

Prince George's County Council Agenda Item Summary

Meeting Date: 5/17/2011
Reference No.: CB-002-2011
Draft No.: 2
Proposer(s): Patterson
Sponsor(s):
Item Title: An Ordinance clarifying that a gas station located within a Waterfront Entertainment/Retail Complex may include a car wash as an accessory use provided the car wash is within or is part of the building(s) for which design and architecture are approved in the Detailed Site Plan for the gas station.

Drafter: Jackie Brown, PZED Committee Director
Resource Personnel: Ellis F. Watson, Chief of Staff / Legislative Aide (Dist. 8)

LEGISLATIVE HISTORY:

Date Presented:	2/22/2011	Executive Action:
Committee Referral:	2/22/2011 - PZED	Effective Date:

Committee Action: 5/4/2011 - FAV(A)

Date Introduced:

Public Hearing:

Council Action (1) 5/17/2011 - TABLED

Council Votes: WC:A, MRF:A, AH:-, LJ:A, ML:A, EO:A, OP:A, IT:A, KT:-

Pass/Fail: P

Remarks:

AFFECTED CODE SECTIONS:

27-547 (b)

COMMITTEE REPORTS:

PZED Committee Report

Date 5/4/2011

Committee Vote: Favorable with Amendments, 3-0 (In favor: Council Members Patterson, Toles and Olson)

Staff presented a Proposed Draft-2A (DR-2A) of CB-2-2011, which included extensive amendments to the original draft, including a revised title, purpose clause, and affected Code sections. Proposed DR-2A was prepared to address uniformity concerns raised by the Chief Zoning Hearing Examiner in response to Draft-1 of the bill, which amended permitted uses in the M-X-T Zone. By contrast, Draft-2A amends the Definitions section of the Zoning Ordinance, Section 27-107.01(a)(256.3), concerning a Waterfront Entertainment/Retail Complex, without amendment to the Table of Uses for Mixed Use Zones, as offered in Draft-1 of the legislation. Specifically, Proposed DR-2A clarifies that a gas station located within a Waterfront Entertainment/Retail Complex may include a car wash under certain circumstances.

The Legislative Officer advised the Committee at the work session that, given the comprehensive changes to the bill, and provided that Proposed DR-2A were favorably reported out of committee, legislative procedural practice prescribed a new bill number assignment for the measure. Further, the Legislative Officer opined that the committee

presentation and discussion on CB-2-2011 (Proposed DR-2A) could serve as the committee referral on the new Council Bill and that, pursuant to the Council Rules of Procedure, the new Council Bill would not require an additional committee referral and action upon introduction. Accordingly, the PZED Committee, in issuing its favorable recommendation as to DR-2 of CB-2-2011, further directed that staff prepare a newly numbered bill for introduction at the next available Council session.

The Office of Law reviewed the legislation and determined that it is in proper legislative form with no legal impediments to its adoption.

The committee voted favorably on Proposed Draft-2A.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This legislation amends the Use Table for Mixed Use Zones to allow a car wash in conjunction with a gas station in the M-X-T Zone. The legislation also deletes superfluous language in the Use Table regarding an accompanying service center. The language to be deleted is currently provided in the definition of a “Gas Station (Automobile Filling Station)” in Section 27-107.01 of the Zoning Ordinance.

THIS BILL WAS NOT ENACTED.

CODE INDEX TOPICS:

INCLUSION FILES:
