

**PRINCE GEORGE'S COUNTY COUNCIL  
AGENDA ITEM SUMMARY**

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**Meeting Date:** 4/30/2002

**Reference No.:** CB-5-2002

**Proposer:** Scott

**Draft No.:** 2

**Sponsors:** Scott

**Item Title:** An Ordinance allowing department stores in the L-A-C  
Zone, under certain circumstances

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**Drafter:** Steven M. Gilbert  
Principal Counsel

**Resource Personnel:** Betsy Burian  
Legislative Aide

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**LEGISLATIVE HISTORY:**

**Date Presented:** 2/12/2002

**Executive Action:** \_\_/\_\_/\_\_\_\_ \_\_

**Committee Referral:** 2/12/2002 PZED

**Effective Date:** 6/17/2002

**Committee Action:** 3/13/2002 FAV

**Date Introduced:** 3/19/2002

**Public Hearing:** 4/30/2002 1:30 P.M.

**Council Action:** 4/30/2002 ENACTED

**Council Votes:** PS:A, DB:A, TD:A, JE:A, TH:A, RVR:-, AS:A, MW:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

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4/30/2002: CB-5-2002 was amended on the floor; DR-2 enacted

**PLANNING, ZONING & ECONOMIC DEV. COM. REPORT**

DATE: 3/13/2002

Committee Vote: Favorable report, 3-0 (In favor: Council Members Russell, Hendershot and Wilson)

This legislation amends the use tables for Comprehensive Design Zones to permit a department store in the L-A-C Zone. Currently, a drug store is permitted in the L-A-C Zone; however, the definition for this use limits it to the primary use of filling medical prescriptions and the sale of medical supplies and nonprescription medicines. CB-5-2002 is intended to allow a CVS, categorized as a department store, on an L-A-C site in Bowie. A new footnote is provided in the legislation for this use that limits the size of the department store to ensure that the purposes of the L-A-C Zone are still met and that larger department stores that would be inconsistent with these purposes could not locate on a local activity center site.

Council Member Scott, the bill's sponsor, informed the Committee that CB-5-2002 allows a use that is consistent with other uses allowed in the L-A-C Zone, but due to a definitional problem currently existing in the Zoning Ordinance, a typical retail drug store is not permitted since they are considered department stores.

The Planning Board supports CB-5-2002. The County Executive takes no position on the legislation. The Office of Law and the Legislative Officer find the bill to be in proper legislative form. The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting CB-5-2002. However, by nature, changes or amendments to the Zoning Ordinance may have some fiscal impact on the County in the future. There are a number of variables which may be affected by Zoning Ordinance changes, that cannot be estimated.

Catherine May, of Gibbs and Haller, representing MLS Properties, spoke in support of the legislation. The City of Bowie provided a letter to Council Member Russell, Chairman, PZED Committee, in support of CB-5-2002.

**BACKGROUND INFORMATION/FISCAL IMPACT**  
**(Includes reason for proposal, as well as any unique statutory requirements)**

The bill amends the use table for the L-A-C Zone to permit department stores with pharmacy operations, under certain circumstances.

**CODE INDEX TOPICS:**