

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2016 Legislative Session

Reference No.: CB-012-2016
Draft No.: 2
Committee: PLANNING, ZONING AND ECONOMIC DEVELOPMENT
Date: 05/02/2016
Action: FAV (A)

REPORT:

Committee Vote: Favorable as amended, 3-0 (In favor: Council Members Harrison, Glaros and Taveras)

Staff presented a Proposed Draft-2A (DR-2A) containing amendments to address comments received during the April 6 Committee meeting. In Proposed DR-2A, new footnote 109 on page 4 was amended to provide additional limiting criteria including an acreage requirement and location on a certain road classification. Council Member Turner, the bill's sponsor, explained that the Draft-2A revisions address the applicability concerns expressed during the April 6 Committee meeting.

Held in committee.

April 6, 2016

Staff gave an overview of the legislation and informed the Committee of written referral comments and correspondence that were received. Council Member Turner informed the Committee that this legislation will facilitate the development of a use on property in his district that is currently surrounded by industrial uses even though the property is zoned residential. Mr. Turner explained that at the time of master plan and sectional map amendment for the area, the property owner was not interested in rezoning to industrial that was consistent with the surrounding zone and uses.

The Chief Zoning Hearing Examiner (ZHE) provided informational comments in a memorandum dated March 30, 2016 to the Committee Director concerning Zoning Ordinance definitions of "contiguous" and "adjacent" (terms used in the legislation) as well as information on types of uses permitted by right or by special exception in the I-1 Zone that would be allowed in a residential zone pursuant to the provisions in the legislation. The ZHE suggested the bill may include more regulatory parameters.

Staff presented a Proposed Draft-2 (DR-2) that included an amendment to remove reference to the M-X-T Zone in the following new footnote 109 on page 4 of the legislation:

<u>109</u>	<u>Provided, and notwithstanding any other provision of this Section, that:</u> (A) <u>The lot or parcel is contiguous to property located in the I-1 Zone and M-X-T Zone; and</u> (B) <u>The lot or parcel is adjacent to property owned by the United States of America.</u>
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Council Members Lehman and Toles expressed concern with the applicability of the legislation to other properties in the County and requested additional language that could possibility limit the applicability to address the situation in the sponsor's district. Council Member Turner requested that Planning Department staff provide mapping information on affected properties.

Matthew Tedesco, representing Anchor Construction, testified in support of the legislation.

The bill was held in committee to allow time for Planning Department staff to provide the requested information.