

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

Meeting Date: 7/30/96

Reference No.: CB-33-1996

Proposer: Council Member Estep

Draft No.: 1

Sponsors: Council Members Estep and Scott

Item Title: An Ordinance for the purpose of permitting outdoor athletic fields in the O-S Zone under certain circumstances

Drafter: Mary Lane
PZ&ED Committee Director

Resource Personnel: Peter Lupo
Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 5/29/96

Executive Action: __/__/__

Committee Referral:(1) 5/29/96 PZED

Effective Date: 9/16/96

Committee Action:(1) 7/1/96 FAV

Date Introduced: 7/9/96

Pub. Hearing Date: (1) 7/30/96 1:30 PM

Council Action: (1) 7/30/96 ENACTED

Council Votes: SD:A, DB:A, JE:-, IG:A, AMc:A, WM:A, RVR:-, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 7/1/96

Committee Vote: Favorable, 5-0 (In favor: Council Members Wilson, Estep, MacKinnon, Maloney and Russell).

Outdoor athletic fields operated by private nonprofit groups are currently permitted in the O-S Zone, provided the field is on a lot of at least 40 acres and is on property owned by the County and leased to the nonprofit organization. This legislation removes the requirement that the field be on land owned by the County and leased to the nonprofit organization, but adds a requirement that the field be set back 100 feet from all property lines. All existing uses are grandfathered. If these conditions

are not met, a Special Exception is required. This use is permitted in all the other residential zones (except the R-R Zone) by Special Exception, and in the R-R Zone by right under specific circumstances. There are 301 parcels in the O-S Zone consisting of at least 40 acres, which does not include the parcels that could be combined to meet the 40 acre requirement.

The Planning Board supports this legislation, but recommends that the required setback be increased from 100 feet to 300 feet from all property lines, particularly for a lighted field. It was also recommended that a process for a temporary/renewable permit that would allow neighborhood input be created. Jimi Jones, representing the Planning Board, suggested that Planning staff be given additional time to develop such a process. In answer to a question regarding the applicability of the Woodland Conservation Ordinance to this use, Dale Hutchison of the Planning Department responded that as with all other uses, the tree preservation regulations, where applicable, would be imposed at the time of permit issuance.

The Committee requested that the legislation be amended to continue to allow a private nonprofit organization to lease, as well as to own, the property on which the field is located. As drafted, the legislation permits both the leasing and owning of property, since the reference to "athletic field, outdoor, private nonprofit" in the Section 27-441 (b) indicates that the operation of the use by a private, nonprofit organization is permitted, regardless of the ownership of the property.

BACKGROUND INFORMATION/FISCAL IMPACT

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

Athletic fields are currently permitted in the O-S Zone on lots of at least 40 acres in size, and provided the field is located on land leased from Prince George's County to a private non-profit organization. This legislation eliminates the requirement that the land be owned by the County, but requires that the field be set back at least 100 feet from all property lines. Although not specifically stated, accessory uses, such as picnic areas, would also be permitted by right.

CODE INDEX TOPICS: