

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2018 Legislative Session

Reference No.: CB-083-2018

Draft No.: 2

Committee: PLANNING, ZONING, AND ECONOMIC DEVELOPMENT

Date: 09/19/2018

Action: FAV (A)

REPORT:

Committee Vote: Favorable as amended, 5–0 (In favor: Council Members Harrison, Franklin, Glaros, Patterson, and Toles)

The Committee Director summarized the purpose of the legislation and informed the committee of referral comments that were received. This legislation amends the Zoning Ordinance definitions to expand the array of potential uses that may be included as a “Business Advancement and Food Access Infill” use in the County. Council Member Toles, the bill’s sponsor, indicated that this bill is intended to promote the viability of the use throughout the County.

At the direction of the bill’s sponsor, the Council’s Zoning and Legislative Counsel provided an overview of certain amendments to Draft 1 of the legislation, as follows: (1) reinstate the brackets around “or Gas Station” in Line 5 on Page 2 of the bill; (2) amend the purpose clause of the legislation in Line on Page 1 of the bill to insert an additional phrase after “Infill,” as follows: “and development regulations applicable to the use,”; and (3) Insert a new Section 27-445.15(b)(4) to the current regulations, and renumber the final subsection therein, governing Business Advancement and Food Access Infill uses within the Zoning Ordinance, as follows:

“(4) Where the proposed use includes a gas station, the detailed site plan review shall also include review of all building elevations to ensure durability and compatibility with the architecture of surrounding buildings internal to the site. In addition, where the subject property has a prior approved detailed site plan, development of the gas station use shall conform, to the maximum extent possible, with the terms of such prior site plan approval.”

Rana Hightower, of M-NCPPC, conveyed the comments submitted to the Committee concerning the legislation, which suggests an amendment in Line 4 on Page 2 of the bill to substitute “or” for “and” so as to correct the reference to the use, “food or beverage store” set forth in the current definition for “Business Advancement and Food Access Infill” at Section 27-107.01(a)(38.1).

The bill’s sponsor made a motion for favorable recommendation on the legislation as amended,

During discussion, Council Member Glaros inquired whether it was the intention of the bill's sponsor to incorporate an amendment made by the Committee to a similar bill, CB-093-2018, which inserted the phrase "is permitted" after "special exception" in the corresponding definition for this use. The Zoning and Legislative Counsel stated that the amendment was appropriate and should be incorporated within the Committee's amendments to CB-083-2018.

The committee unanimously voted for a favorable recommendation as to CB-083-2018, as amended.