

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2019 Legislative Session

Reference No.: CB-060-2019

Draft No.: 2

Committee: PLANNING, HOUSING, AND ECONOMIC DEVELOPMENT

Date: 10/03/19

Action: FAV(A)

REPORT:

Favorable as amended, 5-0 (In favor: Council Members Glaros, Davis, Dernoga, Hawkins, and Ivey)

The Planning, Housing, and Economic Development Committee Director summarized the purpose of the legislation and informed the committee as to comments received on referral. CB-60-2019 amends the Zoning Ordinance Residential Zone Table of Uses to modify a footnote that was added to the table pursuant to the enactment of CB-97-2018 (DR-2) concerning the O-S (Open Space) Zone. CB-60-2019 adds an (E) to the footnote (129) to allow the Department of Permitting, Inspections, and Enforcement (DPIE) to issue a permit for rough grading under certain circumstances. Council Chair Turner, the bill's sponsor, indicated that the bill is companion legislation to the 2018 measure which he proposed as a result of the approved minor amendment and public engagement during the minor amendment process for the potential redevelopment of the Glenn Dale Golf Course. Chair Turner commented on the September 2019 announcement by the golf course owners as well as the provisions of CB-60-2019 to authorize the rough grading of the property and facilitating the proposed redevelopment to move forward.

Rana Hightower, Planning Department Intergovernmental Affairs Coordinator, informed the Committee that the Planning Department staff recommendation to the Planning Board is to vote in opposition to CB-60-2019 as explained in the staff's policy analysis memorandum to the Board.

The Chief Zoning Hearing Examiner (ZHE) commented on suggested technical amendments to change the footnote number (from 126 to 129) and to move "townhouse, all others" after "dwelling, one-family detached, in general." The ZHE also expressed concern with the term "land bays" in the new language in (E) since it is not a term of art in the zoning or subdivision ordinances and the footnote should include a reasonable definition. The Office of Law reviewed CB-60-2019 and determined that it is in proper legislative form with no legal impediments to its enactment.

Norman Rivera, representing Glenn Dale Club, testified in support of the legislation indicating that the preliminary plan of subdivision establishes the limit of disturbance for purposes of the

To address the ZHE’s concern regarding the term “land bays”, the Committee Director suggested an amendment to strike “land bays for development” and insert “the approved limits of disturbance for rough grading purposes”. The Committee accepted this amendment and included additional clarifying amendment as follows:

In (B), strike “more” and insert “less”, also strike “Thirty (130)” and insert Twenty (120)” and in (E) after “the adoption of a Resolution of approval for the preliminary plan of subdivision”, insert “and acceptance of a Detailed Site Plan”. Additionally, change the order of uses in the bill to reflect the order contained in the Zoning Ordinance and include existing footnote numbers for each use listed in the table of uses.

Council Member Davis made a motion for favorable recommendation on the legislation as amended, seconded by Council Member Ivey. The Committee unanimously voted for a favorable recommendation as to CB-60-2019, as amended.