

February 13, 2020

The Honorable Todd M. Turner
Chair
Prince George's County Council
County Administration Building
14741 Governor Oden Bowie Drive
Upper Marlboro, Maryland 20772

Re: CB-5-2020

Dear Chairman  Turner:

Thank you for providing the Planning Board an opportunity to review and comment on proposed District Council legislation. During the February 13, 2020 Planning Board meeting, the following position was adopted in accordance with the planning staff's recommendation on the proposed legislation. **A Planning Board Analysis of the bill is attached for your consideration and a brief excerpt from the report is provided below:**

***CB-5-2020** amends the Zoning Ordinance to exempt land used as a Medical Cannabis Dispensary from the minimum setback requirement of 500 feet from any land owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC); if the land is located near the Northwest Branch Stream Valley Park or land conveyed by the Washington Suburban Sanitary Commission (WSSC) along the Northwest Branch of the Anacostia River.*

Planning Board Recommendation: Oppose.
(See Attachment 1 for full analysis)

This bill seems to exempt land located near the Northwest Branch Stream Valley Park or land conveyed by WSSC along the Northwest Branch of the Anacostia River from the 500-foot setback requirement without any explanation. The Planning Board is not clear on why a special exemption is being given to certain properties when there are many other properties near other parkland that would still have to comply with the setback requirements. The Zoning Ordinance regulations should be applied equally for all similarly situated properties.

The Planning Board believes this bill was drafted for a specific property adjacent to the Northwest Branch Stream Valley Park or land conveyed by WSSC. The Planning Board is not able to determine the number of properties conveyed by WSSC along the Northwest Branch. In addition, we are not able to determine the number of properties that are used for flood control. We were able to determine that there is one property owned by WSSC which is along the Northwest Branch. Currently, the Planning Board is unable to identify the number of privately owned properties that are within 500 feet of the Northwest Branch Stream Valley Branch Park. We will update the County Council when we have additional information.

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As always, Planning Department staff members are available to work with the Council and your legislative staff on any pertinent legislative matters. Please let us know if we may be of further assistance.

Should you have questions, please do not hesitate to contact the Office of the Planning Director at 301-952-3595. Thank you, again, for your consideration.

Sincerely,

A handwritten signature in blue ink that reads "Betty".

Elizabeth M. Hewlett
Chairman

Attachments

CB-5-2020– Planning Board Analysis (Attachment 1)

CB-5-2020 amends the Zoning Ordinance to exempt land used as a Medical Cannabis Dispensary from the minimum setback requirement of 500 feet from any land owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC); if the land is located near the Northwest Branch Stream Valley Park or conveyed by the Washington Suburban Sanitary Commission (WSSC) along the Northwest Branch of the Anacostia River.

The Planning Board has the following comments and suggestions for consideration by the District Council:

Policy Analysis:

This bill seems to exempt land located near the Northwest Branch Stream Valley Park or land conveyed by WSSC along the Northwest Branch of the Anacostia River from the 500-foot setback requirement without any explanation. The Planning Board is not clear on why a special exemption is being given to certain properties when there are many other properties near other parkland that would still have to comply with the setback requirements. The Zoning Ordinance regulations should be applied equally for all similarly situated properties.

Impacted Properties:

The Planning Board believes this bill was drafted for a specific property adjacent to the Northwest Branch Stream Valley Park or land conveyed by WSSC. The Planning Board is not able to determine the number of properties conveyed by WSSC along the Northwest Branch. In addition, we are not able to determine the number of properties that are used for flood control. We were able to determine that there is one property owned by WSSC which is along the Northwest Branch. Currently, the Planning Board is unable to identify the number of privately owned properties that are within 500 feet of the Northwest Branch Stream Valley Branch Park. We will update the County Council when we have additional information.

Following discussion, the Planning Board voted to oppose CB-5-2020.