

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

Meeting Date: 5/21/2002**Reference No.:** CB-17-2002**Proposer:** Shapiro**Draft No.:** 2**Sponsors:** Shapiro**Item Title:** An Ordinance allowing trash removal services in the
C-M Zone, under certain circumstances

Drafter:**Resource** Cheryl Harrington
Personnel: Legislative Aide

LEGISLATIVE HISTORY:**Date Presented:** 3/19/2002**Executive Action:** ___/___/___**Committee Referral:** 3/19/2002 PZED**Effective Date:** 7/8/2002**Committee Action:** 4/10/2002 FAV(A)**Date Introduced:** 4/16/2002**Public Hearing:** 5/21/2002 10:00 A.M.**Council Action:** 5/21/2002 ENACTED**Council Votes:** PS:A, DB:-, TD:A, JE:A, TH:A, RVR:A, AS:A, MW:A**Pass/Fail:** PS**Remarks:** _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 4/10/02

Committee Vote: Favorable with amendments, 5-0 (In favor: Council Members Russell, Bailey, Hendershot, Shapiro and Wilson).

This bill amends the Commercial Use Tables to allow trash removal services in the C-M Zone under certain circumstances as provided in the new footnote (39). An owner of a trash removal business located in Hyattsville originally obtained a use and occupancy permit for storage of commercial vehicles in 1989. However, when the property owner more recently applied for permits to build an office building/garage on the parking lot site, it was discovered that trash removal trucks are not permitted in the C-M Zone. This legislation allows the property owner to continue the trash removal business at the present location and also provides that the business may be expanded on the adjacent property also under the same ownership.

The Planning Board supports CB-17 because of the narrow scope of the legislation and the nature of the issuance of the use and occupancy permit. The County Executive takes no position on the bill. The City of Hyattsville submitted a letter in support. The Legislative Officer and the Office of Law find the bill to be in proper legislative form. The Principal Counsel suggested changes to footnote 39, to improve clarity and readability. The changes are as follows: (1) Strike “Provided”; (2) In paragraph (A), change “has at least” to “shall have at least”; change “is at least” to “be at least”; and change “is the subject” to “be the subject.” The Committee accepted these changes for inclusion in Draft-2.

The Office of Audits and Investigations determined there should not be any negative fiscal impact on the County as a result of enacting CB-17-2002. It should be noted, however, that changes or amendments to the Zoning Ordinance have an unpredictable future affect on the County that may cause fiscal impact in later years. There are a number of variables which may be affected by Zoning Ordinance changes that cannot be determined at this time.

BACKGROUND INFORMATION/FISCAL IMPACT

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

The bill amends the use table for the C-M Zone to permit trash removal services, under certain circumstances.

CODE INDEX TOPICS: