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Zoning vs. LNG: U.S. Fourth Circuit Upholds County Victory

March 25, 2013 | Peter J. Hopkins, David E. Pomper, Scott H. Strauss

The U.S. Court of Appeals for the Fourth Circuit has affirmed local zoning that seeks to encourage residential and related development in Prince George's County, Maryland, just outside the District of Columbia. Washington Gas Light sought to build a Liquefied Natural Gas distribution storage complex approximately a half-mile southwest of the West Hyattsville Metro station, but the County denied its zoning application for inconsistency with the County's transit-oriented zoning plan. WGL appealed that determination to state court and then sought a federal court ruling invalidating the County's zoning. With Spiegel & McDiarmid LLP representing it since 2009, the County has now prevailed on summary judgment at the Maryland federal district court and on appeal.

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