

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

Meeting Date: 5/9/95

Reference No.: CB-27-1995

Proposer: Russell

Draft No.: 2

Sponsors: Russell

Co-Sponsors: Bailey, Gourdine, Estep, Maloney, & Scott

Item Title: An Ordinance to require a Special Exception for crematories in the I-1 and I-2 Zones

Drafter: Mary Lane
Committee Director

Resource Personnel: Dawn DeWitt
Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: ___/___/___

Executive Action: ___/___/___

Committee Referral:(1) 4/18/95 PZED

Effective Date: 5/9/95

Committee Action:(1) 5/8/95 FAV

Date Introduced: 4/18/95

Pub. Hearing Date: (1) 5/9/95 1:30 PM

Council Action: (1) 5/9/95 Enacted

Council Votes: AMc: A, DB: A, SD: A, JE: A, IG: A, WM: A, RVR: A, AS: A, MW: A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COMM.

DATE: 5/8/95

Committee Vote: Favorable, 5-0 (In favor: Council Members Maloney, Russell, MacKinnon, Gourdine and Wilson).

This legislation will make crematories, which are now a permitted use in the I-1 and I-2 Zones, a Special Exception use. This use currently requires a Special Exception in the Commercial Miscellaneous Zone and the single-family residential zones, and is prohibited in all other zones. A Special Exception requires the following findings to be made; the use must not substantially impair the integrity of any Master Plan; it must not adversely affect the health, safety, or welfare of residents or workers in the area; and it must not be detrimental to the use or development of the

neighborhood. Crematories also require a State permit demonstrating compliance with State Air Quality Regulations.

The Planning Board and the Health Department took no position on the legislation, and the Legislative Officer found it to be in proper legislative form. Numerous residents of the Forestville area, where a crematory is currently proposed, testified in support of the legislation. These residents cited the numerous other nuisance uses located in their area, the unknown health impact of this use, the odor that will result, and the lack of Federal regulations regarding crematories as reasons for opposing this use in their neighborhood.

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

Crematories are currently permitted by right in the I-1 and I-2 Zones, which are the Light Industrial and Heavy Industrial Zones, respectively. This use is permitted by Special Exception in certain residential zones and the C-M (Commercial-Miscellaneous) Zone. This legislation requires a Special Exception for crematories in the I-1 and I-2, which will allow the impact of this use on surrounding neighborhoods to be reviewed.

CODE INDEX TOPICS:

ZONING

Uses

Permitted

Industrial Zones..... 27-473