



**THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION**

Prince George's County Planning Department  
Office of the Planning Director

(301) 952-3588  
www.mncppc.org

August 17, 2018

**MEMORANDUM**

TO: The Prince George's County Planning Board

VIA: Andree Green Checkley, Planning Director, Planning Department *AGC*

FROM: Rana Hightower, Intergovernmental Affairs Coordinator *REH*

SUBJECT: **CB-61-2018**

**Purpose:** A bill for the purpose of permitting an animal hospital, veterinary office in the One-Family Detached Residential (R-80) Zone, under certain circumstances.

**Recommendation:** **No Position with amendments**

**Background:** CB-61-2018 amends Section 27-441 (Uses Permitted in Residential Zones.) by adding an existing footnote in the One-Family Detached Residential (R-80) Zone for an "animal hospital, veterinary office." Footnote 74 permits the use by right if there is an expansion of an existing non-conforming animal hospital, veterinary office with a valid use and occupy permit issued on or before July 1, 1998. The expansion is limited to four thousand (4,000) square feet of gross floor area and is subject to Detailed Site Plan (DSP) approval by the Planning Board or its designee.

Footnote 74 was originally created to permit the New Carrollton Veterinary Hospital by right in the One-Family Detached Residential (R-55) Zone. An animal hospital, veterinary office is not a permitted use in the R-80 Zone. The bill as drafted will permit the use in two (2) locations. There is one (1) animal hospital, veterinary office located in Council District 8 and another located in Council District 9. According to the non-conforming use files the animal hospitals were established in 1955 and 1979.

It should be noted that the intent of a non-conforming use designation is to permit a lawfully established use to continue until it is redeveloped in accordance with current zoning regulations. If this use is considered appropriate at this location, the property should be classified in a zone which permits the use. Perhaps a zoning map amendment through a rezoning application could be filed to rezone the property. Alternatively, the use could follow the current process and file a Special Exception (SE) application to expand the use. SE regulations under Section 27-384 (Nonconforming buildings, structures, and uses; alteration, enlargement, extension, or reconstruction.) permit an expansion of a nonconforming use. The SE regulations also mandate public notification, participation and provide an appeal process that is necessary to ensure a fair and equitable process.

The District Council should note that footnote 74 as drafted, only requires DSP approval for the expansion of the non-conforming use. Staff recommends that the footnote be amended to require DSP approval for the entire property.

Under the proposed new Zoning Ordinance, the R-80 Zone will be replaced with the Residential, Single-Family-95 (RSF-95) Zone. The "veterinary hospital or clinic" use would be prohibited.

Staff recommends that the Planning Board vote to take no position with amendments on CB-61-2018.