



Prince George's County Council

Agenda Item Summary

Meeting Date: 12/12/2022

Effective Date: 12/12/2022

Reference No.: CR-004-2023

Chapter Number:

Draft No.: 1

Public Hearing Date:

Proposer(s): Blegay, Burroughs, Dernoga, Watson, Ivey, Olson and Oriadha

Sponsor(s): Blegay, Burroughs, Dernoga, Watson, Ivey, Olson and Oriadha

Item Title: A RESOLUTION CONCERNING TRANSITIONAL PROVISIONS - LIMITATIONS-USE OF PRIOR ORDINANCE for the purpose of approving, with the force and effect of law, certain limitations on the time for processing of development applications pursuant to the superseded prior Zoning Ordinance of Prince George's County for development of Townhouse and One-family dwelling uses in the R-A (Residential Agricultural) Zone of Prince George's County.

Drafter: Karen T. Zvakos, Zoning and Legislative Counsel

Resource Personnel: Karen T. Zvakos, Zoning and Legislative Counsel

LEGISLATIVE HISTORY:

Date:	Acting Body:	Action:	Sent To:
12/12/2022	COW	Favorably recommended	County Council
<p>Action Text: A motion was made by Vice Chair Blegay, seconded by Council Member Ivey, that this resolution be favorably recommended to the County Council. The motion carried by the following vote:</p>			
<p style="padding-left: 40px;">Aye: 8 Olson, Watson, Hawkins, Oriadha, Ivey, Burroughs, Dernoga and Blegay</p>			
<p style="padding-left: 40px;">Abstain: 3 Harrison, Franklin and Fisher</p>			
12/12/2022	County Council	introduced and referred	COW
<p>Action Text: This Resolution was introduced by Council Members Blegay, Burroughs, Dernoga, Watson, Ivey, Olson and Oriadha and referred to the Committee of the Whole.</p>			
12/12/2022	County Council	adopted	
<p>Action Text: A motion was made by Vice Chair Blegay, seconded by Council Member Ivey, that this Resolution be adopted. The motion carried by the following vote:</p>			
<p style="padding-left: 40px;">Aye: 8 Hawkins, Blegay, Dernoga, Olson, Burroughs, Ivey, Oriadha and Watson</p>			
<p style="padding-left: 40px;">Abstain: 3 Harrison, Fisher and Franklin</p>			

AFFECTED CODE SECTIONS:

BACKGROUND INFORMATION/FISCAL IMPACT:

In consideration and approval of the new Zoning Ordinance for the County via CB-13-2018, CB-98-2021, and CB-68-2022, the County Council carefully evaluated the scope and extent of its transition to implementation of the revised Ordinance as the only body of local zoning laws governing land use and development in the County. Inherent in its legislative power of the Council is the authority to amend such laws as may be deemed necessary and appropriate. Moreover, in a reported Opinion of the Court of Special Appeals of Maryland, the Court held that the enactment of CB-17-2019 violated certain tenets of Maryland law. Accordingly, this bill will limit authority for development of certain Townhouse and One-family attached dwelling uses in the R-A Zone of the County using the prior Ordinance, more specifically, by way of a prior, now-superseded zoning law known as CB-17-2019 (Chapter 29, 2019 Laws of Prince George's County, Maryland). This Resolution is companion legislation, with the force and effect of law, to a separate bill introduced by this Council to repeal the foregoing, now superseded enactment of the Council within the superseded, prior Ordinance.

Document(s): R2023004, CR-004-2023 AIS