

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2018 Legislative Session

Reference No.: CB-089-2018

Draft No.: 2

Committee: PLANNING, ZONING, AND ECONOMIC DEVELOPMENT

Date: 09/19/2018

Action: FAV

REPORT:

Committee Vote: Favorable, 4-0-1 (In favor: Council Members Harrison, Franklin, Patterson, and Toles. Abstain: Council Member Glaros)

The Committee Director summarized the purpose of the legislation and informed the committee that no written referral comments were received on the bill; however, agency representatives were present to provide verbal comments. CB-89-2018 was presented as a Draft-2 for the purpose of amending the bill title to include the word "reclamation". This legislation amends the Zoning Ordinance Residential Zone use table to permit limited Class 3 fill uses, without the requirement for a special exception, as a method of reclaiming former sand and gravel mining properties for public use in the R-A (Residential Agricultural) Zone under certain circumstances.

Council Member Franklin, the bill's sponsor, informed the Committee that the intent of the legislation is to allow reclamation of former surface mining properties for public recreational amenity uses.

Rana Hightower, Planning Department staff, informed the Committee of the staff's recommendation to the Planning Board in opposition to the bill and explained the reasons for the staff's position.

The Zoning Hearing Examiner had no comment on the legislation. The Office of Law representative commented that the bill may be subject to legal challenge as it appears to be drafted for a specific property. The County Executive's representative indicated that the Executive has no comment CB-89-2018.

Based on Committee discussion and concerns with location of the use, the bill sponsor suggested that additional language providing distance requirements from certain uses may be included prior to introduction of the legislation.

The Committee voted favorable on the legislation as drafted.