# Prince George's County Council

# Agenda Item Summary

**Meeting Date:** 1/17/2023
**Effective Date:**
**Reference No.:** CB-018-2023
**Chapter Number:**
**Draft No.:** 2
**Public Hearing Date:** 01/17/2023 @ 10:00 AM
**Proposer(s):** Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha
**Sponsor(s):** Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha
**Item Title:** AN ORDINANCE CONCERNING ZONING-ZONES AND ZONE REGULATIONS-BASE ZONES-EXPEDITED TRANSIT-ORIENTED DEVELOPMENT for the purpose of repealing CB-97-2022 and reinstating the development regulations applicable to certain expedited transit-oriented development in Transit-Oriented/Activity Center Base Zones within the new Zoning Ordinance of Prince George's County, being also Chapter 37, 2018 Laws of Prince George's County, Maryland (CB-013-2018), as amended by Chapter 53, 2021 Laws of Prince George's County, Maryland (CB-98-2021).

**Drafter:** Karen T. Zavakos, Zoning and Legislative Counsel
Amanda S. Denison, Staff Attorney
**Resource Personnel:** Michelle Garcia, Chief of Staff/Legislative Aide, Council District 1

**LEGISLATIVE HISTORY:**

| Date: | Acting Body: | Action: | Sent To: |
|---|---|---|---|
| 12/12/2022 | County Council | introduced and referred | PHED |
| | **Action Text:** This Council Bill was introduced by Council Members Dernoga, Blegay, Burroughs, Ivey, Olson and Oriadha and referred to the Planning, Housing and Economic Development Committee. | | |
| 01/09/2023 | PHED | Favorably recommended | County Council |
| | **Action Text:** A motion was made by Council Member Oriadha, seconded by Council Member Dernoga, that this Council Bill be Favorably recommended to the County Council. The motion carried by the following vote:<br>Aye: 5 Ivey, Olson, Blegay, Dernoga and Oriadha | | |
| 01/17/2023 | County Council | public hearing held | |
| | **Action Text:** The public hearing for this Council Bill was held. | | |
| 01/17/2023 | County Council | amended | |

**Action Text:**
A motion was made by Council Member Ivey, seconded by Council Member Oriadha, that this Council Bill be amended. The motion carried by the following vote:

Aye: 9 Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha

Absent: 2 Hawkins and Franklin

01/17/2023 County Council rules suspended

**Action Text:**
A motion was made by Council Member Ivey, seconded by Council Member Olson, that the rules be suspended for this Council Bill. The motion carried by the following vote:

Aye: 9 Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha

Absent: 2 Hawkins and Franklin

01/17/2023 County Council enacted

**Action Text:**
A motion was made by Council Member Oriadha, seconded by Council Member Ivey, that this Council Bill be enacted. The motion carried by the following vote:

Aye: 9 Harrison, Blegay, Dernoga, Watson, Olson, Fisher, Burroughs, Ivey and Oriadha

Absent: 2 Hawkins and Franklin

**AFFECTED CODE SECTIONS:**
27-4204

**BACKGROUND INFORMATION/FISCAL IMPACT:**
This bill will suspend the efficacy of certain amendments to the local zoning laws enacted during the 2022 Legislative Year via enactment of CB-97-2022. During this same legislative year, the Council also considered and enacted, by way of CB-68-2022, a separate, comprehensive body of refinements to the newly effective Zoning Ordinance for the County. CB-97-2022 was under consideration of the Council at the time of its consideration of the comprehensive changes to the new Zoning Ordinance and was not included therein. Moreover, the Council notes, certain comments from ancillary public agencies submitted to the Council on referral of the respective legislative proposals cited herein expressed concern with the erosion of the clear vision set forth by way of the Council's effectuation of the new Zoning Ordinance. As the body vested with the legislative powers--including specific delegated authority to enact and amend local zoning laws--of the County, inherent in the scope of its legislative duties is the authority to amend such laws as may be deemed necessary and appropriate. To this end, the Council has determined that there is a need to repeal the previously enacted amendment to the local zoning laws and restore the provisions the new Zoning Ordinance as they existed prior to the enactment of CB-97-2022.

**Document(s):** B2023018, CB-018-2023 AIS, CB-018-2023 Report, CB-018-2023 ZHE Memo, CB-018-2023 Planning Board Votes Letter, CB-018-2023 Planning Board Anaylsis, CEX Ltr to Council Chair 01-06-2023, Council Chair Ltr to CEX 01-09-2023