

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2012 Legislative Session**

Bill No. _____ CB-79-2012 _____

Chapter No. _____

Proposed and Presented by _____ Council Members Franklin, Davis, and Harrison _____

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 Expedited Transit-Oriented Development

3 For the purpose of amending the development approval requirements to enhance opportunities
4 for commercial and mixed use development in close proximity to transit stations in Prince
5 George's County.

6 BY repealing and reenacting with amendments:

7 Sections 27-269 and 27-477,

8 The Zoning Ordinance of Prince George's County, Maryland,
9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code
12 (2011 Edition).

13 BY adding:

14 Section 27-541.03,

15 The Zoning Ordinance of Prince George's County, Maryland,
16 Being also

17 SUBTITLE 27. ZONING.

18 The Prince George's County Code
19 (2011 Edition).

20 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,

1 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 2 District in Prince George's County, Maryland, that Sections 27-269 and 27-477 of the Zoning
 3 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
 4 County Code, be and the same are hereby repealed and reenacted with the following
 5 amendments:

6 **SUBTITLE 27. ZONING.**

7 **PART 3. ADMINISTRATION.**

8 **DIVISION 9. SITE PLANS.**

9 **Subdivision 1. Conceptual Site Plans and Detailed Site Plans, In General.**

10 **Sec. 27-269. Applicability.**

11 (a) The provisions of this Division shall apply to:

12 (1) All Conceptual Site Plans and Detailed Site Plans required by this Subtitle;

13 (2) All site plan requirements which specifically reference this Division;

14 (3) All site plans required as a condition of approval of any Zoning Map Amendment
 15 application, Special Exception application, subdivision plat, or other zoning case. The reasons
 16 for requiring the review of the site plan shall be considered as criteria for approval of the site
 17 plan. The conditional approval shall state as clearly as possible the reasons for requiring the site
 18 plan and the specific parts of the proposed development to be reviewed, which may include any
 19 of the design guidelines contained in Sections 27-274 and 27-283. The order of approvals for
 20 these types of Detailed Site Plans may be established by the authority requiring the site plan at
 21 the time the site plan requirement is imposed.

22 (b) The Planning Board shall make available to the public a list of all types of development
 23 for which this Subtitle requires Conceptual or Detailed Site Plans.

24 (c) Notwithstanding any other provision of the Zoning Ordinance, the requirements of this
 25 Part for Conceptual Site Plan and Detailed Site Plan approval shall not apply to developments
 26 located entirely within a 1/2 mile radius of a Washington Metropolitan Area Transit Authority or
 27 Maryland Transportation Authority (MTA) transit station if the development is located entirely
 28 within a (i) commercial zone, (ii) industrial zone, or (iii) a mixed use zone, planned community
 29 zone or comprehensive design zone (solely including M-X-T, M-X-C, M-U-TC, M-U-I, E-I-A,
 30 R-P-C, L-A-C, M-A-C, V-L, V-M, and U-C (1-4) zones), or in combination thereof, provided
 31 that the development is also located entirely within an area expressly designated for expedited

1 transit-oriented development under this Subsection in a Master Plan, Sector Plan, Sectional Map
 2 Amendment, Zoning Map Amendment, or Overlay Zone approved or amended by the District
 3 Council after January 1, 2013. In addition, applications for development projects pursuant to this
 4 Subsection must comply with the use restrictions in Section 27A-802(b) and standards of Section
 5 27A-209 and Parts IV – VII of Subtitle 27A of the County Code.

6 **SUBTITLE 27. ZONING.**

7 **PART 8. COMPREHENSIVE DESIGN ZONES.**

8 **DIVISION 1. GENERAL.**

9 **Sec. 27-477. Applicability.**

10 (a) It is not generally intended that the Comprehensive Design Zones will be utilized in
 11 areas that are shown for permanent low-density residential development (less than one (1)
 12 dwelling unit per gross acre) recommended in Master Plans. The R-L (Residential Low
 13 Development), V-L (Village-Low), and V-M (Village-Medium) Zones may be utilized in areas
 14 recommended for the R-A Zone intended for staged future development. Areas appropriate for
 15 the R-L (Residential Low Development) Zone are those which provide for an alternative low-
 16 density residential development technique, provided the area is included within the boundaries of
 17 a Master Plan approved by the District Council after April 1, 1991. In all other areas, the
 18 preceding sentence shall not apply.

19 (b) It is not generally intended that areas zoned O-S (Open Space), R-A (Residential-
 20 Agricultural), or R-E (Residential Estate), through the Sectional Map Amendment process,
 21 should be considered for Comprehensive Design Zones, where these zones were imposed for
 22 staging reasons. The preceding sentence does not apply to the application of the R-L
 23 (Residential Low Development), V-L (Village-Low), and V-M (Village-Medium) Zones in the
 24 R-A and R-E Zones.

25 (c) If a property zoned O-S, R-A, R-E, or R-R in a Sectional Map Amendment is then
 26 rezoned to a Comprehensive Design Zone, it may still be developed and used under O-S, R-A,
 27 R-E, or R-R regulations. Upon approval of a Preliminary Plat of Subdivision for the entire
 28 property in accordance with the prior O-S, R-A, R-E, or R-R zoning, the Comprehensive Design
 29 Zone and any approved Basic Plan, Comprehensive Design Plan, or Specific Design Plan shall
 30 be null and void.

1 (d) Upon conveyance of any property to a public agency for recreational purposes, for
 2 which there exists an approved Basic Plan, Comprehensive Design Plan, or Specific Design Plan,
 3 any such Basic Plan, Comprehensive Design Plan, or Specific Design Plan (including any
 4 conditions attached to such Plans), shall be null and void and of no further force or effect. All
 5 subsequent development of any such property (including issuance of permits) for recreational
 6 purposes (which may include an arena (stadium)), regardless of ownership, shall not be subject
 7 to approval of any Basic Plan or Comprehensive Design Plan, but shall be subject to approval of
 8 a Specific Design Plan in accordance with Section 27-532.02.

9 (e) Notwithstanding any other provision of the Zoning Ordinance, the requirements of this
 10 Part for a Basic Plan, Comprehensive Design Plan, and Specific Design Plan approval shall not
 11 apply to developments located entirely within a 1/2 mile radius of a Washington Metropolitan
 12 Area Transit Authority or Maryland Transportation Authority (MTA) transit station if the
 13 development is located entirely within a mixed use zone, planned community zone or
 14 comprehensive design zone (solely including M-X-T, M-X-C, M-U-TC, M-U-I, E-I-A, R-P-C,
 15 L-A-C, M-A-C, V-L, V-M, and U-C (1-4) zones), or in combination thereof, provided that the
 16 development is also located entirely within an area expressly designated for expedited transit-
 17 oriented development under this Subsection in a Master Plan, Sector Plan, Sectional Map
 18 Amendment, Zoning Map Amendment, or Overlay Zone approved or amended by the District
 19 Council after January 1, 2013. In addition, applications for development projects pursuant to this
 20 Subsection must comply with the use restrictions in Section 27A-802(b) and standards of Section
 21 27A-209 and Parts IV – VII of Subtitle 27A of the County Code.

22 SECTION 2. BE IT FURTHER ENACTED by the County Council of Prince George's
 23 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
 24 Regional District in Prince George's County, Maryland, that Section 27-541.03 of the Zoning
 25 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
 26 County Code, be and the same is hereby added:

27 **SUBTITLE 27. ZONING.**

28 **PART 10. MIXED USE ZONES.**

29 **DIVISION 1. GENERAL.**

30 **Sec. 27-541.03. Exemptions from Site Plan Approval for Specific Commercial**
 31 **Development.**

1 Notwithstanding any other provision of the Zoning Ordinance, the requirements of this Part
2 for Conceptual Site Plan and Detailed Site Plan approval shall not apply to developments located
3 entirely within a 1/2 mile radius of a Washington Metropolitan Area Transit Authority or
4 Maryland Transportation Authority (MTA) transit station if the development is located entirely
5 within a mixed use zone, planned community zone or comprehensive design zone (solely
6 including M-X-T, M-X-C, M-U-TC, M-U-I, E-I-A, R-P-C, L-A-C, M-A-C, V-L, V-M, and U-C
7 (1-4) zones), or in combination thereof, provided that the development is also located entirely
8 within an area expressly designated for expedited transit-oriented development under this
9 Subsection in a Master Plan, Sector Plan, Sectional Map Amendment, Zoning Map Amendment,
10 or Overlay Zone approved or amended by the District Council after January 1, 2013. In addition,
11 applications for development projects pursuant to this Subsection must comply with the use
12 restrictions in Section 27A-802(b) and standards of Section 27A-209 and Parts IV – VII of
13 Subtitle 27A of the County Code.

14 SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
15 (45) calendar days after its adoption.

Adopted this ____ day of _____, 2012.

COUNTY COUNCIL OF PRINCE GEORGE’S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE’S COUNTY,
MARYLAND

BY: _____
Andrea C. Harrison
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.