

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2014 Legislative Session

Reference No.: CB-64-2014

Draft No.: 2

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

Date: 09/16/2014

Action: FAV (A)

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-64-2014 adds language to grandfather certain existing structures on properties affected by the Chesapeake Bay Critical Area Overlay Zone SMA and to permit the Board of Zoning Appeals to approve zoning variances within the Chesapeake Bay Critical Area.

Staff briefed the Committee on a Proposed Draft-2 (DR-2) of the legislation prepared by Planning Department staff. The clarifying amendments to Proposed DR-2 are as follows: page 3, line 11, insert "Planning Board" before "public hearing"; page 3, line 15, after "Planning Board", strike "or Board of Zoning Appeals, as appropriate". During discussion of the legislation, the Legislative Officer informed the Committee of an additional amendment that is necessary to clarify the powers and duties of the Board of Zoning Appeals. On page 2, line 14, insert the phrase "Except where provided in this Code" at the beginning of Section 27-229(b)(23).

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

The Office of Law reviewed CB-64-2014 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 as well as the amendment suggested by the Legislative Officer. Draft-2 also contains necessary revisions to the title and purpose clause to reference the appropriate subtitle and to provide notice of the grandfathering provisions contained in the bill.