



Office of the Chairman  
Prince George's County Planning Board

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September 10, 2020

The Honorable Todd M. Turner  
Chair  
Prince George's County Council  
County Administration Building  
14741 Governor Oden Bowie Drive  
Upper Marlboro, Maryland 20772

Re: CB-54-2020

Dear Chairman Turner:

Thank you for providing the Planning Board an opportunity to review and comment on proposed District Council legislation. During the September 10, 2020, Planning Board meeting, the following position was adopted in accordance with the planning staff's recommendation on the proposed legislation. **A Planning Board Analysis of the bill is attached for your consideration and a brief excerpt from the report is provided below:**

**CB-54-2020** *A bill to permit a concrete recycling facility in the Industrial Light (I-1) Zone under certain circumstances.*

**Planning Board Recommendation: Oppose.**  
(See Attachment 1 for a full analysis)

The bill does not state the certain circumstances under which this use would be permitted. It is also important to note that a "concrete recycling facility" is already an existing use under the table of uses. This high impact use is currently permitted by right in the Heavy Industrial (I-2) Zone, under certain circumstances or by Special Exception approval otherwise. Special Exception (SE) approval is also required in the Light Industrial (I-1), Planned Industrial/Employment Park (I-3), Limited Intensity Industrial (I-4), and Urban Light Industrial (U-L-I) Zones. Also, under Section 27-343.03, there are additional specific special exception requirements for the concrete recycling facility use. CB-54-2020 would create significant conflicts of interpretation pertaining to concrete recycling facilities.

The purposes of the Light Industrial Zone are to attract a variety of labor-intensive light industrial uses; to apply site development standards which will result in an attractive, conventional light industrial environment; to create a distinct light industrial character, setting it apart from both the more intense industrial zones and the high-traffic-generating commercial zones; and to provide for a land-use mix that is designed to sustain a light industrial character.

**The SE regulations for the current concrete recycling facility use ensures the proposed use is in conformance with all the applicable requirements and regulations of the Zoning Ordinance; the proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan; the proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area; the proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.**

**The Planning Board has been unable to identify the specific property for which this bill is written if such a property exists. There are approximately 2,579 properties currently, wholly, or partially, zoned I-1 in the county.**

**Approximately 1,302 of the 2,579 properties abut residential or commercial zones. These properties could be impacted by the proposed legislation. A concrete recycling facility is a heavy labor-intensive use which requires large tracts of land. The use is appropriate in the Heavy Industrial (I-2) Zone. This use is incompatible with the purposes of the I-1 Zone and any adjacent I-1 zoned uses and should not be permitted by-right.**


**The Planning Board believes that this use should only be permitted in the I-1 Zone, with Special Exception approval which includes the additional conditional requirements under Section 27-343.03. Concrete recycling facilities require analysis of adverse noise and vibration from crushing the concrete, dust caused from the crushing operations, additional building setbacks from the crushing and remixing of the concrete, methods of disposing of waste materials, location of all material stockpiles, source of water to be used to make concrete, hours of operation, and truck traffic circulation operations.**

**The adopted Zoning Ordinance renames the I-1 Zone the Industrial/Employment (IE) Zone. The concrete recycling facility use will require Special Exception approval in the IE Zone with identical requirements as existing today.**

As always, Planning Department staff members are available to work with the Council and your legislative staff on any pertinent legislative matters. Please let us know if we may be of further assistance.

Should you have questions, please do not hesitate to contact the Office of the Planning Director at 301-952-3595. Thank you, again, for your consideration.

Sincerely,

  
Elizabeth M. Hewlett  
Chairman

Attachment



## **CB-54-2020–Planning Board Analysis (Attachment 1)**

A bill to permit a concrete recycling facility in the Industrial Light (I-1) Zone under certain circumstances.

**The Planning Board has the following comments and suggestions for consideration by the District Council:**

### **Policy Analysis:**

The purpose of this legislation is to add as a permitted use a concrete recycling facility to the Industrial Zones Table of Uses under the Industrial Light (I-1) Zone under certain circumstances. Next, the bill prohibits the use in all other industrial zones.

The bill does not state the certain circumstances under which this use would be permitted. It is also important to note that a “concrete recycling facility” is already an existing use under the table of uses. This high impact use is currently permitted by right in the Heavy Industrial (I-2) Zone under certain circumstances, or by Special Exception approval otherwise. Special Exception (SE) approval is also required in the Light Industrial (I-1), Planned Industrial/Employment Park (I-3), Limited Intensity Industrial (I-4), and Urban Light Industrial (U-L-I) Zones. Also, under Section 27-343.03, there are additional specific special exception requirements for the concrete recycling facility use. CB-54-2020 would create significant conflicts of interpretation pertaining to concrete recycling facilities.

The purposes of the Light Industrial Zone are to attract a variety of labor-intensive light industrial uses; to apply site development standards which will result in an attractive, conventional light industrial environment; to create a distinct light industrial character, setting it apart from both the more intense industrial zones and the high-traffic-generating commercial zones; and to provide for a land-use mix that is designed to sustain a light industrial character.

The SE regulations for the current concrete recycling facility use ensures the proposed use is in conformance with all the applicable requirements and regulations of the Zoning Ordinance; the proposed use will not substantially impair the integrity of any validly approved Master Plan or Functional Master Plan, or, in the absence of a Master Plan or Functional Master Plan, the General Plan; the proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area; the proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood.

The Planning Board has been unable to identify the specific property for which this bill is written, if such a property exists. There are approximately 2,579 properties currently, wholly, or partially, zoned I-1 in the county.

Approximately 1,302 of the 2,579 properties abut residential or commercial zones. These properties could be impacted by the proposed legislation. A concrete recycling facility is a heavy labor-intensive use which requires large tracts of land. The use is appropriate in the Heavy Industrial (I-2) Zone. This use is incompatible with the purposes of the I-1 Zone and any adjacent I-1 zoned uses and should not be permitted by-right.

The Planning Board believes that this use should only be permitted in the I-1 Zone, with Special Exception approval which includes the additional conditional requirements under Section 27-343.03. Concrete recycling facilities require analysis of adverse noise and vibration from crushing the concrete, dust caused from the crushing operations, additional building setbacks from the crushing and remixing of the concrete, methods of disposing of waste materials, location of all material stockpiles, source of water to be used to make concrete, hours of operation, and truck traffic circulation operations.

**New Zoning Ordinance:**

The adopted Zoning Ordinance renames the I-1 Zone the Industrial/Employment (IE) Zone. The concrete recycling facility use will require Special Exception approval in the IE Zone with identical requirements as existing today.

**Impacted Property:**

The bill would impact all I-1 zoned properties in the County.

Following discussion, the Planning Board voted to oppose CB-54-2020.