

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 5/21/2002

Reference No.: CB-11-2002

Proposer: Hendershot

Draft No.: 2

Sponsors: Hendershot

Item Title: An Ordinance amending the minimum lot size requirements in the R-80 Zone and the lot coverage requirements in the R-R Zone

Drafter: Steven M. Gilbert
Principal Counsel

Resource Carol B. White
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 3/5/2002

Executive Action: __/__/____

Committee Referral: 3/5/2002 PSFM

Effective Date: 7/8/2002

Committee Action: 3/27/2002 FAV(A)

Date Introduced: 4/9/2002

Public Hearing: 5/21/2002 10:00 A.M.

Council Action: 5/21/2002 ENACTED

Council Votes: PS:A, DB:-, TD:A, JE:A, TH:A, RVR:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 3/27/2002

Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Russell, Shapiro, Hendershot and Bailey).

This legislation amends the minimum lot size requirement in the R-80 Zone for lots recorded prior to November 29, 1949. In 1999, the enactment of CB-67 changed the minimum size requirement for lots recorded prior to this date from 5,000 to 10,000 square feet, and prohibited variances. In general, the minimum lot size for R-80 lots is 9,500 square feet; therefore, a minimum requirement of 10,000 square feet for older recorded lots in this zone is not practical. CB-11-2002 corrects this by providing a minimum lot size requirement of 6,000 square feet in the R-80 Zone for lots recorded prior to November 29, 1949.

The Planning Board supports the bill. The County Executive takes no position. The Legislative Officer and the Office of Law find the bill to be in proper legislative form. The Office of Audits and Investigations determined that there should not be any negative fiscal impact on the County as a result of enacting CB-11-2002. It should be noted, however, that changes or amendments to the Zoning Ordinance have an unpredictable future affect on the County that may cause fiscal impact in later years. There are a number of variables which may be affected by Zoning Ordinance changes that cannot be determined at this time.

Council Member Hendershot, the bill's sponsor, proposed an amendment to the legislation to change the lot coverage requirements in the R-R Zone for certain lots. The amendment, accepted by the Committee and reflected in Draft-2, increases the lot coverage (maximum percentage of net lot area) from 25 percent to 30 percent for a lot less than 12,000 square feet that is part of a resubdivision of land on a plat recorded prior to November 29, 1949.

BACKGROUND INFORMATION/FISCAL IMPACT

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

Council Bill 67-1999 amended minimum lot size requirements in the R-O-S, O-S, R-A, R-E, R-R, and R-80 zones, for lots recorded prior to November 29, 1949. The 1999 bill changed the minimum size requirement for such lots from 5,000 to 10,000 square feet, and variances were generally disallowed. The proposed bill changes from 10,000 to 6,000 the minimum area requirement in the R-80 Zone.

CODE INDEX TOPICS: