

Prince George's County Council Agenda Item Summary

Meeting Date: 10/26/2010
Reference No.: CB-065-2010
Draft No.: 1
Proposer(s): Park & Planning
Sponsor(s): Dernoga
Item Title: An Ordinance for the purpose of adopting the Comprehensive Update to the Prince George's County Landscape Manual and repealing redundant or obsolete provisions of the Zoning Ordinance relating to the Landscape Manual.

Drafter: M-NCPPC Staff
Resource Personnel: M-NCPPC Staff

LEGISLATIVE HISTORY:

Date Presented:	7/13/2010	Executive Action:	
Committee Referral:	7/13/2010 - PZED	Effective Date:	12/13/2010
Committee Action:	9/16/2010 - FAV		
Date Introduced:	9/28/2010		
Public Hearing:	10/26/2010 - 10:00 AM		
Council Action (1)	10/26/2010 - ENACTED		
Council Votes:	MB:A, WC:A, SHD:A, TD:A, CE:A, AH:A, TK:-, EO:A, IT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-124.03, 27-124.04, 27-124.05

COMMITTEE REPORTS:

PZED Committee Report

Date 9/16/2010

Committee Vote: Favorable, 5-0 (In favor: Council Members Dean, Knotts, Bland, Dernoga, and Olson)

Staff informed the committee that CB-65-2010 was transmitted by the Planning Board in July 2010 for the Council's consideration. This legislation adopts the Comprehensive Update to the Landscape Manual, which became effective on January 1, 1990. The Landscape Manual is a regulatory tool that is applied to most landscape plans submitted in conjunction with a building or grading permit. CB-65-2010 also deletes redundant and obsolete language from the Zoning Ordinance relating to Applicability (27-124.04) and Exemptions (27-124.05).

Susan Lareuse, M-NCPPC Planner Coordinator, provided a PowerPoint which summarized the Landscape Manual revisions. Ms. Lareuse indicated that the Planning Department staff has reached out to the community at large in order to solicit comments and to provide interested parties and stakeholders with a working knowledge of the proposed changes to this regulatory tool.

The purpose of updating the Landscape Manual is to:

- Clarify previously established standards and provide updated illustrations and schedules;
- Provide standards for the landscaping of sites in the Rural Tier;
- Incorporate numerous administrative interpretations which have been generated over the past twenty (20) years since the original adoption of the Landscape Manual;
- Evaluate recommended plant lists, encourage planting of native species and prohibit the planting of invasive species;
- Explore the feasibility of developing urban area regulations for use in the Developed Tier and in Centers and Corridor Nodes defined by the General Plan; and
- Provide defined standards for the planting of street trees along private streets.

The Office of Law reviewed CB-65-2010 and found it to be in proper legislative form with no legal impediments to its adoption also noting the following comment for a technical amendment to the bill:

On page 2, lines 30-31, there is new language added to Section 27-124.03 of the County Code as follows: "...is hereby adopted by reference as set forth in the Comprehensive Update to the Landscape Manual (attached) and made a part of this Subtitle..."

If the intent is to simply adopt a new version of the Prince George's County Landscape Manual (with a new date), then the existing code language, with the new date inserted, should be sufficient to accomplish this objective. If so, the new language is redundant, and confusing, and should be deleted.

The committee voted favorable on the legislation including the technical amendment noted by the Office of Law.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

On October 3, 1989, the Prince George's County Council approved CB-1-1989, legislation which removed sections of the Zoning Ordinance that addressed landscaping, buffering, and screening and consolidated them into the Landscape Manual. The Landscape Manual became effective on January 1, 1990. The Landscape Manual is a regulatory tool that is applied to most landscape plans submitted in conjunction with a building or grading permit. This regulatory tool requires that the plans meet the minimum landscaping requirements for development in residential, as well as commercial and industrial zones. The proposed legislation implements changes to the Landscape Manual to improve the quality of landscaping in the County and to update the manual to incorporate new technology, environmental sustainable practices by encouraging the use of native plants, and elimination of invasive plants; to improve the appearance of development from roadways and to provide buffering and screening of properties and service areas. In addition, this bill eliminates language from the Zoning Ordinance which has created confusion between the applicability and exemption sections of the Landscape Manual.

CODE INDEX TOPICS:

INCLUSION FILES:

I-Landscape Manual 2010 Final.pdf
