

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2020 Legislative Session

Reference No.: CB-039-2020

Draft No.: 2

Committee: COMMITTEE OF THE WHOLE

Date: 07/14/2020

Action: FAV (A)

REPORT:

Committee Vote: Favorable as amended, 8-0-2 (In favor: Council Members Turner, Anderson-Walker, Davis, Glaros, Harrison, Hawkins, Streeter and Taveras. Abstain: Council Members Dernoga and Ivey)

The Committee of the Whole met on July 14 to consider CB-39-2020. The Planning, Housing, and Economic Development Committee Director summarized the purpose of the legislation and informed the Committee of written referral comments received.

The Planning Board submitted a letter dated July 9, 2020 to the Council Chair indicating opposition to CB-39-2020 including a staff analysis and explanation of this position as follows: “The bill does not add additional specific requirements for this use. The Zoning Ordinance regulations require Additional Requirements for Specific Special Exceptions. Similar uses such as “vehicle, boat, mobile home, trailer, and camping trailer salesroom or lot” and “vehicle and trailer rental display” are required to adhere to additional regulations. Language requiring additional Special Exception requirements for the proposed use should be added to the bill.” The Chief Zoning Hearing Examiner (ZHE) submitted a July 10, 2020 memorandum to the Committee of the Whole offering a comment that if the Council wishes to permit the use by Special Exception and add certain additional criteria, it is suggested that criteria be added to Section 27-417.02 and not added as a footnote in the Table of Uses since this would avoid confusion and is the current practice.

The Department of Permitting, Inspections, and Enforcement (DPIE) reviewed the legislation and suggested the bill needs stipulations for parking spaces, no wrecked or dismantled vehicles/camping trailers, fencing to prevent lot being visible from the street. Without some measures of control, the overall appearance of the area and shopping centers may be affected.

The Office of Law reviewed CB-39-2020 and finds it to be in proper legislative form. The Office of Law believes potential legal impediments exist within this Bill as currently drafted and shares the same concerns outlined in the Maryland-National Capital Park and Planning Commission Planning Board’s Memo. The County Council Liaison informed the Committee that the Executive takes no position on the legislation.

Edward Gibbs, of Law Offices of Gibbs and Haller, testified in support of the legislation. Tamara Davis Brown testified in opposition, and Ms. Tricia Goodley submitted electronic mail communication dated July 13, 2020 to the Clerk of the Council expressing opposition to CB-39-2020.

After discussion of referral comments as well as the bill’s potential broad applicability, on a motion by Council Member Harrison, and second by Council Member Davis, the Committee voted favorable 8-0-2 on the legislation with amendments to add language to Footnote 84 to address DPIE comments concerning wrecked or inoperable vehicles, require conformance with Special Exception regulations provided in Sections 27-317 and 27-417(a) of the County Code, and change “collector” to “arterial” to ensure accurate transportation classification.