



July 25, 2025

The Honorable Edward P. Burroughs, III  
Chair, Prince George's County Council  
Wayne K. Curry Administration Building  
1301 McCormick Drive  
Largo, MD 20774

**RE: LDR-71-2025**

Dear Chair Burroughs:

As required by the County's legislative amendment process for amendments to the Zoning Ordinance (Section 27-3501), the Planning Board held a public hearing on July 24, 2025, to receive comments on proposed Legislative Drafting Request LDR-71-2025.

During discussion of LDR-71-2025, the Planning Board supported the concept of the intent of the legislation and approved a motion adopting the findings contained in the Planning Department Technical Staff Report and transmitting an alternate draft of LDR-71-2025 that addresses drafting convention issues present in the proposed version. This motion constituted a Planning Board recommendation for the proposed legislation of NO POSITION.

**Planning Board Proposed Amendments:**

Following review of LDR-71-2025, the Department offered the necessary technical drafting convention edits for this proposed bill in Section II of the attached Technical Staff Report. As to the substantive aspects of the bill, the Department proposed the following comments and amendments with which the Planning Board concurs:

- Revise Page 7, Line 18: from "Hours of operation shall be limited to the hours of 6:00am to 11:00pm;" to "Hours of operation may be limited by the Zoning Hearing Examiner where necessary to promote compatibility with surrounding development;" or delete the hours restriction entirely.
- Revise Page 7, Line 19-21: from (B) The proposed use will not constitute a nuisance because of noise, illumination, fumes, odors, or physical activity in the location proposed; to "The proposed use will not cause undue harm to the neighborhood as a result of a non-inherent adverse effect alone or the combination of an inherent and a non-inherent adverse effect in any of the following categories: noise, illumination, fumes, odors, or physical activity."
- Revise Page 7, Lines 21-26: from (C) The proposed use will not create a traffic hazard or traffic nuisance because of its location in relation to similar uses, necessity of turning movements in relation to its access to public roads and intersections, or its location in relation to other buildings or proposed buildings on or near the site and the traffic patterns from such buildings or cause frequent turning movements across sidewalks and pedestrian ways, thereby disrupting pedestrian



circulation within a concentration of retail activity; to include language requiring the use of a Health Atlas Study to further analyze nuisance uses and community impacts, including environmental, public health, traffic, etc., per the Planning industry standards through data and metrics. The study will then support the creation of zoning legislation and ensure compliance with adopted master and sector plans, as well as Plan 2035 indicators.

- Replace “proposed buildings” at Page 7, Lines 23-24: with “in relation to other buildings or approved buildings”
- Replace “27-3605” from Page 7, Line 27: with “27-3604(c)(5)(F)”
- Delete Page 7, Line 31: (B) The location and type of trash enclosures.
- Delete Page 8, Lines 1-3: (3) Upon the abandonment, the Special Exception shall terminate. For the purpose of this Subsection, the term "abandonment" shall mean non-operation of the drive through for a period of twenty-four (24) months.
- Revise Page 8, Lines 6-9: to only apply one of the following: “(A) A need exists for the proposed use for service to the population in the community considering the present availability of such use to the community;” or “(B) A need exists for the proposed use due to an insufficient number of similar uses presently available to serve existing population concentrations in the neighborhood;”
- Revise 8, Lines 12-14, from “BE IT FURTHER ENACTED that any special exception or detailed site plan application filed prior to July 1, 2025, and approved shall not be subject to this provision and shall be deemed a conforming use.” To “BE IT FURTHER ENACTED that any Restaurant Quick-Service (with drive through) for which a special exception or detailed site plan application filed prior to the effective date of this bill and approved shall be reviewed under the requirements in effect at the time of acceptance and, once established, shall be deemed a conforming use.”

The link to the public hearing video may be found under the hearing date at <https://www.mncppc.org/883/Watch-Meetings>.

#### **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 Department finds that LDR-71-2025 meets the criteria that the provisions for each zone shall be uniform for each class or kind of development throughout the zone because the amendment does not create different standards for a subset of properties Countywide, regardless of zoning. The proposed amendments contained in LDR-71-2025 would therefore be consistently applied to each affected zone across the County.

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,

Darryl Barnes  
Chairman

Attachments