

**INTER-OFFICE MEMORANDUM  
PRINCE GEORGE'S COUNTY, MARYLAND**

ZONING HEARING EXAMINER OFFICE  
WAYNE K. CURRY ADMINISTRATION BUILDING 3<sup>RD</sup>FLOOR  
LARGO, MARYLAND, 20774  
(301) 952-3644

TO: Jackie Brown, Director  
Planning, Housing, and Economic Development

FROM: Maurene Epps McNeil, Chief  
Zoning Hearing Examiner

DATE: September 5, 2022

RE: CB-80-2022

Thank you for the opportunity to provide the following comment on the above-referenced bill that amends the definition in the Zoning Ordinance for "Convenience Store" and adds certain requirements for the use. I recommend the following revisions to the bill as drafted, all technical in nature.

The description line on p.1, line 2, should be revised to simply state "Convenience Store" in keeping with the legislative bill drafting format consistently used over the years.

The revised definition for "Convenience Store" on p. 2, lines 21-25, appears to limit the items sold to similar items listed within the definition for "Tobacco Shop, Electronic Cigarette Shop or Retail Tobacco Business" also found within Section 27-2500 of the Zoning Ordinance. I suggest that a reference to that definition be included and all of the descriptive language in the bill removed. I also urge that the percentage used as a cutoff for the sale of tobacco products be lowered to forty-nine percent because that number is the maximum percentage used to ensure that any use is accessory to the primary use and not an additional primary use.

The revised language would provide as follows:

A convenience store shall not allow more than 49% of the gross floor area to be used as a Tobacco Shop, Electronic Cigarette Shop or Retail Tobacco Business as defined herein.

If the sponsor prefers to list the tobacco items the listing should mirror those used for Tobacco Shop, Electronic Cigarette Shop or Retail Tobacco Business to avoid confusion.

Finally, on p. 3, the bill should list the lettering changes to all of the existing uses in Section 27-5102 (e)(9) (D) and following, since Convenience Store is being added to the existing paragraph (D).