

Prince George's County Council Agenda Item Summary

Meeting Date: 11/20/2012
Reference No.: CB-091-2012
Draft No.: 2
Proposer(s): Harrison
Sponsor(s): Harrison, Davis, Franklin, Olson, Patterson
Item Title: An Ordinance concerning Electronic Recycling Facilities for the purpose of defining electronic recycling facility, amending the definition of recycling plant to exclude electronic recycling facilities, and to permit electronic recycling facilities in the I-1 and I-2 Zones under certain circumstances.

Drafter: Jackie Brown, Director PZED Committee
Resource Personnel: Rodney Streeter, Chief of Staff District 5

LEGISLATIVE HISTORY:

Date Presented:	9/25/2012	Executive Action:	
Committee Referral:	9/25/2012 - PZED	Effective Date:	1/7/2013
Committee Action:	10/17/2012 - FAV(A)		
Date Introduced:	10/23/2012		
Public Hearing:	11/20/2012 - 10:00 AM		
Council Action (1)	11/20/2012 - ENACTED		
Council Votes:	WC:A, DLD:A, MRF:A, AH:A, ML:A, EO:A, OP:A, IT:A, KT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-107.01, 27-473

COMMITTEE REPORTS:

PZED Committee Report

Date 10/17/2012

Favorable with amendments, 5-0 (In favor: Council Members Franklin, Harrison, Olson, Patterson and Toles)

Staff informed the committee that a Proposed Draft-2 (DR-2) was prepared to address comments and recommendations received from the Planning Board and the Town of Cheverly based on their meetings conducted subsequent to the October 10, 2012 Planning, Zoning, and Economic Development Committee meeting. On October 11, 2012, the Planning Board voted in support of CB-91-2012 "with proposed revisions that the applicant proffered and discussed during the meeting." The revisions were incorporated into a Proposed DR-2. On October 16, 2012, the Town of Cheverly voted to support the legislation with amendments.

The Proposed DR-2 presented to the committee contained clarifying amendments to the definition as well as strengthening criteria for this use in the footnote on page 3, including but not limited to, Responsible Recycling (R2) standard certification. The amendments are also intended to ensure that this legislation is permitting electronic recycling facilities that conform to environmentally responsible operational practices. These practices are further

reiterated in the footnote requirements.

Thomas Haller, representing U.S. Recycling, and Town of Cheverly Mayor Mike Callahan testified in support of Proposed DR-2.

The committee voted in favor of the amendments contained in Proposed DR-2.

Held in committee. 10/10/2012

Staff summarized the purpose of the legislation and informed the committee of written referral comments that were received. CB-91-2012 amends the Zoning Ordinance to define electronic recycling facility, to amend the definition of recycling plant to exclude electronic recycling facilities, and to permit electronic recycling facilities in the I-1 and I-2 Zones under certain circumstances contained in a new footnote to the industrial zones use table.

Thomas Haller testified in support of the legislation. Mr. Haller commented on his client's opportunity to acquire a vacant warehouse in Cheverly for the purpose of locating an electronic recycling facility. He explained that this type of business, which has approximately 150 employees, would provide an opportunity to partner with municipalities given that the county landfill will not accept municipal electronics. Steve Earp, an environmental lawyer, was also present to provide information about this recycling use and the benefits of keeping electronics out of landfills.

The Office of Law reviewed CB-91-2012 and found it to be in proper legislative form with no legal impediments to its enactment. The Department of Environmental Resources provided an agency response in support of the legislation.

CB-91-2012 was held in committee to allow time for the Town of Cheverly to take an official position on the legislation.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This legislation amends the Industrial Zones Use Table to permit electronic recycling facilities in the I-1 and I-2 Zones under certain circumstances. The legislation also amends the definition for recycling plant and adds a definition for electronics recycling facility.

CODE INDEX TOPICS:

INCLUSION FILES:
