

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

Meeting Date: 6/18/2002

Reference No.: CB-34-2002

Proposer: Shapiro

Draft No.: 2

Sponsors: Shapiro

Item Title: An Ordinance designating an area in the front yards of dwellings where construction of parking areas is not permitted, after September 1, 2002

Drafter: Steven M. Gilbert
Principal Counsel

Resource Cheryl Harrington
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 4/30/2002

Executive Action: __/__/____

Committee Referral: 4/30/2002 PZED

Effective Date: 8/5/2002

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: _____

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).

Staff summarized the legislation and indicated that this is a companion bill to CB-15-2002 (Residential Parking on Unpaved Areas) that was enacted by the Council and amended Subtitle 26 of the Code concerning Vehicles and Traffic. CB-34-2002 amends Subtitle 27 to prohibit parking spaces, parking areas or parking structures, other than a driveway in the front yard of a dwelling, except a townhouse or multifamily dwelling. Structures built before September 1, 2002 and therefore not in compliance with the legislation will not be deemed nonconforming uses.

The bill's sponsor explained that CB-34 is an additional measure to address the problem in his district and other urban areas of the County where vehicles are being parked in front yards of single-family dwelling lots. Where CB-15 allows police officers to assist with enforcement, CB-34 permits Department of Environmental Resources to enforce the new zoning standards.

The Planning Board supports the bill indicating that it will improve the livability of neighborhoods and preserve neighborhood standards in the specific areas of the County where parking on front lawns is an issue. The Board stated that a problem may be created by making the regulation in CB-34 apply countywide and limiting it to Revitalization Tax Credit Districts would be helpful.

Staff presented a Proposed Draft-2 (DR-2) that adds language limiting the regulation to Revitalization Tax Credit Districts. The DR-2 also deletes the new language in the definition for front yard originally contained in Draft-1 and adds the word "parking" before "structures" in Figure 29. on the last page of the bill. The Committee accepted the amendments in DR-2.

The County Executive takes no position on CB-34, however, the Department of Environmental Resources provided a memorandum stating the Department's concerns. The memorandum indicates that if passed, CB-34 would increase the workload of the inspection staff of the Community Standards Division and would require hiring additional inspectors as a result of a large number of neighbor against neighbor complaints that may result. However, no funds have been designated or approved in the budget for this purpose in Fiscal Year 2003.

The Legislative Officer and the Office of Law found the bill to be in proper legislative form. The Office of Audits and Investigations determined there should not be any negative fiscal impact on the County as a result of enacting CB-34-2002.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The legislation defines the area of the front yard of a dwelling where parking areas may not be built, after September 1, 2002.

CODE INDEX TOPICS: