



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

October 5, 2021

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Andree Green Checkley, Planning Director, Planning Department Andree Green Checkley Digitally signed by Andree Green Checkley DN: cn=Andree Green Checkley, o=Prince George's County Planning Department, email=andree@princegeorgescountymd.gov, c=US

FROM: Rana Hightower, Intergovernmental Affairs Coordinator^{REH}

SUBJECT: **CB-101-2021**

Purpose: A bill to permit "Funeral Parlor, Undertaking Establishment" in the Light Industrial (I-1) Zone, under certain circumstances.

Policy Analysis: This bill will permit a "Funeral Parlor, Undertaking Establishment" in the Light Industrial (I-1) Zone, subject to a new footnote. The footnote permits the use by right. The property must be one-and-a-half but no more than two-and-a-half acres, located less than one mile from the District of Columbia, 500 feet from a property located in the One-Family Detached Residential (R-55) Zone, and the property is abutted on four sides by land located in an industrial zone at the time of commencement of the "Funeral Parlor, Undertaking Establishment".

The proposed legislation will impact one property located at 4711 Lydell Road, Hyattsville, Maryland. The tax identification number is 0135301.

The current Zoning Ordinance already defines "Funeral Home (Funeral Parlor)". It is not clear why this bill creates a new use when there is little difference between it and the current definition within the Code. The District Council may want to rectify the definition of the proposed and existing use. The addition of a new use to the Zoning Ordinance without research or preferably a comprehensive study of similar uses and their impact could introduce unforeseen effects or unintended consequences. If the District Council would like to move forward with the bill, staff does not understand why the use is not permitted in all I-1 Zones. As drafted, the use is only permitted under the provisions of the proposed footnote. The proposed text amendment undermines the fundamental principles of procedural and substantive due process. It can have a further destabilizing effect on competing businesses and property investments. Continuing to amend the Zoning Ordinance, which is about to be replaced, will be confusing to the public; and could distract the District Council from the important work of implementing the new Zoning Ordinance.

Staff strongly recommends opposition to CB-101-2021. The addition of a new use to the Zoning Ordinance without research or preferably a comprehensive study of similar uses and their impact could introduce unforeseen effects or unintended consequences. The District Council should wait until the new Zoning Ordinance is in place. We strongly recommend that the District Council not make additional changes to the current Zoning Ordinance.

Impacted Property:

The bill will affect a property located at 4711 Lydell Road, Hyattsville, Maryland. The tax identification number is 0135301.

Adopted Zoning Ordinance:

The adopted Zoning Ordinance renames the I-1 Zone the Industrial/Employment (IE) Zone. In the new Zoning Ordinance, the use is called "funeral parlor or undertaking establishment" and retains the current Zoning Ordinance definition. The "funeral parlor or undertaking establishment" use is prohibited in the industrial zones.

Recommendation:

Oppose.

Staff recommends the Planning Board vote to oppose CB-101-2021.