

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

Meeting Date: 11/19/2001

Reference No.: CB-71-2001

Proposer: Shapiro

Draft No.: 1

Sponsors: Shapiro and Maloney

Item Title: An Ordinance requiring special exceptions for the keeping of animals or poultry on commercial lots under 20,000 sq ft; providing that all such uses are prohibited and must cease if on lots under 20,000 sq ft which abut occupied residential property; establishing setback; and prohibiting Board of Appeals from granting variances

Drafter: Steven M. Gilbert
Principal Counsel to the
District Council

Resource Cheryl Harrington
Personnel: Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 9/25/2001

Executive Action: __/__/____ __

Committee Referral: 9/25/2001 PZED

Effective Date: 1/4/2002

Committee Action: 10/2/2001 FAV

Date Introduced: 10/9/2001

Public Hearing: 11/19/2001 10:00 A.M.

Council Action: 11/19/2001 ENACTED

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

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COM. REPORT

DATE: 10/2/2001

Committee Vote: Favorable, 4-0 (In favor: Council Members Shapiro, Wilson, Estepp and Maloney)

Staff explained the purpose of the legislation and the proposed changes to the Commercial Use Table concerning agricultural uses. The legislation limits animal or poultry raising (other than customary household pets) in commercial zones.

The Planning Board supports CB-71 indicating that the legislation will help ensure that agricultural animals would be raised with as few problems as possible for surrounding neighbors in the commercial zones. The Office of Law finds the bill to be in proper legislative form. The Office of Audits and Investigations determined there should be no negative fiscal impact on the County as a result of enacting CB-71.

BACKGROUND INFORMATION/FISCAL IMPACT

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

Agricultural uses are currently not restricted in commercial zones, but restrictions apply in some residential zones. The bill requires a special exception for the keeping of animals or poultry on commercial lots under 20,000 square feet. The bill also provides that all such uses are prohibited and must cease if on lots smaller than 20,000 square feet which abut occupied residential property. The bill also has setback requirements and a prohibition on variances.

CODE INDEX TOPICS: