

Office of the Chairman
Prince George's County Planning Board

(301) 952-3561

September 30, 2022

The Honorable Calvin S. Hawkins, II
Chair
Prince George's County Council
Wayne K. Curry Administration Building
1301 McCormick Drive
Largo, MD 20772

Re: CB-103-2022

Dear Chairman Hawkins:

Thank you for providing the Planning Board an opportunity to review and comment on proposed District Council legislation. During the September 29, 2022, Planning Board meeting, the following position was adopted in accordance with the Planning Department staff's recommendation on the proposed legislation. **A Planning Board Analysis of the bill is attached for your consideration and a brief excerpt from the report is provided below:**

CB-103-2022 *This bill modifies the definition and creates a minimum distance requirement for tobacco shops, electronic cigarette shops, or retail tobacco businesses that sell products for offsite consumption.*

Planning Board Recommendation: Oppose in current form and take no position on the policy goal of the bill.

(See Attachment 1 for full analysis)


Including a five-mile standard in the definition will render the existing definition for tobacco shop unclear and ambiguous and may make it impossible to implement any of the zoning regulations that govern tobacco shops. The distance standard only belongs under the special exception use regulations within the bill.

The proposed language imposing a minimum distance requirement on applicants who are using their prior zone and the prior zoning ordinance, should be placed under the transitional provisions. The Planning Board proposes language to achieve that goal in the full analysis.

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 301-952-3595. Thank you, again, for your consideration.

Sincerely,



Peter A. Shapiro
Chairman

Attachments