

Prince George's County Council

Agenda Item Summary

Meeting Date: 5/4/2004
Reference No.: CB-022-2004
Draft No.: 1
Proposer(s): Exum
Sponsor(s): Exum, Harrington, Dean, Peters, Shapiro
Item Title: An Ordinance permitting monument and headstone sales establishment in the C-M Zone under certain circumstances

Drafter: Jackie Brown, Director, PZED Committee
Resource Personnel: Kendal C. Gray, Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	4/6/2004	Executive Action:	
Committee Referral:	4/6/2004 - PZED	Effective Date:	8/2/2004
Committee Action:	4/22/2004 - FAV		
Date Introduced:	5/4/2004		
Public Hearing:	6/15/2004 - 10:00 AM		
Council Action (1)	6/15/2004 - ENACTED		
Council Votes:	MB:A, SHD:A, TD:A, CE:A, DCH:A, TH:A, TK:A, DP:A, PS:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-461

COMMITTEE REPORTS:

PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE

Date 4/22/2004

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

Staff summarized the purpose of the legislation and referral comments that were received. CB-22-2004 amends the commercial zone use table to allow a monument and headstone sales establishment in the C-M Zone if the use is located on a lot or parcel with not more than one-half acre and is located within one-half mile of an existing cemetery.

The Planning Board supports the legislation indicating that the proposal is an appropriate use within the C-M Zone. The Office of Law determined that the bill is in proper legislative form and found no legal impediments to its adoption.

The Principal Counsel, District Council, provided the following written comments on CB-22-2004. Though the cemetery proximity requirement seems reasonably well related to the proposed use, the half-acre requirement may not be. That is, it might be suggested that a C-M property which is larger than a half acre and also half a mile or less

from a cemetery would be just as appropriate for a headstone business as one smaller than a half acre.

Staff suggested eliminating the half-acre limitation; however, the sponsor expressed her desire to have the language remain in the bill.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This legislation amends the commercial zone use tables in the Zoning Ordinance to permit monument and headstone sales establishment in the C-M (Commercial Miscellaneous) Zone if the property meets certain criteria. Currently, this use is permitted in the R-R Zone on property of one-half acre or less which adjoins an existing cemetery.

CODE INDEX TOPICS:

INCLUSION FILES:
