Zones.

After discussion of the Planning Board's recommendation, it was decided that separate legislation should be submitted to address the amendment. Maurene McNeil, Chief Zoning Hearing Examiner, suggested that the legislative history clarify that the provisions of the legislation should not be interpreted to mean that all of the dwelling units may be attached. Arthur Horne, of Shipley & Horne, P.A. was present in support of the legislation and to respond to questions.

The Committee voted favorable on the legislation as drafted.