

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2017 Legislative Session

Reference No.: CB-082-2017

Draft No.: 2

Committee: PLANNING, ZONING AND ECONOMIC DEVELOPMENT

Date: 9/27/2017

Action: FAV (A)

Committee Vote: Favorable as amended, 4-0 (In favor: Council Members Harrison, Franklin, Glaros, and Patterson)

The Committee Director provided an overview of the legislation and informed the Committee of written referral comments that were received. Council Chairman Davis, the bill's sponsor, informed the Committee that this legislation facilitates an economic development opportunity within the M-I-O Zone portion of his district while maintaining consistency with other allowed uses and ensuring safety within this zone.

The Planning Board took no position on the legislation. The Office of Law reviewed CB-82-2017 and determined that it is in proper legislative form with no legal impediments to its enactment. The Chief Zoning Hearing Examiner (ZHE) submitted a September 25, 2017 memorandum to the Committee Director with the following comments:

1. CB-82-2017 purpose clause should be revised to include the M-I-O Zone on page 1, line 2, for transparency.
2. Part 10C of the M-I-O Zone regulations would prohibit this use in the Clear Zone since it is considered a retail sales use. (§ 27-548.56 (a) (2)). Accordingly, the last sentence in footnote 64 on page 2 of the bill should be revised to address this prohibition.

During discussion of the bill, the ZHE suggested that the legislative history should reflect that Part 10C could prohibit the use under certain circumstances instead of amending footnote 64 to provide the prohibition.

The Committee voted favorable including the amendment to the purpose clause suggested by the ZHE.