

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2014 Legislative Session

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**Reference No.:** CB-65-2014

**Draft No.:** 2

**Committee:** **Planning, Zoning and Economic Development Committee**

**Date:** 09/16/2014

**Action:** FAV (A)

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### REPORT:

Committee Vote: Favorable with amendments, 4-0-1 (In favor: Council Members Turner, Franklin, Harrison and Olson. Abstain: Council Member Campos)

Council staff summarized the purpose of three Council Bills (CB-64-2014, CB-65-2014, and CB-66-2014) transmitted by the Planning Board for the Council's consideration to support the Chesapeake Bay Critical Area Overlay Zone Sectional Map Amendment (SMA). CB-65-2014 amends Subtitle 5B to add two streamlining measures. It eliminates the requirement to submit a Critical Area Conservation Plan for renovations or additions to existing structures located within the residential zones of the Anacostia Intense Development Overlay (IDO) Zone and allows the Board of Zoning Appeals to hear zoning variances within the Critical Area. The bill retains the Planning Board's authority to approve variances to Critical Area requirements.

Staff briefed the Committee on a Proposed Draft-2 (DR-2) of the legislation prepared by Planning Department staff. The amendments to Proposed DR-2 are as follows: page 1, lines 3-9, revisions to purpose clause; page 2, insert Section 5B-111 (a) Applicability including lines 15-22, page 2, in subsection (p), insert "as appropriate" after "Board of Zoning Appeals" and insert "/or" after "and" in line 30; page 2, line 29, after "and mitigation measures have been submitted", strike "provided on a conservation plan submitted for review that meets"; page 3, lines 19-27, insert Section 5B-112 along with changes to the existing codified section; and page 4, insert Subsection 5B-116(b) along with new provisions on lines 21-23 and other appropriate numbering changes to the subsection.

Megan Reiser and Rana Hightower of the Planning Department were available to respond to questions concerning the legislation.

The Office of Law reviewed CB-65-2014 and determined that it is in proper legislative form with no legal impediments to its enactment.

The Committee voted favorable with the amendments in Proposed DR-2.