

# Prince George's County Council

## Agenda Item Summary

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**Meeting Date:** 11/17/2009  
**Reference No.:** CB-060-2009  
**Draft No.:** 2  
**Proposer(s):** Dean  
**Sponsor(s):** Dean  
**Item Title:** An Ordinance amending the commercial uses permitted in the R-R and C-O Zones.

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**Drafter:** Karen T. Zavakos, Legislative Officer  
**Resource Personnel:** Nell W. Johnson, Legislative Aide

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>		<b>Executive Action:</b>	
<b>Committee Referral:</b>	10/26/2009 - PZED	<b>Effective Date:</b>	11/17/2009
<b>Committee Action:</b>	11/13/2009 - FAV(A)		
<b>Date Introduced:</b>	10/26/2009		
<b>Public Hearing:</b>	11/17/2009 - 10:00 AM		
<b>Council Action (1)</b>	11/17/2009 - ENACTED		
<b>Council Votes:</b>	MB:A, WC:A, SHD:A, TD:A, CE:-, AH:A, TK:A, EO:A, IT:A		
<b>Pass/Fail:</b>	P		
<b>Remarks:</b>			

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### AFFECTED CODE SECTIONS:

27-441, 27-461

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### COMMITTEE REPORTS:

#### PZED Committee Report

**Date 11/13/2009**

Committee Vote: Favorable with amendments, 5-0 (In favor: Council Members Dean, Olson, Bland, Dernoga and Exum)

Staff gave an overview of the legislation and summarized written referral comments that were received. CB-60-2009 amends the residential and commercial table of uses to prohibit department stores exceeding 100,000 square feet as part of a Commercial Recreational Development on property zoned C-O or R-R and which is leased from a public agency before January 1, 1974.

The Office of Law reviewed CB-60-2009 and determined that it is in proper legislative form with no legal impediments to its adoption. The Planning Board supports the legislation with amendments as detailed in their position letter to the Council Chairperson dated November 9, 2009. On page 3, prohibit the Commercial Recreational Development use in the C-O Zone and delete footnote 35. The footnote could not apply in this legislation because the property was rezoned to Mixed Use Infill (M-U-I) Zone under the 2004 Approved Sector Plan and Sectional Map Amendment for the Morgan Boulevard and Largo Town Center Metro Areas.

It should be noted that prohibiting the Commercial Recreational Development use in all commercial zones would also prohibit the use in the M-U-I Zone. Department and variety stores are also prohibited in the M-U-I Zone. The committee voted favorable on CB-60-2009 including the amendments recommended by the Planning

Board. Staff explained that the legislation bypassed presentation and was already introduced in which case the amendments will be presented in the form of an amendment sheet on the day of the public hearing for this legislation.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

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

This Ordinance amends the permitted commercial uses in the R-R and C-O Zones to prohibit department store exceeding 100,000 square feet.

11/17/2009: CB-60-2009 amended on the floor; CB-60-2009 (DR-2) enacted.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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