

Prince George's County Council

Agenda Item Summary

Meeting Date: 6/11/2013
Reference No.: CB-014-2013
Draft No.: 1
Proposer(s): Patterson
Sponsor(s): Patterson, Harrison
Item Title: An Ordinance concerning Residential Zones – Commercial Uses – Eating and Drinking Establishments for the purpose of amending the prescriptions of the Residential Zones to permit eating and drinking establishments in the R-80 Zone under certain circumstances.

Drafter: Legislative Officers
Resource Personnel: Ellis F. Watson, Chief of Staff District 8

LEGISLATIVE HISTORY:

Date Presented:	3/19/2013	Executive Action:	
Committee Referral:	3/19/2013 - PZED	Effective Date:	7/29/2013
Committee Action:	4/17/2013 - FAV		
Date Introduced:	4/30/2013		
Public Hearing:	6/11/2013 - 10:00 AM		
Council Action (1)	6/11/2013 - ENACTED		
Council Votes:	WC:-, DLD:A, MRF:A, AH:A, ML:A, EO:N, OP:A, IT:A, KT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-441

COMMITTEE REPORTS:

PLANNING, ZONING AND ECONOMIC DEVELOPMENT

Date 4/17/2013

Committee Vote: Favorable, 4-1 (In favor: Council Members Franklin, Harrison, Patterson and Toles. Opposed: Council Member Olson)

Council staff summarized the purpose of the legislation and informed the committee of written referral comments that were received. CB-14-2013 amends the Residential Zones use table to permit an eating or drinking establishment, with drive-through service, in the R-80 Zone subject to a new footnote 95.

Council Member Patterson, the bill's sponsor, informed the committee that the provisions of the legislation will facilitate construction and new configuration of a use in his district. Council Member Olson expressed concern regarding applicability of the proposed provisions to other sites.

The Office of Law reviewed CB-14-2013 and found it to be in proper legislative form with no legal impediments to its enactment. The Office of Audits and Investigations determined that the enactment of CB-14-2013 would have no adverse fiscal impact on the County if enacted. The Planning Board opposed the legislation and provided written

explanation of their position by letter dated April 4, 2013 from Chairman Hewlett to Council Chair Harrison.

Dan Lynch, of McNamee Hosea, testified in support of the legislation.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This Ordinance proposes a limited basis for eating and drinking establishments as a permitted use in the R-80 Zone.

CODE INDEX TOPICS:

INCLUSION FILES:
