

# Prince George's County Council

## Agenda Item Summary

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**Meeting Date:** 5/22/2007  
**Reference No.:** CB-008-2007  
**Draft No.:** 1  
**Proposer(s):** Harrington  
**Sponsor(s):** Harrington, Dean, Exum  
**Item Title:** An Ordinance permitting Amusement Centers in the I-1 Zone under certain circumstances.

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**Drafter:** M-NCPPC Staff,  
**Resource Personnel:** Kenneth C. Williams, Legislative Aide

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### LEGISLATIVE HISTORY:

<b>Date Presented:</b>	3/20/2007	<b>Executive Action:</b>	
<b>Committee Referral:</b>	3/20/2007 - PZED	<b>Effective Date:</b>	7/9/2007
<b>Committee Action:</b>	4/4/2007 - FAV		
<b>Date Introduced:</b>	4/17/2007		
<b>Public Hearing:</b>	5/22/2007 - 10:00 AM		
<b>Council Action (1)</b>	5/22/2007 - ENACTED		
<b>Council Votes:</b>	MB:A, WC:A, SHD:A, TD:A, CE:A, DCH:A, TK:A, EO:A, IT:A		
<b>Pass/Fail:</b>	P		
<b>Remarks:</b>			

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### AFFECTED CODE SECTIONS:

27-473

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### COMMITTEE REPORTS:

#### PLANNING, ZONING & ECONOMIC DEVELOPMENT COMMITTEE

**Date 4/4/2007**

Committee Vote: Favorable, 4-0 (In favor: Council Members Dean, Bland, Dernoga and Harrington)

Staff summarized the purpose of the legislation and informed the committee of referral comments that were received. This bill amends the industrial zone use table in the Zoning Ordinance to allow amusement centers in the I-1 Zone provided the use does not include the sale of alcoholic beverages or hours of operation that extend beyond 10:00 p.m. An amusement center is currently defined in the Zoning Ordinance as “a commercially operated indoor facility providing a variety of amusement devices primarily including, but not limited to, play equipment, television games, electromechanical games, small kiddie rides, and other similar devices, and which may include food service.”

Council Member Harrington, the bill’s sponsor, explained that the purpose of the legislation is to allow an indoor playground to locate in an industrial park in his district. Mr. Harrington informed the committee that he had originally been advised by legal staff that this situation could be handled administratively through an existing use category in the Zoning Ordinance; however, the Planning Department staff advised him otherwise which resulted in his presentation of CB-8-2007.

Arthur Horne, representing Pump It Up, spoke in support of the “clarifying” legislation indicating that his client is

interested in locating its first business in the County in the Washington Business Park. Mr. Horne explained that Pump It Up is a franchise business, which has three locations in Maryland as well as others across the country, where inflatable play equipment is used for birthday parties and other activities.

Council Member Dernoga raised a policy question concerning allowing “everything everywhere”, with the result being no need for zoning. Council Member Harrington acknowledged Mr. Dernoga’s concern offering to amend the bill to include limitations on the locations of the use. After further discussion, it was agreed that the use should not be limited by the inclusion of locational criteria in the legislation.

Council Member Bland commented that even though it may not be necessary in this situation, in some instances it is appropriate to provide specific applicability for text amendments in order to accomplish a particular objective.

The Office of Law reviewed CB-8-2007 and found it to be in proper legislative form. The Office of Audits and Investigations determined that there should be no negative fiscal impact on the County if this legislation is enacted.

Kelly Canavan spoke in support of the bill’s uniformity as Draft-1 applies to all I-1 Zone property.

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**BACKGROUND INFORMATION/FISCAL IMPACT:**

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

This bill will permit amusement centers in the Light Industrial (I-1) Zone under certain circumstances.

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**

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