



July 12, 2024

MEMORANDUM

TO: Prince George's County Council Planning, Housing & Economic
Development Committee

FROM: Lakisha Hull, AICP, LEED AP BD+C, Planning Director
Richard Eberhart Hall, AICP, Special Assistant
Natalia Gomez, AICP, Planner IV

SUBJECT: **CB-062-2024**

The purpose of this memorandum is to offer the Planning Department's comments on the proposed CB-062-2024 that are currently pending as of July 12, 2024.

The Planning Department has no additional comments to offer on the proposed legislation. The Planning Board's transmittal letter sent to the District Council on June 24, 2024, is attached to this memorandum.

As always, the Planning Department is happy to assist with any questions or revisions the Committee may wish to discuss.

Attachment

June 24, 2024

The Honorable Jolene Ivey
Chair, Prince George's County Council
Wayne K. Curry Administration Building
1301 McCormick Drive
Largo, MD 20774

Re: LDR-83-2024

Dear Council Chair Ivey:

As required by the County's legislative amendment process for amendments to the Zoning Ordinance (Section 27-5102), the Planning Board held a public hearing on June 20, 2024, to receive comments on proposed Legislative Drafting Request LDR-83-2024.

Following discussion of LDR-83-2024, and in consideration of public comments on this proposed legislation (of which there were none), the Planning Board voted to adopt the findings of staff contained in the attached technical staff report dated June 4, 2024 and oppose LDR-83-2024 with associated comments contained in the technical staff report.

Legislative Amendment Decision Standards:

The advisability of amending the text of this Ordinance is a matter committed to the legislative discretion of the County Council sitting as the District Council and is not controlled by any one factor. Within each zone listed in the Classes of Zones (Section 27-4102), the district council may regulate the construction, alteration, and uses of buildings and structures and the uses of land, including surface, subsurface, and air rights. The provisions for each zone shall be uniform for each class or kind of development throughout the zone, and no legislative amendment may create different standards for a subset of properties within a zone, unless such standards are necessary to implement development policies within the applicable Area Master Plan, Sector Plan, development policies of the General Plan, or other approved development district; however, any differentiation of a subset of properties within a zone shall be reasonable and based upon the public policy to be served.

The Planning Board has reviewed the Legislative Amendment Decision Standards and concludes that LDR-83-2024 does not meet the criteria that the provisions for each zone shall be uniform for each class or kind of development throughout the zone. The bill would further restrict the hours of new convenience stores, but existing stores would be unaffected, thereby creating a different standard for the same use.



The Honorable Jolene Ivey

June 24, 2024

Page 2

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 301-952-3594. Thank you, again, for your consideration.

Sincerely,

Peter A. Shapiro
Chair

Enclosures:

Technical Staff Report dated June 4, 2024