

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/15/2011
Reference No.: CB-034-2011
Draft No.: 2
Proposer(s): Park & Planning
Sponsor(s): Turner
Item Title: An Ordinance for the purpose of clarifying the definition of Natural Resource Inventory, amending environmental submission requirements and required findings concerning applications for certain zoning map amendments, permits, conceptual site plans, detailed site plans, and clarifying applicability requirements in the Zoning Ordinance.

Drafter: CJ Lammers, M-NCPPC Staff
Resource Personnel: CJ Lammers, M-NCPPC Staff

LEGISLATIVE HISTORY:

Date Presented:	7/19/2011	Executive Action:	
Committee Referral:	7/19/2011 - PZED	Effective Date:	2/1/2012

Committee Action: 9/7/2011 - HELD
9/21/2011 - FAV(A)

Date Introduced: 10/4/2011
Public Hearing: 11/15/2011 - 10:00 AM

Council Action (1) 11/15/2011 - ENACTED
Council Votes: WC:A, DLD:A, MRF:A, AH:A, LJ:-, ML:A, EO:A, OP:A, IT:A, KT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

27-107.01, 27-124.01.02, 27-159, 27-179, 27-199, 27-239.02, 27-260, 27-273, 27-274, 27-276, 27-282, 27-285, 27-296, 27-317, 27-518, 27-521, 27-527, 27-528, 27-532.02, 27-546.05

COMMITTEE REPORTS:

PZED Committee Report

Date 9/21/2011

Committee Vote: Favorable with amendments, 3-0 (In favor: Council Members Patterson, Campos, and Olson)

Staff presented a Proposed Draft-2 (DR-2) which included revisions to address the concern raised by the Chief Zoning Hearing Examiner (ZHE) during the September 7, 2011 committee meeting as well as a revision to the effective date clause. The language in new Section 27-124.02.01(b) was revised as follows:

Other project types may be eligible to be exempt from submitting a Natural Resource Inventory as determined by the Planning Director if the information to be provided in the Natural Resource Inventory, pursuant to the Technical Manual, is not necessary for the review of subsequent development applications for the project.

CJ Lammers of the Environmental Planning Section informed the Committee that she was in agreement with the

revised language provided in Proposed DR-2. The Committee voted favorable on CB-34-2011 with the revisions.

9/7/2011

Held in committee.

CB-34-2011 was transmitted by the Planning Board to the County Council as part of a package of environmental legislation for the purpose of making revisions to various subtitles of the County Code. The purpose of the revisions is to clarify and streamline certain regulations that were approved by the County Council on July 13, 2010 and became effective on September 1, 2010 (CB-26-2010, CB-27-2010, CB-28-2010, and CB-32-2010) Following the enactment of the environmental legislation, the Planning Department staff met with various applicants and members of the development community and determined that further clarifications and minor modifications of the ordinances are appropriate.

CB-34-2011 provides minor edits in the Zoning Ordinance to clarify when a Natural Resource Inventory (NRI) is required to be submitted and to provide an additional option for meeting the NRI requirement. The bill also contains minor edits to other submission requirements.

CJ Lammers, M-NCPPC Environmental Planning Section, and Alan Hirsch, M-NCPPC Subdivision Review Section, were present to respond to Council Members' questions.

The Department of Environmental Resources submitted an agency response indicating that the Department is unopposed to CB-34-2011.

Maurene Epps-Webb, Chief Zoning Hearing Examiner (ZHE), addressed the Committee regarding her concern with the language in new Section 27-124.02.01(b). Ms. Epps-Webb commented that additional language clarifying the project types that may be eligible for exemption to the NRI requirement should be provided.

The legislation was held in committee to allow an opportunity for Planning staff to work with the ZHE to provide appropriate revisions to address her concern.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This bill provides revisions to certain sections of this Subtitle of the County Code that were approved by the County Council on July 13, 2010 and became effective on September 1, 2010, collectively known as the "Environmental Legislation." This bill addresses minor edits to clarify when a Natural Resource Inventory (NRI) is required to be submitted and to provide an additional option for meeting the NRI requirement. This bill also contains minor edits to other submission requirements.

CODE INDEX TOPICS:

INCLUSION FILES:
