

**PRINCE GEORGE'S COUNTY COUNCIL**  
**COMMITTEE REPORT**  
**2016 Legislative Session**

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**Reference No.:** CB-004-2017  
**Draft No.:** 2  
**Committee:** PLANNING, ZONING AND ECONOMIC DEVELOPMENT  
**Date:** 2/1/2017  
**Action:** FAV (A)

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Committee Vote: Favorable with amendments, 4-0 (In favor: Council Members Harrison, Franklin, Glaros, and Patterson)

Staff provided an overview of the legislation and informed the Committee of written referral comments that were received. The provisions of the legislation were previously reviewed by the Committee as CB-78-2016 which was tabled by the County Council at the end of the 2016 Legislative Year. CB-4-2017 amends the Commercial Zone use table to allow multifamily, townhouse and two-family dwelling units in the C-O (Commercial Office) Zone in accordance with certain requirements in a new footnote 63 to the use table.

The Office of Law reviewed CB-4-2017 and determined that it is in proper legislative form with no legal impediments to its enactment. The Planning Board took no position with explanation on the legislation and provided a detailed analysis concerning their position. The Chief Zoning Hearing Examiner (ZHE) reviewed CB-4-2017 and offered suggested amendments concerning Footnote 63 (E) on page 2 of the bill. The ZHE recommended the following language which has been used elsewhere in the Zoning Ordinance and is more clear:

(E) Regulations concerning lot size, coverage, frontage, setbacks, density, bedroom percentages, and other requirements applicable to multifamily, two-family and townhouse dwellings shall not apply. These dimensional (bulk) requirements shall be those approved by the Planning Board (or District Council after review) in the Detailed Site Plan.

However, those standards shall include a minimum lot size of 1,200 square feet;

Staff presented a Proposed Draft-2 (DR-2) with the amendment recommended by the ZHE. In addition, Proposed DR-2 amended footnote 63(C) as follows:

(C) A boundary of the property is located within three-quarters (3/4) of a mile from a metro station, ~~but~~ AND does not include property within the boundaries of a sector plan approved prior to January 1, 2017, **ORIGINALLY APPROVED AFTER JANUARY 1, 2013.**

After discussion of the Proposed DR-2, the Committee made additional modifications to footnote 63(C) to also strike the language “approved prior to January 1, 2017.”

The Committee voted favorable on Proposed DR-2 as amended.