

**INTER-OFFICE MEMORANDUM
PRINCE GEORGE'S COUNTY, MARYLAND**

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TO: Jackie Brown, Director
Planning, Housing, and Economic Development Committee

FROM: Maurene Epps McNeil,
Chief Zoning Hearing Examiner

DATE: June 15, 2021

RE: CB-39-2021 and CB-40-2021

Thank you for the opportunity to provide the following comment on the above referenced bills.

CB-39-2021:

This bill removes obsolete language pertaining to bedroom percentages for multifamily dwellings. I have no suggested revisions or additions to the legislation.

CB-40-2021:

I believe the intent of this bill is to allow the site of an existing/prior health campus to be permitted in the R-80 Zone by right, and to be amended without the need for a Special Exception or any other site plan approval. As drafted, it raises concern.

Footnote 143 doesn't clearly address what the impact of the bill will be. It simply notes that despite currently being a use subject to SE approval, it will now be a use permitted by right "[n]otwithstanding any other provision of this Subtitle or County Code" and provided the use maintains a minimum size and includes buildings of a minimum GFA. This language could be interpreted to allow anything to be developed on the existing health campus and would arguably obviate the need to meet any setbacks, landscaping,

tree preservation, etc., requirements found elsewhere in the County Code. Given the fact that the original use required a finding that it not adversely impact the community, and allowed community input at a public hearing, such an interpretation might be problematic.

If this is not the intent of the bill I would suggest that Footnote 143 be revised to delete the language in the body thereof on p. 2 starting with "including all uses set forth in Section 27-362(a)(3) " and ending with (including parking and loading needs ... and delivery services" and insert similar language as a new (2) on page 3 stating "All uses provided on site shall satisfy the provisions set forth in Section 27-362 (a) (3)(including parking and loading needs of employees and residents of, and visitors and delivery services to, the site)." This would better allay the fear that uses other than those currently found in health campuses (or those that meet the criteria of an accessory use) will be added without benefit of any review. (If there are additional uses that the sponsor(s) would like to be added to those in 27-362 (a)(3) they could be inserted in the bill.)

The next concern is the intent of the portion of the footnote that states "and including any other property that is contiguous to the property boundaries of said previously approved health campus use." If the minimum size must be 25 acres or more and any land touching the campus can be added without any further review the health campus could, in theory, become quite large. Without knowing more about the genesis of the bill, I would suggest that a maximum acreage be inserted in the bill, and/or some type of site plan review should be included.

Finally, it is unclear whether subparagraphs (2) and (3) are required of the existing/prior health campus on the site or requirements of the use that might be ultimately developed. This should also be clarified.