

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

Meeting Date: 4/27/99

Reference No.: CB-5-1999

Proposer: Wilson and Bailey

Draft No.: 2

Sponsors: Wilson and Bailey

Item Title: An Ordinance concerning food or beverage stores and convenience commercial centers for the purpose of defining food or beverage stores and eliminating the provisions for convenience commercial centers

Drafter: Jackie Brown
PZED Committee Director

Resource Personnel: Eugene Singleton
Legislative Aide

LEGISLATIVE HISTORY:

Date Presented:	2/16/99	Executive Action:	___/___/___
Committee Referral:	2/16/99 PZED	Effective Date:	6/14/99
Committee Action:	3/3/99 FAV(A)		
Date Introduced:	3/9/99		
Pub. Hearing Date:	4/27/99 1:30 P.M.		

Council Action: 4/27/99 ENACTED

Council Votes: JE:A, DB:A, IG:A, TH:A, WM:A, RVR:A, PS:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEVELOPMENT COM. REPORT 3/3/99

Committee Vote: 5-0; Favorable as amended (In favor: Council Members Bailey, Gourdine, Hendershot, Maloney and Russell)

Staff explained that this bill is for the purpose of clarifying definitions and requirements for certain uses, specifically convenience commercial centers, food or beverage stores, and mini-marts associated with gas stations, in the Zoning Ordinance.

Council Member Bailey, co-sponsor of the bill, reiterated staff's comments indicating that this is clarifying legislation which will assist in eliminating some of the permitting issues that have developed as a result of similar language describing different use categories in the Zoning Ordinance.

The Office of Law and the Legislative Officer determined that the bill is in proper legislative form. The Planning Board supports the legislation. The County Executive takes no position on the bill.

The Zoning Hearing Examiner reviewed the legislation and noted that since the use table reference to footnote 5 is being deleted, footnote 5 itself should be deleted. The Committee accepted this amendment and Draft-2 of the bill reflects the deletion of footnote 5 in the listing of footnotes at the end of the Commercial Table of Uses.

BACKGROUND INFORMATION/FISCAL IMPACT

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

Currently the Zoning Ordinance does not define food or beverage stores. CB-5-1999 defines this use and incorporates language currently used in the Ordinance to define convenience commercial centers. The definition is expanded to include food or beverage preparation which is often found as a component of food or beverage stores and convenience commercial centers. The inclusion of a definition for food or beverage stores and the elimination of a similar use, convenience commercial centers, clarifies the intent of this use and resolves varying interpretations concerning permits.

CODE INDEX TOPICS: