



**Reference No:** CB-65-1990

Draft No: 2

P r i n c e     G e o r g e ' s

**Meeting Date:** 7/31/90

C o u n t y    C o u n c i l

**Requestor:** MNCPPC

**Item Title:** An Ordinance to allow certain improvements to existing apt. developments; to amend accessory building regulations to permit the construction of guard booths

Sponsors	P	B
----------	---	---

<b>Date Presented</b>	6/5/90		<b>Executive Action</b>	/ /	
<b>Committee Referral</b>	(1) 6/5/90	C.O.W.	<b>Effective Date</b>	8/31/90	—
<b>Committee Action</b>	(1) 6/25/90	FAV(A)			
<b>Date Introduced</b>	7/3/90				
<b>Pub. Hearing Date</b>	(1) 7/31/90	11:00 AM			

**Council Action** (1) 7/31/90 Enacted  
**Council Votes** B\_ : A\_ , CA: N\_ , C\_ : A\_ , CI: -\_ , MC: A\_ , M\_ : A\_ ,  
P : A\_ , W : A\_ , WI: A\_ , : , : , :

Pass/Fail	P
-----------	---

### Remarks

**Drafter:** Wendy Irminger  
MNCPPC

**Resource  
Personnel:**

## LEGISLATIVE HISTORY

COMMITTEE-OF-THE-WHOLE REPORT

DATE: 6/25/90

Committee Vote: Favorable as amended, 5-1-0 (In favor: Council Members Bell, Casula, MacKinnon, Pemberton and Wilson; opposed: Council Member Castaldi)

Council staff noted that this legislation will facilitate the construction of beneficial improvements to multifamily developments by waiving the requirement for certification of a nonconforming use, validation of permits issued in error, and a Special Exception, as well as allowing security guard booths to be located in the front yard of the development for which it provides security. It was recommended that Section 27-242 also be amended, in order to clarify that nonconforming multifamily developments be exempt from the requirement for a Special Exception when making the eligible renovations.

The Apartment and Office Building Association transmitted their comments in favor of the legislation to the Committee.

In a letter dated June 21, the Chairman of the Planning Board requested that "landscaping" be added to the list of eligible renovations on page 4. The Committee accepted this amendment.

It was also suggested that "Day Care Facilities" be added to the list. Council Member Castaldi was concerned about the inclusion of day care facilities, and stated his opposition to the amendment of the legislation in this way.

**BACKGROUND INFORMATION/FISCAL IMPACT**

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

Existing multifamily dwellings are usually nonconforming because the development does not conform to current zoning provisions such as parking, landscaping, or bedroom percentages. Certification as a nonconforming use and Special Exception approval of any proposed change to the site plan of a certified nonconforming use is required prior to the issuance of any permit. This discourages property owners from performing desirable renovations such as: the addition of walls or fences to deter drug trafficking, upgraded landscaping, canopies, or playgrounds. This proposal would facilitate these renovations by establishing that they are subject only to the applicable permit, irrespective of their nonconforming status.