



Prince George's County Council

Wayne K. Curry Administration
Building
1301 McCormick Dr
Largo, MD 20774

Meeting Minutes - Draft County Council

Thomas E. Dernoga, Chair, District 1
Wala Blegay, Vice Chair, District 6
Edward P. Burroughs, III, District 8
Wanika Fisher, District 2
Mel Franklin, At-Large
Ingrid S. Watson, District 4
Sydney J. Harrison, District 9
Calvin S. Hawkins, II, At-Large
Jolene Ivey, District 5
Eric C. Olson, District 3
Krystal Oriadha, District 7

Jennifer A. Jenkins, Council Administrator

Monday, December 12, 2022

11:00 AM

Council Hearing Room

VIEW USING THE LINK PROVIDED AT: <https://pgccouncil.us/LIVE>

11:00 A.M. - CALL TO ORDER

The meeting was called to order by Chair Thomas E. Dernoga at 11:26 a.m. with 11 members present at roll call.

Present: 11 - Council Member Calvin S. Hawkins
Council Member Sydney Harrison
Vice Chair Wala Blegay
Chair Thomas Dernoga
Council Member Eric Olson
Council Member Wanika Fisher
Council Member Edward Burroughs
Council Member Jolene Ivey
Council Member Krystal Oriadha
Council Member Mel Franklin
Council Member Ingrid Watson

INVOCATION / MOMENT OF SILENCE:

The Invocation was provided by Council Administrator Jennifer Jenkins.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Chair Blegay.

DESIGNATION OF DECEMBER 12, 2022 AS LEGISLATIVE DAY NO. 01**1. CONSENT AGENDA****(a) Approval of County Council Minutes**

[MIN 12062022](#)

County Council Minutes dated December 6, 2022

Draft 1

Attachment(s): [12062022](#)

These minutes were approved.

(b) First Reading of Bills (Presentation)

[CB-001-2023](#)

Draft 1

AN ACT CONCERNING RESPONSIBLE CONTRACTOR REQUIREMENTS

for the purpose of amending provisions of the Prince George's County Code related to the solicitation and award of public construction contracts; providing for certification for public contractors and subcontractors to public construction contracts; providing for assurance on the use of properly trained construction personnel; providing Responsible Contractor eligibility criteria and requiring the use of a Responsible Contractor in certain County construction projects under certain circumstances.

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

Attachment(s): [B2023001](#)
[CB-001-2023 AIS](#)

This Council Bill was presented by Council Members Burroughs, Blegay, Dernoga, Ivey, Olson, and Oriadha and referred to the Government Operations and Fiscal Policy Committee.

CONSENT AGENDA (Continued)

[CB-002-2023](#)

Draft 1

AN ORDINANCE CONCERNING ADMINISTRATION-PROCEDURES-LEGISLATIVE AMENDMENTS for the purpose of amending the procedures for public notice, review, consideration, and approval of legislative amendments to the text of the Zoning Ordinance of Prince George's County.

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

Attachment(s): [B2023002](#)
[CB-002-2023 AIS](#)

This Council Bill was presented by Council Members Dernoga, Ivey, Burroughs, Blegay, Oriadha, and Olson and referred to the Planning, Housing and Economic Development Committee.

[CB-003-2023](#)

Draft 1

AN ORDINANCE CONCERNING APPLICATION-SPECIFIC REVIEW PROCEDURES AND STANDARDS-DETAILED SITE PLANS AND SPECIAL EXCEPTIONS for the purpose of amending the decision standards for approval of detailed site plan and special exception applications to include master plan consistency as a required standard for site plan approval.

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

Attachment(s): [B2023003](#)
[CB-003-2023 AIS](#)

This Council Bill was presented by Council Members Dernoga, Ivey, Burroughs, Blegay, Oriadha, and Olson and referred to the Planning, Housing and Economic Development Committee.

CONSENT AGENDA (Continued)[CB-004-2023](#)

Draft 1

AN ACT CONCERNING A PILOT PROJECT LABOR AGREEMENT for the purpose of establishing a pilot project labor agreement targeting Prince George's County Department of Public Works and Transportation CIP 4.66.0002 Curb and Road and Rehabilitation 2 construction projects that create entry-level positions for residents that are both necessary and desirable.

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

Attachment(s): [B2023004](#)
[CB-004-2023 AIS](#)

This Council Bill was presented by Council Members Burroughs, Blegay, Dernoga, Ivey, Olson, and Oriadha and referred to the Government Operations and Fiscal Policy Committee.

[CB-005-2023](#)

Draft 1

AN ORDINANCE CONCERNING GENERAL PROVISIONS - DEVELOPMENT AUTHORITY PURSUANT TO THE PRIOR ORDINANCE-GAS STATION USES for the purpose of amending the time period in the Zoning Ordinance for development of Gas Station uses pursuant to the prior Ordinance.

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

Attachment(s): [B2023005](#)
[CB-005-2023 AIS](#)

This Council Bill was presented by Council Members Dernoga, Ivey, Blegay, Burroughs, Olson, and Oriadha and referred to the Planning, Housing and Economic Development Committee.

[CB-006-2023](#)

Draft 1

AN ACT CONCERNING LANDLORD REPORTING OF TENANT'S RENTAL PAYMENTS TO MAJOR CREDIT BUREAUS for the purpose of creating a pilot program that will require landlords with a certain amount of dwelling units to give their tenants the option of having their rental payments reported to at least one of the three major credit bureaus; relating to the requirements and process for providing certain tenants' opportunity to have rent payments reported to consumer credit bureaus; and generally related to tenants' consumer credit rights.

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

Attachment(s): [B2023006](#)
[CB-006-2023 AIS](#)

This Council Bill was presented by Council Members Burroughs, Oriadha, Blegay, Dernoga, Ivey, and Olson and referred to the Health, Human Services and Public Safety Committee.

CONSENT AGENDA (Continued)

CB-007-2023

Draft 1

AN ACT CONCERNING THE RENT STABILIZATION ACT OF 2023 For the purpose of temporarily amending the Landlord-Tenant Code to limit landlords' ability to increase rent for certain tenants; limiting increases to a certain amount; providing for penalties; providing that existing obligations or contract rights may not be impaired by this Act; and generally relating to rent restrictions for residential leases and rental dwelling units.

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

Attachment(s): B2023007
CB-007-2023 AIS

This Council Bill was listed to be presented by Council Members Oriadha, Burroughs, Blegay, Dernoga, Ivey and Olson and referred to the Health, Human Services and Public Safety Committee, but Council voted to remove it from the consent agenda.

A motion was made by Council Member Oriadha, seconded by Council Member Burroughs, that this Council Bill be removed from the consent agenda. The motion carried by the following vote:

Aye 11 - Hawkins, Harrison, Blegay, Dernoga, Olson, Fisher, Burroughs, Ivey, Oriadha, Franklin and Watson

[CB-008-2023](#)

Draft 1

AN ACT CONCERNING PRIVATE SECURITY CAMERA INCENTIVE PROGRAM for the purpose of establishing a Private Security Camera Incentive Program that would encourage businesses and homeowners to set up cameras to increase security surveillance. Nationally, crime and illegal dumping is on the rise and establishing more surveillance would assist public safety in keeping our communities safe and clean.

Sponsor(s): Oriadha, Ivey and Burroughs

Attachment(s): [B2023008](#)
[CB-008-2023 AIS](#)

This Council Bill was presented by Council Members Oriadha, Ivey, and Burroughs and referred to the Health, Human Services and Public Safety Committee.

CONSENT AGENDA (Continued)

[CB-009-2023](#)

Draft 1

AN ORDINANCE CONCERNING TOBACCO SHOPS, ELECTRONIC CIGARETTE SHOPS, OR RETAIL TOBACCO SHOPS for the purpose of amending the Zoning Ordinance to include reasonable parameters as to hours of operation as a criterion for approval of Special Exceptions for Tobacco Shops, Electronic Cigarette Shop, or Retail Tobacco Business uses in furtherance of the public safety, health, and welfare of the citizens and residents of Prince George's County.

Sponsor(s): Oriadha and Burroughs

Attachment(s): [B2023009](#)
[CB-009-2023 AIS](#)

This Council Bill was presented by Council Members Oriadha and Burroughs and referred to the Planning, Housing and Economic Development Committee.

[CB-010-2023](#)

Draft 1

AN ACT CONCERNING PRINCE GEORGE'S COUNTY OPEN DATA for the purpose of requiring the County to make certain public data sets available on a single web portal on the internet; requiring the County to develop technical standards for publishing public data sets; requiring the Chief Administrative Officer (CAO) to develop an Open Data Implementation Plan; and generally relating to general provisions.

Sponsor(s): Burroughs

Attachment(s): [B2023010](#)
[CB-010-2023 AIS](#)

This Council Bill was presented by Council Member Burroughs and referred to the Government Operations and Fiscal Policy Committee.

[CB-011-2023](#)

Draft 1

AN ORDINANCE CONCERNING CONSOLIDATED STORAGE for the purpose of prohibiting Consolidated Storage in Non-Residential, Transit-Oriented/Activity Center Based Zones of the Zoning Ordinance of Prince George's County.

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

Attachment(s): [B2023011](#)
[CB-011-2023 AIS](#)

This Council Bill was presented by Council Members Ivey, Dernoga, Blegay, Burroughs, Olson, and Oriadha and referred to the Planning, Housing and Economic Development Committee.

CONSENT AGENDA (Continued)**(c) Introduction of Resolutions****[CR-002-2023](#)**

Draft 1

A RESOLUTION CONCERNING HEALTH IMPACT ASSESSMENT AS A REQUIREMENT IN LAND USE MATTERS for the purpose of establishing a Health Impact Assessment requirement in land use matters.

Sponsor(s): Oriadha and Burroughs

Attachment(s): [R2023002](#)
[CR-002-2023 AIS](#)

For the purpose of establishing a Health Impact Assessment requirement in land use matters.

This Resolution was introduced by Council Members Oriadha and Burroughs and referred to the Health, Human Services and Public Safety Committee.

[CR-003-2023](#)

Draft 1

A RESOLUTION CONCERNING REPEAL OF CERTAIN ZONING ENACTMENTS - SUSPENSION OF EFFECTIVE DATE for the purpose of approving, with the force and effect of law, the suspension of the effective date of certain recently enacted zoning laws pertaining to development in Prince George's County.

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

Attachment(s): [R2023003](#)
[CR-003-2023 AIS](#)

This Resolution will suspend the efficacy of certain amendments to the local zoning laws enacted during the 2022 Legislative Year. The Council enacted, by way of CB-68-2022, a comprehensive body of refinements to the newly effective Zoning Ordinance for the County. None of the bills affected by this Resolution are included in the array of measured improvements to the new Zoning Ordinance and, the Council notes, certain comments from ancillary public agencies submitted to the Council on referral of the respective legislative proposals cited herein expressed concern with the erosion of the clear vision set forth by way of the Council's effectuation of the new Zoning Ordinance. As the body vested with the legislative powers--including specific delegated authority to enact and amend local zoning laws--of the County, inherent in the scope of its legislative duties is the authority to

amend such laws as may be deemed necessary and appropriate. To this end, the Council has determined that there is a need to suspend the efficacy of five zoning enactments of the 2022 Legislative Year: CB-69-2022, CB-77-2022, CB-78-2022, CB-79-2022, and CB-97-2022. This Resolution is companion legislation, with the force and effect of law, to separately introduced bills before this Council to repeal each of the aforementioned enactments.

This Resolution was introduced by Council Members Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha and referred to the Committee of the Whole.

CONSENT AGENDA (Continued)

[CR-004-2023](#)

Draft 1

A RESOLUTION CONCERNING TRANSITIONAL PROVISIONS - LIMITATIONS-USE OF PRIOR ORDINANCE for the purpose of approving, with the force and effect of law, certain limitations on the time for processing of development applications pursuant to the superseded prior Zoning Ordinance of Prince George's County for development of Townhouse and One-family dwelling uses in the R-A (Residential Agricultural) Zone of Prince George's County.

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

Attachment(s): [R2023004](#)
[CR-004-2023 AIS](#)

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 its 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). This Resolution is companion legislation, with the force and effect of law, to a separate bill introduced by this Council to repeal the foregoing, now superseded enactment of the Council within the superseded, prior Ordinance.

This Resolution was introduced by Council Members Blegay, Burroughs, Dernoga, Watson, Ivey, Olson and Oriadha and referred to the Committee of the Whole.

CONSENT AGENDA (Continued)

[CR-005-2023](#)

Draft 1

A RESOLUTION CONCERNING TRANSITIONAL PROVISIONS - LIMITATIONS - USE OF PRIOR ORDINANCE for the purpose of approving, with the force and effect of law, certain limitations on the time for processing of development applications pursuant to the superseded prior Zoning Ordinance of Prince George's County.

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

Attachment(s): [R2023005](#)
[CR-005-2023 AIS](#)

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 its legislative power of the Council is the authority to amend such laws as may be deemed necessary and appropriate. This Resolution is companion legislation, with the force and effect of law, to a separately introduced bill before this Council to repeal the affected provisions of the prior, now superseded Ordinance.

This Resolution was introduced by Council Members Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha and referred to the Committee of the Whole.

[Add2-23](#)

Draft 1

ADDITIONS PACKAGE

A motion was made by Council Member Burroughs, seconded by Vice Chair Blegay, that this additions package be accepted to the Agenda. The motion carried by the following vote:

Aye	8 -	Blegay, Dernoga, Olson, Fisher, Burroughs, Ivey, Oriadha and Watson
Nay	3 -	Hawkins, Harrison and Franklin

ADDITIONS TO THE AGENDA

CONSENT AGENDA (Continued)[CR-007-2023](#)

Draft 1

A RESOLUTION CONCERNING THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION for the purpose of for the purpose of approving certain transfers of appropriations within the Approved FY 2022-2023 Operating Budget and Approved Fiscal Year 2023-2028 Capital Improvement Program of the Maryland-National Capital Park and Planning Commission to Contingency Reserve Fund of the Commission.

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

Attachment(s): [R2023007](#)
[CR-007-2023 AIS](#)

Within the approved FY 2022-23 M-NCPPC Budget Ordinance (CB-55-2022), a substantial appropriation was approved in the amount of \$35 million to “support athletic facility partnerships between the Commission and PGCPs and/or various boys and girls clubs” in Prince George’s County. By way of Council Resolution CR-119-2022, the Council approved certain transfers of funds to certain existing Capital Project Funds for recreational programs in the County. Notwithstanding, it was determined that the appropriated funds cannot be utilized as intended or in a timely manner to realize the intention of the Council in approving this appropriation. As a result, there is a need to rescind the transfer approved by way of CR-119-2022 and approve the wholesale transfer of the \$35 million in funding back to the Commission’s Recreation - Non-Departmental Fund to hold in reserve.

This Resolution was introduced by Council Members Burroughs, Blegay, Dernoga, Ivey, Olson and Oriadha and referred to the Planning, Housing and Economic Development Committee.

2. CONSIDERATION OF ITEMS REMOVED FROM CONSENT AGENDA

NO ITEMS WERE CONSIDERED

[Consent3-23](#)

Draft 1

MOTION TO ADOPT CONSENT AGENDA

A motion was made by Vice Chair Blegay, seconded by Council Member Oriadha, that this Consent Agenda be adopted as modified. The motion carried by the following vote:

Aye	10 - Harrison, Blegay, Dernoga, Olson, Fisher, Burroughs, Ivey, Oriadha, Franklin and Watson
Nay	1 - Hawkins

3. SECOND READING OF BILLS – (INTRODUCTION)

[CB-012-2023](#)

Draft 1

AN ORDINANCE CONCERNING GENERAL PROVISIONS - DEVELOPMENT AUTHORITY PURSUANT TO THE PRIOR ORDINANCE - LIMITATIONS ON DEVELOPMENT for the purpose of limiting the authority in the Zoning Ordinance for development under the prior Ordinance superseded by the revised Subtitle 27 of the Prince George's County Code, being also the Zoning Ordinance of Prince George's County.

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

Attachment(s): [B2023012](#)
[CB-012-2023 AIS](#)
[CB-012-2023 Planning Board Votes Letter](#)
[CE Ltr to Chair Dernoga - Zoning Legislation](#)
[2023-1-9 Ltr to CEX Alsobrooks](#)

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

Aye	6 - Blegay, Dernoga, Olson, Burroughs, Ivey and Oriadha
Nay	3 - Hawkins, Harrison and Franklin
Abstain	2 - Fisher and Watson

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 its legislative power of the

Council is the authority to amend such laws as may be deemed necessary and appropriate. Accordingly, this bill will limit authority for development applications in the County using the prior Ordinance.

This Council Bill was introduced by Council Members Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha and referred to the Planning, Housing and Economic Development Committee.

SECOND READING OF BILLS – (INTRODUCTION) (Continued)

[CB-013-2023](#)

Draft 1

AN ORDINANCE CONCERNING M-X-T ZONE TRANSITION for the purpose of repealing CB-69-2022 which authorized properties that were in the M-X-T (Mixed Use--Transportation Oriented) Zone prior to the effective date of the new zoning ordinance to elect to conform to the requirement of the CGO (Commercial, General Office) Zone.

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

Attachment(s): [B2023013](#)
[CB-013-2023 AIS](#)
[CB-013-2023 Planning Board Votes Letter](#)
[CE Ltr to Chair Dernoga - Zoning Legislation](#)
[2023-1-9 Ltr to CEX Alsobrooks](#)

This bill will suspend the efficacy of certain amendments to the local zoning laws enacted during the 2022 Legislative Year via enactment of CB-69-2022. During this same legislative year, the Council also considered and enacted, by way of CB-68-2022, a separate, comprehensive body of refinements to the newly effective Zoning Ordinance for the County. CB-69-2022 was under consideration of the Council at the time of its consideration of the comprehensive changes to the new Zoning Ordinance and was not included therein. Moreover, the Council notes, certain comments from ancillary public agencies submitted to the Council on referral of the respective legislative proposals cited herein expressed concern with the erosion of the clear vision set forth by way of the Council's effectuation of the new Zoning Ordinance. As the body vested with the legislative powers--including specific delegated authority to enact and amend local zoning laws--of the County, inherent in the scope of its legislative duties is the authority to amend such laws as may be deemed necessary and appropriate. To this end, the Council has determined that there is a need to repeal the previously enacted amendment to the local zoning laws and restore the provisions the new Zoning Ordinance as they existed prior to the enactment of CB-69-2022.

This Council Bill was introduced by Council Members Dernoga, Blegay,

Burroughs, Ivey, Olson and Oriadha and referred to the Planning, Housing and Economic Development Committee.

[CB-014-2023](#)

Draft 1

AN ORDINANCE CONCERNING ZONING-GENERAL PROVISIONS - TRANSITIONAL PROVISIONS for the purpose of repealing CB-77-2022, including Section 27-1706, of the Zoning Ordinance of Prince George's County.

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

Attachment(s): [B2023014](#)
[CB-014-2023 AIS](#)
[CB-014-2023 Planning Board Votes Letter](#)
[CE Ltr to Chair Dernoga - Zoning Legislation](#)
[2023-1-9 Ltr to CEX Alsobrooks](#)

This bill will suspend the efficacy of certain amendments to the local zoning laws enacted during the 2022 Legislative Year via enactment of CB-77-2022. During this same legislative year, the Council also considered and enacted, by way of CB-68-2022, a separate, comprehensive body of refinements to the newly effective Zoning Ordinance for the County. CB-77-2022 was under consideration of the Council at the time of its consideration of the comprehensive changes to the new Zoning Ordinance and was not included therein. Moreover, the Council notes, certain comments from ancillary public agencies submitted to the Council on referral of the respective legislative proposals cited herein expressed concern with the erosion of the clear vision set forth by way of the Council's effectuation of the new Zoning Ordinance. As the body vested with the legislative powers--including specific delegated authority to enact and amend local zoning laws--of the County, inherent in the scope of its legislative duties is the authority to amend such laws as may be deemed necessary and appropriate. To this end, the Council has determined that there is a need to repeal the previously enacted amendment to the local zoning laws and restore the provisions the new Zoning Ordinance as they existed prior to the enactment of CB-77-2022.

This Council Bill was introduced by Council Members Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha and referred to the Planning, Housing and Economic Development Committee.

SECOND READING OF BILLS – (INTRODUCTION) (Continued)

[CB-015-2023](#)

Draft 1

AN ORDINANCE CONCERNING ZONING-ZONES AND ZONE REGULATIONS-PRINCIPAL USES-SPLIT-ZONED PROPERTY for the purpose of repealing CB-078-2022 and clarifying the development regulations and

use tables applicable to the development of lots that were split zoned as a result of the Countywide Map Amendment by the District Council.

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

Attachment(s): [B2023015](#)
[CB-015-2023 AIS](#)
[CB-015-2023 Planning Board Votes Letter](#)
[CE Ltr to Chair Dernoga - Zoning Legislation](#)
[2023-1-9 Ltr to CEX Alsobrooks](#)

This bill will suspend the efficacy of certain amendments to the local zoning laws enacted during the 2022 Legislative Year via enactment of CB-78-2022, a bill to allow special development consideration for properties that were rendered split-zoned as a result of the Countywide Sectional Map Amendment Process (“CMA”). However, during this same legislative year, the Council also considered and enacted, by way of CB-68-2022, a separate, comprehensive body of refinements to the newly effective Zoning Ordinance for the County. CB-78-2022 was under consideration of the Council at the time of its consideration of the comprehensive changes to the new Zoning Ordinance and was not included therein. Moreover, the Council notes, certain comments from ancillary public agencies submitted to the Council on referral of the respective legislative proposals cited herein expressed concern with the erosion of the clear vision set forth by way of the Council's effectuation of the new Zoning Ordinance. As the body vested with the legislative powers--including specific delegated authority to enact and amend local zoning laws--of the County, inherent in the scope of its legislative duties is the authority to amend such laws as may be deemed necessary and appropriate. To this end, the Council has determined that there is a need to repeal the previously enacted amendment to the local zoning laws and restore the provisions the new Zoning Ordinance as they existed prior to the enactment of CB-78-2022, and as amended by CB-068-2022.

This Council Bill was introduced by Council Members Dernoga, Blegay, Burroughs, Ivy, Olson, Oriadha and referred to the Planning, Housing and Economic Development Committee.

SECOND READING OF BILLS – (INTRODUCTION) (Continued)

[CB-016-2023](#)

Draft 1

AN ORDINANCE CONCERNING IE ZONE TRANSITIONAL PROVISIONS
for the purpose of repealing CB-79-2022 and reinstating the lot coverage and green area requirements for previously I-1 (Light Industrial) zoned properties and

permitting distribution warehouses in the IE (Industrial, Employment) Zone under the Zoning Ordinance of Prince George's County.

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

Attachment(s): [B2023016](#)
[CB-016-2023 AIS](#)
[CB-016-2023 Planning Board Votes Letter](#)
[CE Ltr to Chair Dernoga - Zoning Legislation](#)
[2023-1-9 Ltr to CEX Alsobrooks](#)

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	6 - Blegay, Dernoga, Olson, Burroughs, Ivey and Oriadha
Nay	3 - Hawkins, Harrison and Franklin
Abstain	2 - Fisher and Watson

This bill will suspend the efficacy of certain amendments to the local zoning laws enacted during the 2022 Legislative Year via enactment of CB-79-2022. During this same legislative year, the Council also considered and enacted, by way of CB-68-2022, a separate, comprehensive body of refinements to the newly effective Zoning Ordinance for the County. CB-79-2022 was under consideration of the Council at the time of its consideration of the comprehensive changes to the new Zoning Ordinance and was not included therein. Moreover, the Council notes, certain comments from ancillary public agencies submitted to the Council on referral of the respective legislative proposals cited herein expressed concern with the erosion of the clear vision set forth by way of the Council's effectuation of the new Zoning Ordinance. As the body vested with the legislative powers--including specific delegated authority to enact and amend local zoning laws--of the County, inherent in the scope of its legislative duties is the authority to amend such laws as may be deemed necessary and appropriate. To this end, the Council has determined that there is a need to repeal the previously enacted amendment to the local zoning laws and restore the provisions the new Zoning Ordinance as they existed prior to the enactment of CB-79-2022.

This Council Bill was introduced by Council Members Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha and referred to the Planning, Housing and Economic Development Committee

SECOND READING OF BILLS – (INTRODUCTION) (Continued)

[CB-017-2023](#)

Draft 1

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.

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

Attachment(s): [B2023017](#)
[CB-017-2023](#)
[CB-017-2023 Planning Board Votes Letter](#)
[CE Ltr to Chair Dernoga - Zoning Legislation](#)
[2023-1-9 Ltr to CEX Alsobrooks](#)

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 its 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).

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.

SECOND READING OF BILLS – (INTRODUCTION) (Continued)[CB-018-2023](#)

Draft 1

AN ORDINANCE CONCERNING ZONING-ZONES AND ZONE REGULATIONS-BASE ZONES-EXPEDITED TRANSIT-ORIENTED DEVELOPMENT

for the purpose of repealing CB-97-2022 and reinstating the development regulations applicable to certain expedited transit-oriented development in Transit-Oriented/Activity Center Base Zones within the new Zoning Ordinance of Prince George's County, being also Chapter 37, 2018 Laws of Prince George's County, Maryland (CB-013-2018), as amended by Chapter 53, 2021 Laws of Prince George's County, Maryland (CB-98-2021).

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

Attachment(s): [B2023018](#)
[CB-018-2023 AIS](#)
[CB-018-2023 Planning Board Votes Letter](#)
[CE Ltr to Chair Dernoga - Zoning Legislation](#)
[2023-1-9 Ltr to CEX Alsobrooks](#)

This bill will suspend the efficacy of certain amendments to the local zoning laws enacted during the 2022 Legislative Year via enactment of CB-97-2022. During this same legislative year, the Council also considered and enacted, by way of CB-68-2022, a separate, comprehensive body of refinements to the newly effective Zoning Ordinance for the County. CB-97-2022 was under consideration of the Council at the time of its consideration of the comprehensive changes to the new Zoning Ordinance and was not included therein. Moreover, the Council notes, certain comments from ancillary public agencies submitted to the Council on referral of the respective legislative proposals cited herein expressed concern with the erosion of the clear vision set forth by way of the Council's effectuation of the new Zoning Ordinance. As the body vested with the legislative powers--including specific delegated authority to enact and amend local zoning laws--of the County, inherent in the scope of its legislative duties is the authority to amend such laws as may be deemed necessary and appropriate. To this end, the Council has determined that there is a need to repeal the previously enacted amendment to the local zoning laws and restore the provisions the new Zoning Ordinance as they existed prior to the enactment of CB-97-2022.

This Council Bill was introduced by Council Members Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha and referred to the Planning, Housing and Economic Development Committee.

4. INTRODUCTION

[CR-006-2023](#)

Draft 1

A RESOLUTION CONCERNING ADOPTION OF THE CLIMATE ACTION PLAN for the purpose of permanently adopting the Climate Action Plan for Prince George's County and supplementary comments report; providing for status briefings to the County Council on at least an annual basis; providing for the effective date of this Resolution; and generally regarding climate.

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

Attachment(s): [R2023006](#)
[CR-006-2023 AIS](#)

During the 2022 Legislative Year, the Council adopted CR-032-2022, a Resolution to adopt the draft Climate Action Plan submitted by the County's Climate Action Commission. Although the County governing body embraced 26 recommended implementation strategies for Climate Action across the County Government, including a prioritization of these strategies as well as costs and proposed funding mechanisms, the adopted Resolution (CR-032-2022) also imposed a "sunset" date of December 31, 2023, absent further legislative action of the County. This Resolution will adopt, as permanent County policy, the Climate Action Plan by the County governing body.

This Resolution was introduced by Council Members Olson, Blegay, Burroughs, Dernoga, Ivey, Oriadha, Fisher and Watson and referred to the Transportation, Infrastructure, Energy and Environment Committee.

[REC2-23](#)

Draft 1

RECESS

THE MEETING WAS RECESSED AT 12:12 PM.

A motion was made by Council Member Olson, seconded by Council Member Hawkins, that this meeting be recessed. The motion carried by voice vote:

Aye 11 - Hawkins, Harrison, Blegay, Dernoga, Olson, Fisher, Burroughs, Ivey, Oriadha, Franklin and Watson

COMMITTEE OF THE WHOLE

(SEE SEPARATE AGENDA)

RECONVENE

THE COUNTY COUNCIL MEETING WAS RECONVENED AT 12:51 PM.

5. RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION)

[CR-003-2023](#)

Draft 1

A RESOLUTION CONCERNING REPEAL OF CERTAIN ZONING ENACTMENTS - SUSPENSION OF EFFECTIVE DATE for the purpose of approving, with the force and effect of law, the suspension of the effective date of

certain recently enacted zoning laws pertaining to development in Prince George's County.

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

Attachment(s): [R2023003](#)
[CR-003-2023 AIS](#)

Karen Zavakos, Legislative and Zoning Counsel, provided a verbal report of the actions and recommendations of the Committee of the Whole for CR-003-2023.

A motion was made by Vice Chair Blegay, seconded by Council Member Ivey, that this Resolution be adopted. The motion carried by the following vote:

Aye	6 -	Blegay, Dernoga, Olson, Burroughs, Ivey and Oriadha
Nay	3 -	Hawkins, Harrison and Franklin
Abstain	2 -	Fisher and Watson

[CR-004-2023](#)

Draft 1

A RESOLUTION CONCERNING TRANSITIONAL PROVISIONS - LIMITATIONS-USE OF PRIOR ORDINANCE for the purpose of approving, with the force and effect of law, certain limitations on the time for processing of development applications pursuant to the superseded prior Zoning Ordinance of Prince George's County for development of Townhouse and One-family dwelling uses in the R-A (Residential Agricultural) Zone of Prince George's County.

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

Attachment(s): [R2023004](#)
[CR-004-2023 AIS](#)

Karen Zavakos, Legislative and Zoning Counsel, provided a verbal report of the actions and recommendations of the Committee of the Whole for CR-004-2023.

A motion was made by Vice Chair Blegay, seconded by Council Member Ivey, that this Resolution be adopted. The motion carried by the following vote:

Aye	8 -	Hawkins, Blegay, Dernoga, Olson, Burroughs, Ivey, Oriadha and Watson
Abstain	3 -	Harrison, Fisher and Franklin

RESOLUTIONS ELIGIBLE FOR FINAL READING – (ADOPTION) (Continued)

[CR-005-2023](#)

Draft 1

A RESOLUTION CONCERNING TRANSITIONAL PROVISIONS - LIMITATIONS - USE OF PRIOR ORDINANCE for the purpose of approving, with the force and effect of law, certain limitations on the time for processing of development applications pursuant to the superseded prior Zoning Ordinance of Prince George's County.

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

Attachment(s): [R2023005](#)
[CR-005-2023 AIS](#)

Karen Zavakos, Legislative and Zoning Counsel, provided a verbal report of the actions and recommendations of the Committee of the Whole for CR-005-2023.

A motion was made by Council Member Ivey, seconded by Vice Chair Blegay, that a new draft be substituted for this Resolution. The motion carried by the following vote:

Aye	6 -	Blegay, Dernoga, Olson, Burroughs, Ivey and Oriadha
Nay	3 -	Hawkins, Harrison and Franklin
Abstain	2 -	Fisher and Watson

A motion was made by Vice Chair Blegay, seconded by Council Member Ivey, that this Resolution be adopted. The motion carried by the following vote:

Aye	6 -	Blegay, Dernoga, Olson, Burroughs, Ivey and Oriadha
Nay	3 -	Hawkins, Harrison and Franklin
Abstain	2 -	Fisher and Watson

[ADJ2-23](#)

Draft 1

ADJOURN

THE MEETING WAS ADJOURNED AT 1:10 PM.

A motion was made by Council Member Ivey, seconded by Council Member Oriadha, that this meeting be adjourned. The motion carried by voice vote:

Aye	11 -	Hawkins, Harrison, Blegay, Dernoga, Olson, Fisher, Burroughs, Ivey, Oriadha, Franklin and Watson
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Prepared by:

Edgar Reese, III, Legislative Reference Aide

Submitted by:

Donna J. Brown, Clerk of the Council

DRAFT