



Prince George's County, Maryland

Inter-Office Memorandum

Office of Law

LEGISLATIVE COMMENT

DATE: October 19, 2022

TO: Robert J. Williams, Jr., Council Administrator
COW Committee

THRU: Rhonda L. Weaver, County Attorney

THRU: Joseph C. Ruddy, Deputy County Attorney

FROM: Amanda Denison Associate County Attorney

RE: CB-105-2022

The Office of Law has reviewed the above referenced **bill** as it was **presented on September 17, 2022** in conjunction with the Memorandum submitted by Park and Planning, the Zoning Hearing Examiner, MNCPPC Staff Report, and the Map of Eligible Properties. The Office of Law finds that as written, without the included legislative history, CB-105-2022 could be interpreted as attempted spot zoning legislation because as stated in the Park and Planning Memorandum, it does pose “direct opposition to the three fundamental principles of land use regulation (1) fairness, (2) predictability, and (3) user-friendly regulations. CB-105-2022 does not provide clear, transparent, and consistent regulations for all similar development in a zone.”

If, as the ZHE suggested, the legislation history can clear up the opposition presented by the Park and Planning Memo, then the Office of Law suggests including it in the bill to prevent potential conflicts or challenges. The map is suggestive of multiple properties within one geographical area. This can be interpreted in multiple ways and therefore the legislative history would be helpful in identifying the proper interpretation of the included area on the map.

Lastly, the Office of Law concurs with the suggested amendments proposed by the Staff Report on page 2.