

# PRINCE GEORGE'S COUNTY COUNCIL

## COMMITTEE REPORT

2018 Legislative Session

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**Reference No.:** CB-091-2018

**Draft No.:** 2

**Committee:** PLANNING, ZONING, AND ECONOMIC DEVELOPMENT

**Date:** 09/19/2018

**Action:** FAV (A)

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### REPORT:

Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Harrison, Franklin, Glaros, Patterson and Toles)

The Committee Director summarized the purpose of the legislation and informed the committee that no written referral comments were received on the bill; however, agency representatives were present to provide verbal comments. This legislation permits certain alterations, enlargements, or extensions to certified nonconforming buildings, structures, and uses without the requirement for a special exception under certain circumstances. Council Member Taveras, the bill's sponsor, explained the intent of the legislation is to ensure that private property owners are not penalized due to the conveyance of land to a governmental agency for public use that may result in increasing nonconformities due to the private-to-public land conversion.

Rana Hightower, Planning Department staff, informed the Committee of the staff's recommendation to the Planning Board in opposition to the legislation and summarized staff's concerns. The Zoning Hearing Examiner expressed similar concerns and suggested clarifying language on page 2, lines 16-19. The Office of Law had no comment on the legislation. The County Executive's representative indicated that the Executive is in support of CB-91-2018.

Thomas Haller, of Gibbs and Haller, testified in support of the legislation.

The Committee voted favorable on the legislation including the following amendments on page 2 as recommended by the Zoning Hearing Examiner:

- At the beginning of line 16, insert "In the event that" and change the "A" to lower case
- Line 17, change 27-107(c)(5) to 24-107(c)(5), strike "the Prince George's County" and insert "this"; after "Code", insert "increases the nonconformity of an existing nonconforming use, such use"
- Line 18, strike "that results in any one or more of the following" and insert "Increases in nonconformity may include:"

- Line 29, after “the owner shall be”, change “entitled” to “required”.