

# Prince George's County Council

## Agenda Item Summary

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**Meeting Date:** 10/26/2010  
**Reference No.:** CB-067-2010  
**Draft No.:** 2  
**Proposer(s):** Park & Planning  
**Sponsor(s):** Dernoga  
**Item Title:** An Ordinance for the purpose of making amendments to the off-street parking requirements in order to fulfill the requirements of internal green areas within parking lots on redevelopment sites.

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**Drafter:** M-NCPPC Staff  
**Resource Personnel:** M-NCPPC Staff

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>	7/13/2010	<b>Executive Action:</b>	
<b>Committee Referral:</b>	7/13/2010 - PZED	<b>Effective Date:</b>	12/13/2010

**Committee Action:** 9/20/2010 - FAV(A)

**Date Introduced:** 9/28/2010  
**Public Hearing:** 10/26/2010 - 10:00 AM

**Council Action (1)** 10/26/2010 - ENACTED  
**Council Votes:** MB:-, WC:A, SHD:A, TD:A, CE:A, AH:A, TK:A, EO:A, IT:A  
**Pass/Fail:** P  
**Remarks:**

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### AFFECTED CODE SECTIONS:

27-568

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### COMMITTEE REPORTS:

#### PZED Committee Report

**Date 9/20/2010**

Committee Vote: Favorable with amendments, 5-0 (In favor: Council Members Dean, Knotts, Bland, Dernoga and Olson)

Staff presented a Proposed Draft-2 (DR-2) with revisions based on the discussion held during the September 16, 2010 committee meeting. Proposed DR-2 deletes the definition of redevelopment as recommended by the Chief Zoning Hearing Examiner (ZHE) incorporating the language originally proposed in the definition into the new subsections (b)(1) and (b)(2) as follows:

(b) The number of parking spaces required by Section 27-568 (a) may be reduced by up to a maximum of fifteen (15) percent for the purpose of fulfilling the Parking Lot Interior Planting Requirement of Section 4.3c (2) (a) of the Landscape Manual in association with the following:

(1) Any permit for construction, alteration or use and occupancy applied for on a site within the Developed Tier, Corridor Node, or Center where existing impervious area exceeds forty (40) percent of the net lot area of the site, or

(2) Any permit for construction, alteration or use and occupancy applied for on a site within the Developing Tier where existing impervious area exceeds eighty (80) percent of the net lot area of the site.

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

Held in committee. 9/16/2010

Staff informed the committee that CB-67-2010 was transmitted by the Planning Board in July 2010 for the Council's consideration. CB-67-2010 was discussed in conjunction with CB-65-2010, which adopts the Comprehensive Update to the Landscape Manual.

Susan Lareuse, M-NCPPC Planner Coordinator, provided a PowerPoint which summarized the Landscape Manual revisions. Ms. Lareuse also noted the proposed revisions to the number of off-street parking and loading requirements to conform to the proposed Parking Lot Interior Planting requirements.

The ZHE reviewed CB-67-2010 and provided a written comment concerning the addition of a definition for "redevelopment" in the Zoning Ordinance which was not reflected in the purpose clause of the bill. The ZHE also notes that the definition, "any construction, alteration or improvement performed on sites where existing site impervious area exceeds forty (40) percent of the net tract area of the site" bears little if any relation to the existing definition for "development" which is "[a]ny activity that materially affects the condition or use of dry land, land under water, or any structure." (Section 27-107.01(a)(66.1)) Accordingly, the ZHE suggested that the bill be revised to delete the new definition and to amend the language on p. 2, lines 14-17 as follows:

"For any construction, alteration or improvement performed on sites located in the Developed Tier, Developing Tier, Corridor Nodes, or Centers, where existing impervious area exceeds forty (40) percent of the net tract area of the site, the number of required parking spaces..."

Council Member Dernoga suggested that staff look at revisions to the bill that would provide for a two-tier approach for off-street parking requirements dependent upon whether the redevelopment is on a site for which an approval occurred prior to adoption of the Landscape Manual in 1990. Ms. Lareuse concurred that it may also be appropriate to address the requirements by Tier as defined in the General Plan.

The Office of Law reviewed CB-67-2010 and found it to be in proper legislative form with no legal impediments to its adoption.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

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

This bill amends the Zoning Ordinance to reduce off-street parking in order to fulfill internal green requirements within parking lots on redevelopment sites.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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