

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

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**Meeting Date:** 6/18/2002**Reference No.:** CB-41-2002**Proposer:** Planning Board**Draft No.:** 3**Sponsors:** Shapiro, Wilson

**Item Title:** An Ordinance revising fees for various planning and Zoning proposals by repealing certain sections of the Zoning Ordinance and creating a new section addressing Fees and amending variance procedures for various Applications

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**Drafter:** Kimberly Shearin-Cotton  
M-NCPPC,  
Legislative Coordinator**Resource** Faroll Hamer, M-NCPPC  
**Personnel:** Arie Stouten, M-NCPPC

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**LEGISLATIVE HISTORY:****Date Presented:** 4/30/2002**Executive Action:** \_\_/\_\_/\_\_\_\_ \_\_**Committee Referral:** 4/30/2002 PZED**Effective Date:** 1/1/2003**Committee Action:** 5/14/2002 FAV(A)**Date Introduced:** 5/21/2002**Public Hearing:** 6/18/2002 10:00 A.M.**Council Action:** 6/18/2002 ENACTED**Council Votes:** PS:A, DB:A, TD:A, JE:A, TH:A, TK:A; RVR:A, AS:A, MW:A**Pass/Fail:** P**Remarks:** \_\_\_\_\_

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**6/18/2002:** CB-41-2002 (DR-2) amended on the floor; (DR-3) enacted

**PLANNING, ZONING & ECONOMIC DEV. COM. REPORT**

DATE: 5/14/02

Committee Vote: Favorable with amendments, 5-0 (In favor: Council Members Russell, Bailey, Hendershot, Shapiro and Wilson).

CB-41-2002 was sponsored by the Chairman at the request of the Planning Board for the purpose of adjusting the development review fees for various planning and zoning applications and procedures.

The Planning Board provided the following comments in support of the bill. The fees charged to landowners and developers for planning and zoning applications and procedures were last increased in the 1980s. The Planning Department researched its fee schedule and determined that adjustment of fees would bring them more in line with the fees charged by neighboring

counties, particularly Montgomery County. CB-41 is the result of the Department's research. The fee adjustments are reasonable and much needed.

Staff presented a Proposed Draft-2 of the legislation that was prepared to incorporate non-substantive amendments contained in a memorandum from the Planning Department staff. The amendments are as follows:

- Section 27-255.01. Fees for permit review by Planning Board. Delete the proposed revisions, and leave the \$5.00 fee as is. The reason for this is that this fee appears in two places: in Subtitle 4, the Building Code, as well as in Subtitle 27, the Zoning Ordinance. No legislation has been proposed to amend the Building Code this year. The Planning Department will propose a fee increase next year, and amend the Zoning Ordinance and the Building Code simultaneously.
- Section 27-125.02. Fee Regulations. (d) Special Exceptions. Add a new sentence that explains that the designation "H" means high, "M" means medium, and "L" means low. The word "impact" should be deleted, and a sentence should be added that the rating is intended to describe the time and effort necessary for the review. Also, the code numbers for each section should be deleted, as these change from time to time.
- Section 27-125.02. Fee Regulations. (g) Alternative Development Technique. Add a reference to 27-475.07, to clarify what the Alternative Development Technique is.
- Section 27-125.02. Fee Regulations. (K). Zoning Certification Letters. Add "and Buildable Lot" before Letters. After "Upon requesting a Zoning Certification Letter," add a parenthetical phrase to explain what a Zoning Certification Letter is, such as "(a letter signed by the Planning Department staff certifying that a use or structure on a given piece of property is allowed as a permitted use in accordance with the existing zoning)."
- At the end of the bill, in Section 4, add a clause that indicates the bill will go into effect on January 1, 2003.
- Revise the Title of the bill to include a reference to the fact that the bill provides that notification requirements for variances be the same as the associated primary use.

During the Committee meeting, Planning Department staff also pointed out that on page 29 of Draft-1 there were two ratings, "M" or "H", provided for two different uses, newspaper publishing establishment; printing office and seafood market; the rating should be "M" for both uses.

The County Executive takes no position on CB-41. The Office of Law found the bill to be in

proper legislative form with the technical amendments that were incorporated in the Proposed Draft-2.

The Office of Audits and Investigations determined there should be some positive fiscal impact on the County as a result of enacting CB-41 related to revenue generated from fee increases. The revenue generated from the fees is paid directly to the Maryland-National Capital Park and Planning Commission. The amount of revenue cannot be determined at this time.

**BACKGROUND INFORMATION/FISCAL IMPACT**

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

This legislation revises the fee schedule for various planning and zoning applications and procedures. A new section of the fee regulations is also included in the bill. The moderate increases would bring the fees in line with what is charged in neighboring counties, particularly Montgomery County.

**CODE INDEX TOPICS:**