

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2017 Legislative Session

Reference No.: CB-074-2017

Draft No.: 2

Committee: PLANNING, ZONING AND ECONOMIC DEVELOPMENT

Date: 9/13/2017

Action: FAV (A)

Committee Vote: Favorable as amended, 4-0-1 (In favor: Council Members Harrison, Franklin, Glaros and Patterson. Abstain: Council Member Toles)

Council staff summarized the purpose of CB-74-2017 and informed the Committee of written referral comments that were received. Council Member Taveras, the bill's sponsor, commented that the provisions of the legislation allow a more efficient process to remove a building restriction line on a plat which can be cost prohibitive for a homeowner trying to renovate their property. Ms. Taveras explained that this change in the Code will encourage renovations and promote community revitalization in communities that were developed pursuant to older record plats.

The Planning Board supports the legislation with an amendment to include the proposed exemption language in Section 24-107 (Jurisdiction) instead of Section 24-108. Section 24-107 exempts a property owner from the requirement of filing both a preliminary plan of subdivision and a final plat of subdivision, while Section 27-108 only permits an exemption from the preliminary plan of subdivision. The final plat of subdivision process can be costly for a property owner. The Planning Board recommends that the proposed exemption language in the bill be deleted and replaced. The language should be added under Section 24-107 (c) (18) and read as follows: "Any building restriction line(s) shown on a plat recorded on or before November 29, 1949 is extinguished." This language extinguishes the building restriction line(s) and permits a residential structure to add or expand a front porch or other structure without a final plat of subdivision regardless of the age of the structure.

The Department of Permitting, Inspections and Enforcement (DPIE) submitted a written comment indicating no impact to the agency, but suggested that the last two words on page 2, line 4 be changed from "hereby extinguished" to "may be extinguished as long as this action does not create any hazardous conditions."

The Committee voted favorable on CB-74-2017 including the amendment recommended by the Planning Board to include the exemption language in Section 24-107 (c) (18) as well as additional clarifications to the language suggested by the Planning Board staff and Chief Zoning Hearing Examiner during the Committee discussion. The revised language is included on page 2, lines 13-15, of the bill.