



Prince George's County, Maryland

Inter-Office Memorandum

Office of Law

LEGISLATIVE COMMENT

DATE: October 19, 2022

TO: Robert J. Williams, Jr., Council Administrator
COW Committee

THRU: Rhonda L. Weaver, County Attorney

THRU: Joseph C. Ruddy, Deputy County Attorney

FROM: Amanda Denison Associate County Attorney

RE: CB-97-2022

The Office of Law has reviewed the above referenced **bill** as it was **presented** on **September 13, 2022** in conjunction with the Memorandum submitted by Park and Planning. The Office of Law concurs with the revisions set forth in the memo on page 2, bullet points 1-3:

“Should the District Council wish to proceed with CB-97-2022, the Planning Board believes the following revisions are necessary:

- The proposed language is misplaced in Part 27-4 of the new Zoning Ordinance and should instead be placed under Section 27-3619, the Expedited Transit-Oriented Development Review (ETOD) procedures. Section 27-4202, the proposed location for this new procedural language, pertains to development standards common to the five Transit-Oriented/Activity Center base zones and is not the appropriate location for unique procedural clauses or requirements. Placing the proposed language in Section 27-3619 with the other ETOD procedures is the correct location for applicants, staff, and decision-makers thinking about and reviewing ETOD applications to notice and incorporate process changes in an applicable project.

- It is also unclear if this bill is intended to apply to future Local Transit-Oriented Planned Development (LTO-PD) Zone, requiring a detailed site plan review for all situations. The Planning Board does not support extending the proposed legislation to the LTO-PD Zone. If the District Council moves forward with the proposed legislation, the Planning Board recommends that the bill be amended to clarify that it only applies to the LTO Base Zone and not the LTO-PD Zone. This amendment will eliminate confusion.
- On page 2, line 9, the term “mixed-use development” should be clarified; there is no definition for this term.”

The Office of Law also agrees with the potential conflict of projects as described in the memo and seeks to bring those matters to the Council’s attention.