

## Prince George's County Council Agenda Item Summary

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**Meeting Date:** 11/18/2008  
**Reference No.:** CB-081-2008  
**Draft No.:** 2  
**Proposer(s):** Knotts  
**Sponsor(s):** Knotts  
**Item Title:** An Ordinance concerning Residential Zones for the purpose of permitting barber shops in certain residential zones by special exception subject to certain specific requirements

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**Drafter:** Karen T. Zavakos, Legislative Officer  
**Resource Personnel:** Betty Horton-Hodge, Legislative Aide

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>		<b>Executive Action:</b>	
<b>Committee Referral:</b>	10/21/2008 - PZED	<b>Effective Date:</b>	1/5/2009
<b>Committee Action:</b>	11/10/2008 - FAV		
<b>Date Introduced:</b>	10/21/2008		
<b>Public Hearing:</b>	11/18/2008 - 10:00 AM		
<b>Council Action (1)</b>	11/18/2008 - ENACTED		
<b>Council Votes:</b>	MB:A, WC:A, SHD:A, TD:A, CE:A, AH:A, DCH:A, TK:A, EO:A, IT:A		
<b>Pass/Fail:</b>	P		
<b>Remarks:</b>			

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### AFFECTED CODE SECTIONS:

27-348.03, 27-441

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### COMMITTEE REPORTS:

#### PLANNING, ZONING & ECONOMIC DEVELOPMENT

**Date 11/10/2008**

Committee Vote: Favorable with recommended amendments, 4-0-1 (In favor: Council Members Exum, Dean, Dernoga, Knotts; Abstain: Olson)

Staff summarized the purpose of the legislation and informed the committee of written referral comments that were received. CB-81-2008 amends the Residential Zone Use Tables to permit barbershops in the R-R and R-E Zones subject to special exception if the property meets certain conditions: (1) the property is a minimum of 18,000 square feet in size, (2) the property is located on a corner lot with frontage on at least one public street with a right-of-way greater than 80 feet in width, (3) the use requires no new "building" construction on the subject property, and (4) the use meets the Additional Requirements for Specific Special Exceptions as provided in Section 27-348.03 (Additional Requirements for Specific Special Exceptions).

Staff also informed the committee that this legislation bypassed presentation and was introduced on October 21, 2008. Any non-substantive amendments recommended by the committee would have to be in the form of an amendment sheet for consideration by the Council at the public hearing advertised for November 18, 2008.

Council Member Knotts, the bill's sponsor, explained that he proposed this legislation as a means to facilitate the addition of one chair for an existing barbershop in his district. Council Member Olson expressed concern regarding the applicability of this legislation in other councilmanic districts as well as issues surrounding parking and traffic associated with such uses in residential neighborhoods. Council Member Dernoga commented that the requirement for special exception approval for the use provides a review process to address such concerns.

The Planning Board opposes CB-81-2008; however, the Board's letter to Council Chairman Dean dated November 4, 2008, provides recommended amendments "if the County Council decides to move forward with enactment of the bill." The suggested amendments are as follows:

1. This bill as drafted does not require the applicant/barbershop owner to own the residence. The Planning Board recommends adding language which would require the barbershop owner to own the residence where the barbershop is operated.
2. Clarify whether accessory services to the barbershop such as sales of hair products, or nail or pedicure services are permitted or prohibited uses.
3. On page 2, line 19 should be amended by deleting the words "buffered and". The words "in accordance with Section 4.4 of the Landscape Manual along the parking area" should be added behind the word "screened". This change would ensure that the parking area meets the Landscape Manual screening requirements.
4. Lines 20-21 should be amended because it is not clear in the legislation whether under the Department of Public Works and Transportation (DPW&T) regulations if the applicant/barbershop owner is responsible for posting the "No parking anytime" signs or for paying a fee to have the signs posted by DPW&T.
5. On line 25, there should be a provision added to the bill which limits the height of the sign.
6. On line 26, the bill should be revised to clarify whether the barbershop permits shampoo bowls and how many shampoo bowls are permitted on the premises.
7. On page 5, footnote "85" could be deleted and added to the other requirements under Section 27-348.03 (Additional Requirements for Special Exceptions). Moving footnote "85" would enable all requirements to be in one place.

The committee voted favorably on CB-81-2008 including amendments 1, 2, 4, and 6 as recommended by the Planning Board to be provided in the form of an amendment sheet for the public hearing.

The Office of Law reviewed CB-81-2008 and determined that it is in proper legislative form with no legal impediments to its enactment.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

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

This Bill will allow barber shops in the R-E and R-R zones by special exceptions subject to certain specific requirements.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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