

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2020 Legislative Session

Reference No.: CB-072-2020

Draft No.: 1

Committee: COMMITTEE OF THE WHOLE

Date: 10/08/2020

Action: FAV

REPORT:

Committee Vote: Favorable, 11-0 (In favor: Council Members Turner, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras.

The Committee of the Whole (COW) convened on October 1, 2020 and October 8, 2020 to discuss CB-72-2020, which makes minor amendments to the requirements for limited Class 3 fill uses that are permitted without a special exception in the R-A Zones of the County. During the October 1, 2020 meeting, Council Member Harrison, the bill sponsor, requested that it be held for review of written referral comments received since the time of bill presentation.

During the October 8, 2020 COW meeting, the Planning, Housing and Economic Development Committee Director summarized the purpose of CB-72-2020 and informed the Committee of the comments received on referral. The bill amends an existing footnote to clarify that the height limitation shall not exceed 60 feet above the ground elevation at the point of road access to the site. Also, there must be a seven percent maximum road grade for any slope. The Planning Board was scheduled to review Planning staff's recommendation concerning CB-72-2020 on October 8, 2020. The staff was recommending that the Planning Board support the bill because it makes the existing height and slope development requirements clear and concise.

The Chief Zoning Hearing Examiner (ZHE) submitted a memorandum to the PHED Committee Director with comments pertaining to other sections of the Code, Sec. 27-405.01 and Sec. 27-441(b) footnote 133. The Department of Permitting, Inspections and Enforcement submitted comments in support of CB-72-2020 with suggested changes on page 3, in footnote 126 (j).

The Office of Law reviewed Draft-1 of CB-72-2020 as it was presented on September 15, 2020 and found it to be duplicative of Section 27-441(b), footnote 133. The Office of Law agreed with the ZHE memorandum analysis.

The PHED Committee Director and the Zoning and Legislative Counsel informed the Committee it appeared that the comments received on referral relate to the original enactment of this law in 2018, not what is on the table for amendment in this bill. If it becomes desirable for the Council to revisit the original legislation that has been in effect for two years now, then a separate bill should be put forth to address that in the 2021 Legislative year.

On a motion by Council Member Harrison, and second by Council Member Streeter, the Committee of the Whole voted 11-0 on CB-72-2020 as drafted.