

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

Meeting Date: 6/6/2000**Reference No.:** CB-13-2000**Proposer:** Bailey**Draft No.:** 2**Sponsors:** Bailey**Item Title:** An Ordinance amending the definition of Trucking Operations, permitting Trucking Operations in the I-1 Zone under certain circumstances, and defining Truck Marshalling

Drafter: Jackie Brown
PZ&ED Committee Director**Resource** Rhonda Walker
Personnel: Legislative Aide

LEGISLATIVE HISTORY:**Date Presented:** 2/29/2000**Executive Action:** __/__/____ __**Committee Referral:** 2/29/2000 PZED**Effective Date:** 7/24/2000**Committee Action:** 4/12/2000 FAV(A)**Date Introduced:** 4/18/2000**Public Hearing:** 6/6/2000 1:30 P.M.**Council Action:** 6/6/2000 ENACTED**Council Votes:** DB:A, JE:-, IG:A, TH:A, WM:A, RVR:A, AS:A, PS:-, MW:A**Pass/Fail:** P**Remarks:** _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 4/12/00

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

Staff explained the definition of Trucking Operations contained in the Zoning Ordinance and that the proposed legislation will amend the Industrial Use Tables to allow this use in the I-1 Zone under certain circumstances. Currently, this use is only permitted in the I-1 Zone if the operation is less than 100,000 square feet in gross floor area, has hours of operation between 7:30 a.m. and 5:30 p.m. and the building for the trucking operation was in existence on August 31, 1994. Generally, this use is permitted in the I-2 Zone.

This legislation proposes an additional footnote to allow a Trucking Operation limited to truck storage, maintenance and repair only, with associated administrative offices. The footnote prohibits transporting of any items to or from the site. Staff commented that the legislation would facilitate the location of a business, which transports U.S. Mail, however, no transporting occurs to or from the site due to Federal regulations. Because of the administrative office also proposed to be located on the site with truck storage and repair, the use is considered a “Trucking Operation” as defined in the Zoning Ordinance.

The Planning Board opposed CB-13-2000 indicating that the I-1 Zone is not the heaviest industrial zone and is not a zone where a trucking operation would be desired. Arie Stouten, representing the Planning Board, addressed the Committee explaining the purposes of the I-1 Zone and provided examples of the types of uses permitted in this zone. Mr. Stouten explained that the Planning Board recommended that if the bill moves forward, the proposed footnote could be amended to further define and restrict the use to limit the number of trucks that can be stored on the site and to limit the weight of the trucks to assure that only smaller trucks are permitted. These restrictions would ensure that a large trucking operation cannot exist in the I-1 Zone. In addition, the Planning Board suggested amending the footnote to only allow trucking operations that are under contract by the Federal Government to deliver mail and parcels for the United States Postal Service.

Michael Bahen, Pioneer Builders, addressed the Committee explaining that the Normbelle Transport Company has been in existence in the County since 1991 and that the business is solely for the purpose of transporting bulk mail with no loading or unloading occurring at the site. Mr. Bahen explained that the entire operation proposed by his client is less than 5,000 square feet in area and consists of no more than 12 trucks, some of which are tractor trailers, that would be located at the site for storage or repair/maintenance.

Don Fitzhugh, Cordero, Ward and Associates, informed the Committee that his company prepared the Detailed Site Plan and explained the status of the site plan. Mr. Fitzhugh commented that the site plan was under review by the Planning Board staff and recommended for approval. At the same time, a permit application for the use was under review and placed on hold due to the notation on the plan application referring to “transport company.” Norman Spence, Normbelle Transport Company, spoke in support of CB-13-2000, and described his business and the contract that his company has with the Federal Government for the distribution of U.S. Mail. Mr. Spence commented that the site where his business currently operates is leased and is not sufficient to continue operations and that he has purchased property in the Walker Mill Business Park for the relocation of his business.

Council Member Wilson proposed an amendment to the legislation to add a definition of Truck Marshalling to the Zoning Ordinance and to amend the existing definition for Trucking Operations to clarify that the use may not include Truck Marshalling which serves a use or a property outside the County. The Committee accepted these amendments and reported favorably on the bill to include the additional language offered by Council Member Wilson.

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

A Trucking Operation is defined in the Zoning Ordinance as "Any facility, other than the administrative offices, of a business established for the purpose of carting, hauling, moving, or otherwise transporting goods, materials, equipment, supplies, possessions, vehicles, or other items by truck for compensation. A 'Motor Freight' company is a 'Trucking Operation.' No storage building used by a 'Trucking Operation' shall be considered a 'Distribution Facility' or 'Warehouse Unit.' "

Generally, trucking operations are not permitted in the I-1 Zone, with the exception of small moving and storage operations. The use is permitted in the I-2 Zone. This legislation allows a trucking operation, by another exception, in the I-1 Zone.

CODE INDEX TOPICS: