

**PRINCE GEORGE'S COUNTY COUNCIL  
AGENDA ITEM SUMMARY**

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**Meeting Date:** 6/18/2002

**Reference No.:** CB-29-2002

**Proposer:** Scott

**Draft No.:** 2

**Sponsors:** Scott

**Item Title:** An Ordinance permitting vehicle, mobile home, or  
camping trailer sales lots in the C-O Zone under  
certain circumstances

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**Drafter:**

**Resource** Betsy Burian  
**Personnel:** Legislative Aide

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**LEGISLATIVE HISTORY:**

**Date Presented:** 4/23/2002

**Executive Action:** \_\_/\_\_/\_\_\_\_

**Committee Referral:** 4/23/2002 PZED

**Effective Date:** 8/5/2002

**Committee Action:** 5/14/2002 FAV(A)

**Date Introduced:** 5/21/2002

**Public Hearing:** 6/18/2002 10:00 A.M.

**Council Action:** 6/18/2002 ENACTED

**Council Votes:** PS:A, DB:A, TD:A, JE:A, TH:A, TK:A, RVR:A, AS:A, MW:A

**Pass/Fail:** P

**Remarks:** \_\_\_\_\_

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**PLANNING, ZONING & ECONOMIC DEV. COM. REPORT**

**DATE:** 5/14/02

Committee Vote: Favorable with amendments, 5-0 (In favor: Council Members Russell, Bailey, Hendershot, Shapiro and Wilson).

This bill amends the Commercial Zones Use Tables to permit vehicle, mobile home, or camping trailer sales lots in the C-O Zone under certain circumstances described in a new footnote contained in the legislation. The use is allowed in the C-O Zone provided it is an expansion of an existing vehicle sales lot onto surplus land owned by a State agency, but is not in use as a street or right-of-way. The legislation applies to the Capitol Cadillac dealership in Greenbelt that is located on C-M zoned property. The dealership is interested in expanding onto an adjoining parcel zoned C-O that is owned by the State. Initially, the dealership intends to lease the parcel from the State and eventually would like to buy the property.

The bill's sponsor informed the Committee that the legislation is narrow in scope and allows Capitol Cadillac to expand its business and possibly add other vehicle makes to its dealership. The sponsor informed the Committee that the City of Greenbelt supports the expansion of the vehicle dealership that would be allowed with the adoption of CB-29.

The Planning Board opposes the bill indicating that the expansion of a use that is zoned C-M onto C-O zoned property defeats the intent of the C-O Zone and makes the expansion incompatible with other uses in the C-O Zone. Also, allowing a non-compatible use onto property zoned C-O is counter to the principles of the Interim General Plan, which calls for quality economic development in the County. The County Executive takes no position on CB-29.

The Legislative Officer provided a memorandum indicating that Section 27-113 concerns land conveyed by the State. If the subject property is conveyed, it is automatically placed in the R-O-S Zone until a Zoning Map Amendment is approved by the District Council. The conflict between the proposed footnote 39 and Section 27-113 needs to be resolved.

Staff presented a Proposed Draft 2 (DR-2) of the bill amending the second sentence in Footnote 39 to delete the word "sale" and replace it with "conveyance". The DR-2 also deletes the following language in the same sentence: "or division of the vehicle dealership." This sentence is intended to clarify that once conveyed by the State, the use on the property will not become nonconforming even though the property would automatically be placed in the R-O-S Zone pursuant to Section 27-113 and as noted by the Legislative Officer. The Committee accepted the amendments contained in the Proposed DR-2.

The Office of Audits and Investigations determined there should not be any negative fiscal impact on the County as a result of enacting CB-29-2002. It should be noted however, that changes or amendments to the Zoning Ordinance have an unpredictable future effect on the County that may cause fiscal impact in later years. There are a number of variables which may be affected by Zoning Ordinance changes that cannot be determined at this time.

## **BACKGROUND INFORMATION/FISCAL IMPACT**

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

The proposed ordinance permits vehicle, mobile home, or camping trailer sales lots in the C-O Zone, under certain circumstances.

## **CODE INDEX TOPICS:**