



Prince George's County, Maryland  
Inter-Office Memorandum  
Office of Law

LEGISLATIVE COMMENT

**DATE:** November 13, 2019

**TO:** Robert J. Williams, Jr., Council Administrator

**THRU:** Jackie Brown, Committee Director  
PHED Committee

**THRU:** Rhonda L. Weaver, County Attorney

**THRU:** Joseph C. Ruddy, Deputy County Attorney

**FROM:** Amanda S. Denison, Associate County Attorney

**RE:** CB-17-2019

The Office of Law has reviewed the above referenced **bill** as it was **presented** on **April 30, 2019**. Since the initial presentation, the above reference bill has been amended. The Office of Law therefore conducted a subsequent review of the above referenced **bill** as it was **amended** and presented as **Draft 3** and offers the following comments below:

- Specific Parcel Drafting
  - o The bill appears to be drafted for a specific parcel contained within an R-A zone. R-A zones are meant “to provide large lot One-Family Detached dwellings, while encouraging the retention of agriculture as the primary use of the land.”
  - o Townhomes are not “One Family Detached dwellings” and therefore are not permitted in the R-A zone. However, this bill would permit for Townhomes to be built on this specific parcel of land as only one parcel meets the requirements set forth.

- Md. Land Use Code Ann. Section 4-201(2)(i) states: “Zoning regulations shall be uniform for each class or kind of development throughout each district or zone.”

This means that all regulations within the R-A zone must be uniform.

If townhomes are permitted in the R-A zone, then the zoning regulations will not be uniform because townhomes are not detached, single family, nor on large lots.

- Public Hearing Required

- Draft 3 contains substantive changes and therefore requires a Public Hearing under the Charter.
- Should the Committee elect to adopt proposed amendments and create a Draft 4, then Draft 4 would also require a Public Hearing as the proposed amendments are also substantive in nature.