

# Prince George's County Council

## Agenda Item Summary

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**Meeting Date:** 11/15/2011  
**Reference No.:** CB-041-2011  
**Draft No.:** 2  
**Proposer(s):** Turner  
**Sponsor(s):** Turner, Toles, Patterson, Lehman  
**Item Title:** An Ordinance requiring the Planning Board to refer Conceptual Site Plan, Detailed Site Plan, Comprehensive Design Plan, Specific Design Plan, and Master Plan proposals to the Prince George's County Health Department for a health impact assessment review identifying the health impacts or implications of proposed development on the community, and establishing referral requirements for Specific Design Plan applications.

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**Drafter:** Karen T. Zavakos, Legislative Officer  
**Resource Personnel:** Tomeka C. Bumbry, Legislative Aide

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>	9/20/2011	<b>Executive Action:</b>	
<b>Committee Referral:</b>	9/20/2011 - PZED	<b>Effective Date:</b>	1/3/2012
<b>Committee Action:</b>	10/11/2011 - FAV(A)		
<b>Date Introduced:</b>	10/18/2011		
<b>Public Hearing:</b>	11/15/2011 - 10:00 AM		
<b>Council Action (1)</b>	11/15/2011 - ENACTED		
<b>Council Votes:</b>	WC:A, DLD:A, MRF:A, AH:-, LJ:-, ML:A, EO:A, OP:A, IT:A, KT:A		
<b>Pass/Fail:</b>	P		
<b>Remarks:</b>			

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### AFFECTED CODE SECTIONS:

27-107.01, 27-275, 27-284, 27-519, 27-527.01, 27-644

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### COMMITTEE REPORTS:

#### PZED Committee Report

**Date 10/11/2011**

Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Patterson, Campos, Harrison, Olson and Toles)

Council staff presented a Proposed Draft-2A (DR-2A) which adds a definition for "Health Impact Assessment Review" and a 30 day review period (from the date of referral) for agencies to submit written comments on a Conceptual Site Plan.

Brad Frome, representing the County Executive's Office, and Evelyn Hoban of the Health Department were present to reiterate their concerns expressed during the October 5, 2011 committee discussion. Mr. Frome suggested removing the requirement for Health Department review for Detailed Site Plans and Specific Design Plans due to the quantities and scale of those development applications. Ms. Hoban commented that it is not possible for her agency

staff to complete the required review within 30 days.

Council Chair Turner, the bill's sponsor, indicated that Health Department concerns with staffing can be examined at the time of the FY2013 budget with consideration of obtaining available grants for their plan review. Chair Turner requested the committee's support of this legislation in an effort to bring the Health Department to the table on a consistent basis.

Council Member Campos indicated his support of the legislation and its purpose, but expressed concern with how it will not prevent streamlining the development process. Council Member Lehman commented that health impact assessment is an emerging field, and Prince George's County needs to lead more than it follows.

The committee voted favorable including the amendments in Proposed DR-2A.

10/5/2011

Held in committee.

Council staff provided an overview of the legislation and summarized written referral comments that were received. CB-41-2011 amends the Zoning Ordinance to require the Planning Board to refer site plans and master plan proposals to the County Health Department for a health impact assessment. The legislation also establishes referral requirements for Specific Design Plans. The health impact assessment should identify the potential effects on the health of the population, and the distribution of those effects within the population, including recommendations for design components to increase positive health outcomes and minimize adverse health outcomes on the community. A Proposed Draft-2 to address initial comments received from the M-NCPPC Planning Department was distributed for the committee's consideration.

Council Chair Turner informed the committee that she sponsored this legislation as a means to bring health issues to the forefront and as a mechanism for dialogue with the Health Department. Chair Turner expressed the need to have the health impact assessment at the time of Detailed Site Plans given that this is the phase of development at which the layout of buildings is provided.

M-NCPPC Planning Department Urban Design staff addressed the committee regarding concerns with required assessments for large scale projects and the potential difficulty in enforcing at a site specific level of the process. M-NCPPC Community Planning staff commented that the provisions of CB-41-2011 would institutionalize collaboration with the Health Department. Brad Frome, representing the County Executive's Office and Evelyn Hoban of the Health Department were also present to provide comments on the details of the legislation. Mr. Frome explained that the County Executive is looking to streamline the development/permitting process and the preference is to limit the assessment to the Master Plan/Sector Plan process and cautions adding another step to the development process. Ms. Hoban commented that the Health Department plan review staff attends the Subdivision and Development Review Committee; however, it is only one-third of the staff member's position. She also explained that the Health Department review is limited to review of plans for well and septic systems, swimming pools, and food services. The Planning Department and County Executive's Office also expressed concern that the legislation does not provide a definition for "health impact assessment".

Council Chair Turner informed the committee that there are grants available to the Health Department which could assist in expanding their health assessment reviews. Chair Turner also explained that this draft does not contain a definition for health impact assessment because if it is not clearly defined, there is more flexibility while still bringing health issues to the forefront.

Council Member Harrison inquired about the time limit for Health Department review for Conceptual Site Plans and suggested that 30 days be included for that review similar to what is provided for Comprehensive Design Plans.

Hamer Campbell, representing the Maryland National Capital Building Industry Association, addressed the committee indicating that the Association is not in a position to support CB-41-2011. Their concern is the lack of

definition for a health impact assessment and the need for certainty in the development process. Andre Gingles, of Gingles LLC, also expressed concern that there is no definition in the bill and commented on the need for more definitiveness in the process.

Council Chair Turner suggested that the legislation be held in committee to allow time for staff to prepare revisions to address comments raised during the meeting.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

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

This Ordinance will provide for referral of all applications for Detailed Site Plans and Specific Design Plans, as well as Sectional Map Amendments and Master Plans to the Prince George's County Health Department for a health assessment on the proposed development or future development on the community.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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