

- o Nine guidelines, which are more objective and enforceable, would be mandatory for all new buildings in the County. These requirements would be imposed at the time of building permit.
- o No new procedures would be necessary to implement this proposal; it would have minimal, if any, staffing implications; and plan review time should remain the same.

Stephen Ness, representing the SMBIA, spoke in opposition to the legislation. His primary objections pertained to the appropriateness of architectural regulations in the Zoning Ordinance, and the lack of flexibility in the mandatory requirements. He noted that many of the mandatory requirements are not appropriate in all cases, and the result of this legislation may be buildings lacking originality.

Hamer Campbell, also of the SMBIA, added that over the past several years, building design has improved in the County as a result of market forces, and it is no longer a problem.

Tom Haller, representing the Chamber of Commerce, stated that his organization shares the concerns of the SMBIA. He also noted concern about the Planning Board guidelines, which may become regulations over time.

Juan Gruner, John Corkhill and C. James Appleton, of the AIA, also urged the Committee to reject the legislation. The Committee made several amendments to the proposed Draft 2 based on the comments received.

Council Member Casula requested that Council staff work with the industry representatives in preparing Draft 2.

The Development Quality Steering Committee requested, in writing, that they be removed as requestors of the legislation, since it had undergone such major amendments and is no longer representative of their original recommendation.

Planning and Zoning Committee Report

Date: 2/5/90

HELD in Committee.

David Goldsmith, chairman of the Development Quality Steering Committee, began the presentation by giving a general overview of the legislation. Dennis Madden, who chaired the Building Design subcommittee that developed the guidelines in CB-1-1990, discussed the subcommittee's work, particularly the difficulty in regulating architecture and their efforts to incorporate the building design review into the existing development review procedures.

Wendy Irminger and Mike Petrenko presented the position of the Planning Board. It was noted that the staffing consequences of this legislation, although not yet calculated, would be enormous, since this procedure

would necessitate between 2,000 and 5,000 additional public hearings. Staff with architectural expertise would also have to be hired. The Planning Board also objected to the subjective nature of most of the guidelines, which would not be appropriate for inclusion into the County Code. It was suggested that a new approach be explored.

M-NCPPC and Council staff recommended the following: the guidelines that are subjective in nature and not enforceable should be placed in a separate document, and should serve as "guidance" for professionals when preparing building design plans and for M-NCPPC staff when reviewing Detailed Site Plans. The guidelines that are objective and could realistically be imposed should be mandatory, and should be incorporated into the existing building permit review. This approach would ensure that every new building would comply with the mandatory guidelines. Council staff agreed to work with M-NCPPC to amend CB-1- 1990 in this way.

The Committee entertained questions and comments on the legislation from representatives of the Suburban Maryland Building Industry Association, Prince George's Chamber of Commerce, and a number of professional architects, who objected to the legislation. Their main concerns were staffing requirements, delays in processing plans, and the suppression of innovative design.

Chairman Castaldi directed staff to work with members of the Development Quality Steering Committee and members of the development community who had testified in opposition to the legislation in redrafting CB-1-1990.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The Development Quality Steering Committee, created by CR-93-1987, has prepared building design guidelines to fulfill, in part, the goals and objectives of CR-93-1987. The proposed legislation implements these guidelines by requiring site plan review limited to building design in all zones, with certain exceptions, and by incorporating the building design guidelines into the Zoning Ordinance.