

Prince George's County Council

Agenda Item Summary

Meeting Date:	10/31/2006
Reference No.:	CB-068-2006
Draft No.:	2
Proposer(s):	Harrington
Sponsor(s):	Exum
Item Title:	An Ordinance concerning Industrial Zones for the purpose of defining a Commercial Fuel Depot and permitting this use in the I-1 Zone under certain circumstances.

Drafter:	Jackie Brown, Director, PZED Committee
Resource Personnel:	Kenneth C. Williams, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	7/18/2006	Executive Action:	
Committee Referral:	7/18/2006 - PZED	Effective Date:	12/18/2006
Committee Action:	9/20/2006 - HELD 10/4/2006 - FAV(A)		
Date Introduced:	10/10/2006		
Public Hearing:	10/31/2006 - 10:00 AM		
Council Action (1)	10/31/2006 - ENACTED		
Council Votes:	MB:A, WC:A, SHD:A, TD:A, CE:A, DCH:A, TH:A, TK:A, DP:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-107.01, 27-473

COMMITTEE REPORTS:

PLANNING, ZONING & ECONOMIC DEVELOPMENT

Date 10/4/2006

Committee Vote: Favorable with amendments, 3-0 (In favor: Council Members Dernoga, Exum, and Peters)

Staff gave an overview of the legislation and summarized written referral comments that were received. CB-68-2006 defines a new land use, "commercial fuel depot," and allows it as a permitted use in the I-1 Zone. The use includes nonretail dispensing of "fuel" to organizations "that maintain a fleet of vehicles."

The Office of Law and Principal Counsel, District Council, reviewed the bill and determined that it is in proper legislative form. The Office of Audits and Investigations determined that there should be no negative fiscal impact on the County as a result of enacting the legislation.

The Planning Board supports CB-68-2006 with amendments and offers the following Planning staff comments. The staff asks that the District Council consider amending the bill to permit the Commercial Fuel Depot use subject to Special Exception approval. Currently, all gas stations in the I-1, I-2 and I-3 zones are permitted subject to Special Exception approval. The Zoning Ordinance provides a number of Special Exception conditions under Section

27-358 for gas stations. Staff recommends applying all Special Exception conditions under Section 27-358 except for conditions (a) (7), (a) (9) and all of (d) of the Ordinance.

Council Member Harrington, the bill's sponsor, informed the committee that he had no objection to additional review of the use in the form of a Limited Detailed Site Plan to address concerns raised by the Planning Board.

Mr. Stan Brown spoke in support of the legislation and Mr. Craig McBride, representing Quarles Petroleum, was present to respond to questions. Mr. Brown informed the committee that this legislation will facilitate the development of a commercial fuel depot in the vicinity of the New Carrollton Metro Station. He explained that the Zoning Ordinance does not currently provide for a non-retail fuel dispensing facility that could provide this service to businesses with a large fleet of vehicles such as the United States Postal Service and the Washington Metropolitan Area Transit Authority. Mr. Brown suggested that approval of a Limited Detailed Site Plan as well as compliance with certain gas station Special Exception conditions may be appropriate for this use.

Council Chairman Dernoga suggested that the use should not be located on a major arterial road and may be more appropriate on a road classified as a collector or lower classification.

The committee voted favorably on the legislation with amendments to include the additional requirements suggested during the committee discussions. These requirements are contained in a new footnote 51 in Draft-2.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This legislation amends the Zoning Ordinance to define a new use, Commercial Fuel Depot, and permits the use in the I-1 Zone.

CODE INDEX TOPICS:

INCLUSION FILES:
