

PRINCE GEORGE'S COUNTY COUNCIL
COMMITTEE REPORT
2016 Legislative Session

Reference No.: CB-007-2016
Draft No.: 2
Committee: PLANNING, ZONING AND ECONOMIC DEVELOPMENT
Date: 03/16/2016
Action: FAV (A)

REPORT:

Committee Vote: Favorable as amended, 3-0 (In favor: Council Members Harrison, Glaros and Taveras)

Council staff summarized the purpose of the legislation and informed the Committee of written referral comments that were received. The Council's Zoning and Legislative Counsel presented a Proposed Draft-2A (DR-2A), prepared in consultation with the bill sponsor and Planning Department staff.

Council Vice-Chair Glaros, the bill's sponsor, indicated that she proposed the legislation to further implement 2013 State legislation enacted for the purpose of encouraging transit oriented development. She informed the Committee of the need to clarify language in the building code, as provided in CB-7-2016, to ensure that the Department of Permitting, Inspections and Enforcement can appropriately administer surcharge fees in certain areas of the County.

The Planning Board supports CB-7-2016 with amendments as outlined in a Planning Department staff draft bill attached to their position letter.

In addition to technical amendments in the title in referencing the General Plan for the County, *Plan Prince George's 2035*, the following revisions are included in the Proposed DR-2A discussed by the Committee.

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~~(ii)~~ (E) The school facilities surcharge assessed pursuant to this Section shall be reduced by fifty percent (50%) for Multifamily Housing constructed on property located:

(i) within an approved Transit District Overlay Zone; or

(ii) where there is no approved for property outside of a Transit District Overlay Zone, approved development on property that is at least 50% within one-quarter (1/4) mile of the central platform of a an entrance to a Metro Station; or

(iii) within the Bowie State MARC Community Local Center designated boundary. Designation area, as defined in the 2010 Bowie State MARC Station Sector Plan and Sectional Map Amendment.

(jj)-(F) The school facilities surcharge required pursuant to the prescriptions of this Code shall not apply to a studio or efficiency apartment residential dwelling unit constructed on property located:

(i) within a designated County Center area-Regional Transit District or Local Center set forth in the 2014 General Plan approved for the County, *Plan Prince George's 2035 General Plan*, as may be amended from time to time;

(ii) within a Transit District Overlay Zone; or

(iii) for projects where there is no outside a Transit District Overlay Zone, approved development on property that is at least 50% for the area proposed for development, within one-quarter (1/4) mile of the center platform of an entrance to a Metro Station.

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SECTION 2. BE IT FURTHER ENACTED that, in accordance with prescriptions of State law, the District Council approved, via adoption of CR-26-2014 on May 6, 2014, the current general plan for land use and development in Prince George's County, *Plan Prince George's 2035*. The 2014 General Plan Amendment As approved by therein, the 2014 General Plan revised, without substantive change, the 2002 General Plan County certain policies for uses and development of land in the County designated as Centers or Corridors within the 2002 General Plan for purposes of assessment of a School Facilities Surcharge in accordance with Subtitle 10 of the Prince George's County Code.

SECTION 3. BE IT FURTHER ENACTED that, pursuant to the provisions of Chapter 685, 2013 Laws of Maryland, the provisions of this Act shall be abrogated, without any further legislative action, and shall be of no further force and effect after September 30, 2018.

In addition, the Zoning and Legislative Counsel informed the Committee that Subtitle 10 (Finance and Taxation), Section 10-192.01, will include an Editor's note as a cross reference to the changes being proposed in Subtitle 4 (Building) by CB-7-2016.

The Committee voted favorable including the amendments in Proposed DR-2A with an additional revision on page 3, to change new subsection "E" to subsection "(2)" and renumber subsequent existing and new subsections accordingly.