



Prince George's County Council

Agenda Item Summary

Meeting Date: 1/9/2023

Effective Date: 1/17/2023

Reference No.: CB-017-2023

Chapter Number: 5

Draft No.: 2

Public Hearing Date: 01/17/2023 @ 10:00 AM

Proposer(s): Blegay, Burroughs, Dernoga, Watson, Ivey, Olson and Oriadha

Sponsor(s): Blegay, Burroughs, Dernoga, Watson, Ivey, Olson and Oriadha

Item Title: AN ORDINANCE CONCERNING GENERAL PROVISIONS-DEVELOPMENT AUTHORITY PURSUANT TO THE PRIOR ORDINANCE-LIMITATION ON TOWNHOUSE AND ONE-FAMILY ATTACHED DWELLINGS-R-A ZONE for the purpose of limiting the authority in the Zoning Ordinance for development of Townhouse and One-family attached dwelling uses under the prior Ordinance in the R-A (Residential Agricultural) Zone of Prince George's County.

Drafter: Karen T. Zvakos, Zoning and Legislative Counsel

Resource Personnel: Karen T. Zvakos, Zoning and Legislative Counsel

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
12/12/2022	County Council	introduced and referred	PHED
	Action Text: This Council Bill was introduced by Council Members Blegay, Burroughs, Dernoga, Ivey, Olson, Oriadha, and Watson and referred to the Planning, Housing and Economic Development Committee.		
01/09/2023	PHED	Favorably recommended	County Council
	Action Text: A motion was made by Council Member Blegay, seconded by Council Member Dernoga, that this Council Bill be Favorably recommended to the County Council. The motion carried by the following vote: Aye: 5 Ivey, Olson, Blegay, Dernoga and Oriadha		
01/17/2023	County Council	public hearing held	
	Action Text: The public hearing for this Council Bill was held.		
01/17/2023	County Council	amended	
	Action Text: A motion was made by Council Member Ivey, seconded by Vice Chair Blegay, that this Council Bill be amended. The motion carried by the following vote: Aye: 8 Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha		

Nay: 1 Franklin

Absent: 1 Hawkins

Abstain: 1 Harrison

01/17/2023 County Council rules suspended

Action Text:

A motion was made by Vice Chair Blegay, seconded by Council Member Oriadha, that the rules be suspended for this Council Bill.. The motion carried by the following vote:

Aye: 8 Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha

Nay: 1 Franklin

Absent: 1 Hawkins

Abstain: 1 Harrison

01/17/2023 County Council enacted

Action Text:

A motion was made by Vice Chair Blegay, seconded by Council Member Olson, that this Council Bill be enacted as amended. The motion carried by the following vote:

Aye: 8 Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha

Nay: 1 Franklin

Absent: 1 Hawkins

Abstain: 1 Harrison

AFFECTED CODE SECTIONS:

27-1903

BACKGROUND INFORMATION/FISCAL IMPACT:

In consideration and approval of the new Zoning Ordinance for the County via CB-13-2018, CB-98-2021, and CB-68-2022, the County Council carefully evaluated the scope and extent of its transition to implementation of the revised Ordinance as the only body of local zoning laws governing land use and development in the County. Inherent in is legislative power of the Council is the authority to amend such laws as may be deemed necessary and appropriate. Moreover, in a reported Opinion of the Court of Special Appeals of Maryland, the Court held that the enactment of CB-17-2019 violated certain tenets of Maryland law. Accordingly, this bill will limit authority for development of certain Townhouse and One-family attached dwelling uses in the R-A Zone of the County using the prior Ordinance, more specifically, by way of a prior, now-superseded zoning law known as CB-17-2019 (Chapter 29, 2019 Laws of Prince George's County, Maryland).

Document(s): B2023017, CB-017-2023 AIS, CB-017-2023 Report, CB-017-2023 ZHE Memo, CB-017-2023 Planning Board Votes Letter, CB-017-2023 Planning Board Analysis, CEX Ltr to Council Chair 01-06-2023, Council Chair Ltr to CEX 01-09-2023