

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/1/2004
Reference No.: CB-099-2004
Draft No.: 1
Proposer(s): Bland, Dernoga, Harrington
Sponsor(s):
Item Title: An Emergency Act limiting the number of building permits that may be issued in the Rural Tier, as designated in the Approved General Plan, and providing for certain exceptions.

Drafter: Jackie Brown, Director PZED Committee
Resource Personnel: Arie Stouten, M-NCPPC Development Review Division

LEGISLATIVE HISTORY:

Date Presented:	10/5/2004	Executive Action:
Committee Referral:	10/5/2004 - PZED	Effective Date:
Committee Action:	10/12/2004 - HELD 10/20/2004 - FAV	

Date Introduced:
Public Hearing:
Council Action:
Council Votes:
Pass/Fail:
Remarks:

AFFECTED CODE SECTIONS:

04-111

COMMITTEE REPORTS:

PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Date 10/20/2004

Committee Vote: Favorable, 5-0 (In favor: Council Members Dernoga, Bland, Dean, Exum, and Harrington)

Staff gave an overview of the bill and informed the committee that there were no amendments proposed to Draft-1.

PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Date 10/12/2004

Held in committee.

Chairman Dernoga announced that the committee would take testimony on three bills concerning the Rural Tier, CB-98-2004, CB-99-2004, and CB-100-2004; however, committee action would be held until a later date.

Staff summarized the purpose of the bill and informed the committee of referral comments that were submitted concerning this legislation. The bill amends the Building Code regulations to make specific reference to the Interim Development Ordinance amendments in CB-100-2004. The amendments in CB-99-2004 are intended to make it clear in the Building Code that the rules for building permit issuance are changed within the designated Rural Tier.

The Legislative Officer, Office of Law, and Principal Counsel found the bill to be in proper legislative form.

The Office of Audits and Investigations determined that there may be some negative fiscal impact on the County as a result of enacting CB-99-2004. The negative impact would stem from the limiting of building permits and any revenues associated with the permits. The amount of negative fiscal impact cannot be quantified at this time.

The Planning Board supports CB-99-2004 as necessary for implementing the General Plan of 2002.

A total of 41 speakers addressed the committee with various comments in support of and in opposition to this legislation.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

The Approved General Plan (2002) established three policy areas in the County: Developed, Developing and Rural Tiers. The growth objective of the Plan is that 33 percent of the County's residential growth over the next 25 years is to be located in the Developed Tier, 66 percent in the Developing Tier, and one percent in the Rural Tier.

The General Plan states: "the vision for the Rural Tier is protection of large amounts of land for woodland, wildlife habitat, recreation and agriculture pursuits, and preservation of the rural character and vistas that now exist."

The number of new residential completions has gradually increased from 1.6 percent in 2000 to 3.3 percent in 2003. In addition, the number of lots created through new subdivisions has been approximately 4 to 5 percent of the total approved for the last four years. Since 2001, approximately 2800 acres have been subdivided. In the first half of 2004, over 900 acres were subdivided.

The County Council plans to develop a comprehensive policy on development in the Rural Tier. This legislation amends Subtitle 4, the Building Code to limit the number of building permits that may be issued in the Rural Tier until such time as a comprehensive policy is developed.

CODE INDEX TOPICS:

INCLUSION FILES:
