

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 5/18/99

Reference No.: CB-10-1999

Proposer: Maloney

Draft No.: 2

Sponsors: Maloney

Item Title: An Ordinance restricting rezonings to the M-X-C Zone,
modifying existing M-X-C Zone regulations and
restricting certain uses in the M-X-T Zone

Drafter: Jackie Brown
PZ&ED Committee Director

Resource Personnel: Andy Eppelmann
Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 2/16/99

Executive Action: __/__/__ __

Committee Referral: 2/16/99 PZED

Effective Date: __/__/__

Committee Action: 4/14/99 FAV(A)

Date Introduced: 4/27/99

Pub. Hearing Date: 5/18/99 10:00 A.M.

Council Action: 5/18/99 TO ENACT

Council Votes: JE:N, DB:N, IG:N, TH:N, WM:A, RVR:A, AS:A, PS:N, MW:N

Pass/Fail: F

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 4/14/99

Committee Vote: Favorable with amendments, 3-1 (In favor: Council Members Russell, Gourdine and Maloney. Opposed: Council Member Hendershot).

Council Member Russell, Chairman, PZED Committee, indicated that discussion on this legislation occurred at a prior worksession and that the bill was held in Committee at that time pending a vote. A motion was made by Council Member Maloney and seconded by Council Member Gourdine for a favorable recommendation including the technical amendment suggested by the Office of Law. Council Member Hendershot made a motion to amend CB-10-1999 to provide an exemption for the Turf Farm property; the motion failed due to lack of a second.

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 3/31/99

Committee Vote: Hold, 5-0 (In favor: Council Members Russell, Bailey, Gourdine, Hendershot and Maloney).

Staff gave an overview of the legislation and informed the Committee of referral comments that were received. Council Member Maloney, the bill's sponsor, explained to the Committee that he presented this legislation in an effort to "tighten up" the M-X-C Zone since this Zone has few meaningful standards.

Council Member Hendershot proposed an amendment to the bill that would specify that the legislation would not apply to property which was rezoned to M-X-C by the District Council prior to January 1, 1999.

Joe Meinert, representing the City of Bowie, informed the Committee that the City Council supports CB-10-1999. Aurelio Nepa, Crestview Area Citizens Association, and Carmen Anderson, Prince George's County Civic Federation, spoke in support of the bill.

Edward Gibbs, Gibbs and Haller, spoke in opposition to the legislation. The Planning Board and the County Executive oppose the bill. The Chamber of Commerce also opposes the legislation. The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting CB-10-1999.

The Office of Law determined that the bill is in proper legislative form and recommended one technical amendment. The purpose clause should be amended to reflect that a change is being made to the M-X-T Zone as it refers to "dwellings as defined in the M-X-C Zone" being prohibited in the M-X-T Zone otherwise. This also requires an amendment to the Item Title for this bill.

A motion was made by Council Member Gourdine and seconded by Council Member Bailey to hold CB-10-1999 in Committee.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The M-X-C Zone is one of two Mixed Use Zones contained in the Zoning Ordinance. This legislation will restrict rezonings to the M-X-C Zone. Additionally, the legislation amends existing requirements for rezoning to the M-X-C Zone and criteria for approval at various stages of the development process. This bill places a cap on the number of multifamily dwellings allowed in a M-X-C development, amends the minimum and maximum percentage requirements for certain use areas and provides landscape buffer requirements within the boundaries of the M-X-C Zone.

CODE INDEX TOPICS: