

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/17/2015
Reference No.: CB-073-2015
Draft No.: 2
Proposer(s): Franklin
Sponsor(s): Franklin, Harrison, Davis
Item Title: An Ordinance concerning Residential Zones □ Permitted Uses – O-S and R-R Zones – Issuance of Grading Permits for the purpose of amending the Residential Table of Uses to permit “Eating or drinking establishment, excluding drive-through service” and “Monopoles and related equipment buildings and enclosures” uses in the O-S (Open Space) Zone, under certain specified circumstances, and clarifying within the Residential Table of Uses that certain dwellings types are permitted in the R-R (Rural Residential) Zone and may obtain a grading permit upon approval of a Detailed Site Plan without a certification of said Detailed Site Plan.

Drafter: Karen T. Zavakos, Zoning and Legislative Counsel
Resource Personnel: Brendon L. Laster, Legislative Aide District 9

LEGISLATIVE HISTORY:

Date Presented:		Executive Action:	
Committee Referral:	9/15/2015 - PZED	Effective Date:	11/17/2015
Committee Action:	10/7/2015 - FAV(A)		
Date Introduced:	10/20/2015		
Public Hearing:	11/17/2015 - 10:00 AM		
Council Action (1)	11/17/2015 - ENACTED		
Council Votes:	DLD:A, MRF:A, DG:A, AH:A, ML:A, OP:A, DT:A, KT:A, TT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-441

COMMITTEE REPORTS:

PLANNING, ZONING & ECONOMIC DEVELOPMENT

Date 10/7/2015

Committee Vote: Favorable as amended, 4-0-1 (In favor: Council Members Harrison, Davis, Taveras, and Toles. Abstain: Council Member Glaros)

Council staff gave an overview of the legislation and informed the Committee of written referral comments that were received. CB-73-2015 amends the Zoning Ordinance Residential Zone Use Table to permit additional uses in the O-S (Open Space) Zone under certain circumstances.

Council Chairman Franklin, the bill's sponsor, informed the Committee that the legislation allows a long established business in his district to continue operating and brings the property into conformance with the Zoning Ordinance. Chairman Franklin also commented that the provisions for monopoles will facilitate internet access in the rural areas of the County.

The Committee reviewed a Proposed Draft 2 (DR-2) to also amend the Residential Use Table to clarify in the R-R (Rural Residential) Zone that certain dwelling types are permitted in this zone and may obtain a grading permit upon approval of a Detailed Site Plan without a certification of said Detailed Site Plan.

The Planning Board voted to oppose CB-73-2015 and provided an October 7, 2015 letter explaining this position with detailed staff analysis.

The Committee voted favorable including the amendments in Proposed DR-2.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This bill amends the Residential Use Tables to permit Eating or Drinking Establishments, without drive-through service, and Monopoles in the O-S (Open Space) Zone in the County, so long as the property meets certain specific criteria, including contiguousness with property in the C-S-C (Commercial Shopping Center) Zone, and having a continuously operating commercial retail business on the site for a minimum of fifteen (15) years.

CODE INDEX TOPICS:

INCLUSION FILES:
