

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2010 Legislative Session**

Bill No. CB-28-2010

Chapter No. 18

Proposed and Presented by The Chairman (by request – Planning Board)

Introduced by Council Members Dernoga and Olson

Co-Sponsors \_\_\_\_\_

Date of Introduction June 15, 2010

**ZONING BILL**

1 AN ORDINANCE concerning

2 Green Infrastructure Plan Implementation

3 For the purpose of updating the overall ordinance; clarifying the requirements related to Subtitle  
4 25, Division 2 The Woodland and Wildlife Conservation Ordinance and Subtitle 25, Division 3,  
5 The Tree Canopy Coverage Ordinance; adding a process for requesting and evaluating impacts  
6 to regulated environmental features; amending submittal requirements; and implementing the  
7 recommendations of the Countywide Green Infrastructure Functional Master Plan, approved  
8 June 14, 2005.

9 BY repealing and reenacting with amendments:

10 Sections 27-107.01, 27-159, 27-179, 27-199, 27-260, 27-272, 27-273,  
11 27-274, 27-276, 27-281, 27-282, 27-285, 27-296, 27-317, 27-518, 27-  
12 521, 27-527, 27-528, 27-532.02, and 27-546.05,

13 The Zoning Ordinance of Prince George's County, Maryland,

14 being also

15 SUBTITLE 27. ZONING.

16 The Prince George's County Code

17 (2007 Edition, 2009 Supplement).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
19 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
20 District in Prince George's County, Maryland, that Sections 27-107.1, 27-159, 27-199, 27-260,

1 27-272, 27-273, 27-274, 27-276, 27-281, 27-282,27-285, 27-296, 27-317, 27-518, 27-521,  
2 27-527, 27-528, 27-532.02, and 27-546.05 of the Zoning Ordinance of Prince George's County,  
3 Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are  
4 hereby repealed and reenacted with the following amendments:

5 **SUBTITLE 27. ZONING.**

6 **PART 2. GENERAL.**

7 **DIVISION 1. DEFINITIONS.**

8 **Sec. 27-107.01. Definitions.**

9 (a) Terms in the Zoning Ordinance are defined as follows:

10 \* \* \* \* \*

11 (90) **Floodplain, One Hundred (100) Year:** That area of land which would be  
12 covered by a flood that has a one percent (1%) chance of being equaled or exceeded in any year,  
13 and conforms to the requirements of Section 27-124.01.

14 \* \* \* \* \*

15 (91.2) **Forest Stand Delineation:** A detailed accounting of woody vegetation,  
16 prepared in plan and document form, as required by [the Prince George's County Woodland  
17 Conservation and Tree Preservation Policy Document,] Division 2 of Subtitle 25, and as  
18 explained in the [M-NCPPC] publication, ["A Technical Manual for Woodland Conservation  
19 with Development in Prince George's County,"] The Woodland and Wildlife Habitat  
20 Conservation Technical Manual. [as amended from time to time.]

21 \* \* \* \* \*

22 (116.1) **Highly Erodible Soils:** Soils with an erodibility factor greater than 0.35 as  
23 determined by the Prince George's Soil Conservation District.

24 \* \* \* \* \*

25 (160.1) **Natural Resource Inventory:** A plan as defined in Section 24-101.

26 (161) Net Lot Area:

27 (A) The total contiguous area included within the "Lot Lines" of a "Lot,"  
28 excluding:

29 \* \* \* \* \*

30 (C) In a conservation subdivision developed in conformance with Section 24-  
31 152 the net lot area is the contiguous lot area located outside of the 100-year floodplain, and

1 [environmentally] regulated environmental [areas,] features [including primary management  
2 areas] as defined by Section 24-101 [and expanded buffers, as defined by Section 24-130].

3 \* \* \* \* \*

4 (166.1) Nontidal Wetland: A wetland as defined in Section 24-101.

5 \* \* \* \* \*

6 (197.2) Regulated Environmental Features: Features as defined in Section 24-101.

7 (197.3) Regulated Stream: A stream as defined in Section 24-101.

8 \* \* \* \* \*

9 (224.1) Stream: See "Regulated Stream."

10 \* \* \* \* \*

11 (243.4) Tree canopy: The land area under the dripline of an existing tree or group of  
12 trees or the amount of credit provided for planting trees of a certain species and certain size at  
13 time of planting in conformance with the worksheet provided in The Woodland and Wildlife  
14 Conservation Technical Manual.

15 (243.5) Tree canopy coverage: The combined area measured in square feet of the tree  
16 canopies of existing trees and trees planted in conformance with Subtitle 25, Division 3 and The  
17 Woodland and Wildlife Conservation Technical Manual. Tree canopy coverage requirements  
18 are measured using a percentage of the gross tract area.

19 [(243.3)](243.6) Tree Conservation Plan: A site map that delineates [tree save]  
20 woodland conservation areas and associated text that details the requirements, penalties, and/or  
21 mitigation [negotiated during the development and/or permit review process.] in conformance  
22 with Division 2 of Subtitle 25 and the Woodland and Wildlife Habitat Conservation Technical  
23 Manual.

24 \* \* \* \* \*

25 (257.1) Wetland, Nontidal: See "Nontidal Wetland."

26 \* \* \* \* \*

27 **SUBTITLE 27. ZONING.**

28 **PART 2. GENERAL.**

29 **DIVISION 4. REGULATIONS APPLICABLE IN ALL ZONES.**

30 **SUBDIVISION 8. WOODLAND CONSERVATION AND TREE PRESERVATION.**

**Sec. 27-124.02. Woodland Conservation and Tree Preservation.**

(a) Development proposals of all types in all zones, except the Chesapeake Bay Critical Area Overlay Zones and development comprised of lands zoned Residential, R-M, and M-X-T for which there is an approved single Conceptual Site Plan applicable to all of the properties, shall comply with the requirements for woodland conservation, [and] tree preservation, and tree canopy coverage pursuant to the provisions of Subtitle 25 of the Prince George's County Code.

(b) In the case of development comprised of lands zoned Residential, R-M, and M-X-T, for which there is an approved single Conceptual Site Plan applicable to all of the properties, the Woodland Conservation/Afforestation Threshold shall be in accordance with the requirements for the M-X-T Zone and the tree canopy coverage requirement shall be in accordance with the requirements of the M-X-T Zone.

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 2. ZONING MAP AMENDMENTS.**

**SUBDIVISION 2. R-P-C ZONE.**

**Sec. 27-159. Applications.**

\* \* \* \* \*

**(c) Other submission requirements.**

(1) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(viii) A Forest Stand Delineation [; and] prepared in conformance with Division 2 of Subtitle 25 and the Woodland and Wildlife Habitat Conservation Technical Manual;

(ix) [The subject property outlined in red.] Existing streams and their associated buffers; nontidal wetlands and their associated buffers; slopes greater or equal to fifteen percent (15%) and less than twenty-five percent (25%) on highly erodible soils; slopes twenty-five percent (25%) and greater; and the one-hundred (100) year floodplain; and

(x) The subject property outlined in red.

\* \* \* \* \*

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 2. ZONING MAP AMENDMENTS.**

**SUBDIVISION 3. COMPREHENSIVE DESIGN ZONE.**

**Sec. 27-179. Applications.**

\* \* \* \* \*

**(c) Other submission requirements.**

(1) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(i) [Physical characteristics of the subject property, such as one hundred (100) year floodplain and slopes greater than twenty-five (25%);] Existing streams and their associated buffers; nontidal wetlands and their associated buffers; slopes greater or equal to fifteen percent (15%) and less than twenty-five percent (25%) on highly erodible soils; slopes twenty-five percent (25%) and greater; and the one-hundred (100) year floodplain;

\* \* \* \* \*

(vii) A forest stand delineation[.] prepared in conformance with Division 2 of Subtitle 25 and the Woodland and Wildlife Habitat Conservation Technical Manual.

\* \* \* \* \*

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**SUBDIVISION 4. M-X-T AND M-X-C ZONES.**

**Sec. 27-199. Applications.**

\* \* \* \* \*

**(c) Other submission requirements.**

(1) Along with the application, the applicant shall submit the following:

\* \* \* \* \*

(K) For the M-X-C Zone, fifteen (15) copies of a Preliminary Development Plan for the property. The Preliminary Development Plan shall include a generalized drawing or series of drawings, generally of a scale not less than one (1) inch equals four hundred (400) feet, illustrating the proposed development with accompanying descriptive material setting forth:

\* \* \* \* \*

(vii) [The general location of streams and associated one-hundred (100) year floodplains, nontidal wetlands, wooded areas (depicted on a Forest Stand Delineation), slopes twenty-five percent (25%), and slopes fifteen percent (15%) on highly erodible soils;] Existing

streams and their associated buffers; nontidal wetlands and their associated buffers; slopes greater or equal to fifteen percent (15%) and less than twenty-five percent (25%) on highly erodible soils; slopes twenty-five percent (25%) and greater; and the one-hundred (100) year floodplain;

\* \* \* \* \*

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 5. APPEALS AND VARIANCES.**

**SUBDIVISION 5. SPECIAL PERMITS.**

**Sec. 27-239.02. Special Permits.**

**(a) Procedures.**

**(1) Application.**

(A) All requests for Special Permits shall be in the form of an application filed with the Planning Board. The Planning Board shall determine the contents of the application and shall provide the application. The minimum submission requirements are:

(i) Six (6) copies of a site plan, and other graphic illustrations which are considered necessary to indicate what is being proposed; [and]

(ii) Six (6) copies of a written explanation by the applicant explaining how the proposed site plan satisfies the U-L-I Zone Design Guidelines or the Town Center Development Plan regulations and development guidelines.

(iii) Three (3) copies of an approved Natural Resource Inventory and a Letter of Justification stating how the proposed design ensures the preservation and/or restoration of the regulated environmental features to the fullest extent possible.

\* \* \* \* \*

**(6) Required Findings.**

(A) The Planning Board may grant a Special Permit in the U-L-I Zone if it finds:

(i) The site plan generally conforms with the U-L-I Zone Design Guidelines; [and]

(ii) The site plan generally conforms with the design guidelines in an approved Master Plan or other applicable plan[.]; and

(iii) The site plan demonstrates the preservation and/or restoration of the

1 regulated environmental features in a natural state to the fullest extent possible.

2 **SUBTITLE 27. ZONING.**

3 **PART 3. ADMINISTRATION.**

4 **DIVISION 7. BUILDING, GRADING, AND USE AND OCCUPANCY PERMITS.**

5 **SUBDIVISION 3. TEMPORARY PERMITS.**

6 **Sec. 27-260. Authorization.**

7 (a) The Department of Environmental Resources may issue temporary use and occupancy  
8 permits (and if necessary, building permits for the specific temporary structures and uses, and in  
9 accordance with the requirements of Section 27-261.

10 (b) The temporary use and occupancy permits shall not be issued where the disturbance  
11 proposed would violate the provisions of Division 2 of Subtitle 25. An application for a  
12 temporary use and occupancy permit shall include either a copy of an approved Type 2 Tree  
13 Conservation Plan showing the areas of disturbance proposed with the permit, or an approved  
14 Letter of Exemption in conformance with Division 2 of Subtitle 25 referencing the subject  
15 property, the proposed area of disturbance and the proposed use.

16 [(b)] (c) No temporary permit shall be required if the use is allowed by other provisions of  
17 this Subtitle as a permanent use.

18 [(c)] (d) These temporary uses are only allowed as set forth in the Tables of Uses (for the  
19 various zones).

20 [(d)] (e) In a Transit Overlay Zone, no temporary use and occupancy permit or building  
21 permit shall be issued for any use or activity unless the application for the permit has been  
22 reviewed by the Planning Board or its authorized representative for conformance or consistency  
23 with the approved Transit District Development Plan and Transit District Site Plan.

24 [(e)] (f) The Chief of Police and the Fire Chief are authorized to direct the Police  
25 Department and the Fire/Emergency Medical Services Department respectively, to take all  
26 immediate reasonable and necessary action to cease and desist the operation of any activity  
27 requiring a temporary use and occupancy permit when a temporary use and occupancy permit  
28 has not been issued.

29 [(f)] (g) The Chief of Police and the Fire Chief are authorized to direct the Police  
30 Department and the Fire/Emergency Medical Services Department respectively, to take all  
31 immediate reasonable and necessary action to cease and desist the operation of any activity

1 requiring a temporary use and occupancy permit when a temporary use and occupancy permit  
2 has been issued and is not in compliance with the provisions of this Section and all applicable  
3 use and occupancy provisions of the Zoning Ordinance.

4 [(g)] (h) The Chief of Police and the Fire Chief are authorized to direct the Police  
5 Department and the Fire/Emergency Medical Services Department respectively, to take all  
6 immediate reasonable and necessary action to cease and desist the operation of any activity  
7 requiring a temporary use and occupancy permit when the activity is found to present an  
8 imminent danger and threat to the health, safety, and welfare of the public by not doing so, that  
9 there are no other mitigating actions to be taken to resolve the imminent danger and threat to the  
10 health, safety, and welfare of the public, and that there are no other reasonable means of  
11 preventing further danger and threat to the health, safety, and welfare of the public resulting from  
12 the continuation of the activity until a hearing is held.

13 [(h)] (i) Immediate reasonable and necessary action shall include, but not be limited to:  
14 entering the building, structure, and land; securing the building, structure, and land; removing the  
15 occupants of the building, structure, and land; padlocking the building, structure, and land; and  
16 preventing the use and occupancy of the building, structure, and land.

17 [(i)] (j) Actions taken pursuant to Sections 27-253 (f), (g), and (h) shall remain in force and  
18 effect unless amended or vacated by a decision of the Zoning Hearing Examiner in accordance  
19 with Section 27-264.01(g) or by a decision of a court of competent jurisdiction.

20 **SUBTITLE 27. ZONING.**

21 **PART 3. ADMINISTRATION.**

22 **DIVISION 9. SITE PLANS.**

23 **SUBDIVISION 2. REQUIREMENTS FOR CONCEPTUAL SITE PLANS.**

24 **Sec. 27-272. Purpose of Conceptual Site Plans.**

25 \* \* \* \* \*

26 **(c) Specific purposes.**

27 (1) The specific purposes of Conceptual Site Plans are:

28 \* \* \* \* \*

29 (C) To illustrate general grading, woodland conservation [and tree preservation]  
30 areas, preservation of sensitive environmental features, planting, sediment control, and storm  
31 water management concepts to be employed in any final design for the site; and



\* \* \* \* \*

**Sec. 27-273. Submittal requirements.**

\* \* \* \* \*

(e) A Conceptual Site Plan shall include the following: \* \* \* \*

\* \* \* \* \*

(5) Existing topography, at not more than [five (5)] two (2) foot contour intervals;

(6) [Limits of the one hundred (100) year floodplain (if any);] An approved Natural Resource Inventory (NRI);

\* \* \* \* \*

(9) Existing [tree cover as shown on a forest stand delineation and any important natural features on the site (such as stream beds, steep slopes, significant stands of trees, individual trees of significant size or species, and rock outcroppings] site and environmental features as shown on the approved NRI;

(10) [Areas of existing tree cover, vegetation, or other natural features proposed to be retained as shown on the proposed Tree Conservation Plan;] A Type 1 Tree Conservation Plan prepared in conformance with Division 2 of Subtitle 25 and the Woodland and Wildlife Habitat Conservation Technical Manual or Letter of Exemption;

\* \* \* \* \*

(14) A stormwater concept plan approved or submitted for review pursuant to Section 4-322 of this Code[.];

(15) A letter of justification stating how the proposed design ensures the preservation and/or restoration of the regulated environmental features to the fullest extent possible.

\* \* \* \* \*

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 9. SITE PLANS.**

**SUBDIVISION 2. REQUIREMENTS FOR CONCEPTUAL SITE PLANS.**

**Sec. 27-274. Design guidelines.**

(a) The Conceptual Site Plan shall be designed in accordance with the following guidelines:

\* \* \* \* \*

1 (5) **Green area.**

2 (A) On-site green area should be designed to complement other site activity areas  
3 and should be appropriate in size, shape, location, and design to fulfill its intended use. To fulfill  
4 this goal, the following guidelines should be observed:

5 \* \* \* \* \*

6 (B) The application shall demonstrate the preservation and/or restoration of the  
7 regulated environmental features in a natural state to the fullest extent possible.

8 \* \* \* \* \*

9 **SUBTITLE 27. ZONING.**

10 **PART 3. ADMINISTRATION.**

11 **DIVISION 9. SITE PLANS.**

12 **SUBDIVISION 2. REQUIREMENTS FOR CONCEPTUAL SITE PLANS.**

13 **Sec. 27-276. Planning Board Procedures.**

14 \* \* \* \* \*

15 **(b) Required findings.**

16 \* \* \* \* \*

17 (3) The plan shall demonstrate the preservation and/or restoration of the regulated  
18 environmental features in a natural state to the fullest extent possible.

19 \* \* \* \* \*

20 **SUBTITLE 27. ZONING.**

21 **PART 3. ADMINISTRATION.**

22 **DIVISION 9. SITE PLANS.**

23 **SUBDIVISION 3. REQUIREMENTS FOR DETAILED SITE PLANS.**

24 **Sec. 27-281. Purpose of Detailed Site Plans.**

25 \* \* \* \* \*

26 **(c) Specific purposes.**

27 (1) The specific purposes of Detailed Site Plans are:

28 \* \* \* \* \*

29 (B) To show specific grading, planting, sediment control, [tree preservation,]  
30 woodland conservation areas, regulated environmental features and storm water management  
31 features proposed for the site;

\* \* \* \* \*

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 9. SITE PLANS.**

**SUBDIVISION 3. REQUIREMENTS FOR DETAILED SITE PLANS.**

**Sec. 27-282. Submittal requirements.**

\* \* \* \* \*

(e) A Detailed Site Plan shall include the following:

\* \* \* \* \*

(5) [Limits of the one hundred (100) year floodplain, perennial streams, proposed stream buffer, and nontidal wetlands] An approved Natural Resource Inventory;

\* \* \* \* \*

(8) [Existing site conditions, including a forest stand delineation, vegetation, soil types, topography using contours at a minimum of two (2) foot intervals, and other natural features;] Existing site and environmental features as shown on an approved NRI;

(9) [Areas of existing tree cover, vegetation, or other natural features proposed to be retained as shown on the proposed Tree Conservation Plan;] A Type 2 Tree Conservation Plan prepared in conformance with Division 2 of Subtitle 25 and The Woodland and Wildlife Habitat Conservation Technical Manual or Letter of Exemption;

(10) A letter of justification stating how the proposed design ensures the preservation and/or restoration of the regulated environmental features to the fullest extent possible;

\* \* \* \* \*

**Sec. 27-285. Planning Board procedures.**

\* \* \* \* \*

(b) **Required findings.**

\* \* \* \* \*

(4) The Planning Board may approve a Detailed Site Plan if it finds that the regulated environmental features have been preserved and/or restored in a natural state to the fullest extent possible.

\* \* \* \* \*

**SUBTITLE 27. ZONING.**

**PART 4. SPECIAL EXCEPTIONS.**

**DIVISION 1. ADMINISTRATIVE PROCEDURES.**

**SUBDIVISION 1. APPLICATIONS.**

**Sec. 27-296. Application form and contents.**

**(c) Other submission requirements.**

(1) Along with the application, the applicant shall submit the following [:] with all plans prepared at the same scale (where feasible):

(J) [A forest stand delineation.] An approved Natural Resource Inventory.

(K) A Type 2 Tree Conservation Plan prepared in conformance with Division 2 of Subtitle 25 and the Woodland and Wildlife Habitat Conservation Technical Manual or Letter of Exemption.

(L) A letter of justification stating how the proposed design ensures the preservation and/or restoration of the regulated environmental features to the fullest extent possible; and

(M) All other data or explanatory material deemed necessary by the District Council, Zoning Hearing Examiner, or Planning Board (submitted in triplicate).

**SUBTITLE 27. ZONING.**

**PART 4. SPECIAL EXCEPTIONS.**

**DIVISION 1. ADMINISTRATIVE PROCEDURES.**

**SUBDIVISION 9. SPECIAL EXCEPTION APPROVAL.**

**Sec. 27-317. Required findings.**

**(a) A Special Exception may be approved if:**

(6) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan [.]; and

(7) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

**SUBTITLE 27. ZONING.**

**PART 8. COMPREHENSIVE DESIGN ZONES.**

**DIVISION 4. COMPREHENSIVE DESIGN PLANS AND SPECIFIC DESIGN PLANS.**

**SUBDIVISION 1. COMPREHENSIVE DESIGN PLANS.**

**Sec. 27-518. Contents of Plan.**

\* \* \* \* \*

(b) The Comprehensive Design Plan shall consist of the following [:]with all plans prepared at the same scale:

\* \* \* \* \*

(11) [A Forest Stand Delineation and Proposed Tree Conservation Plan; and] An approved Natural Resource Inventory;

(12) A Type 1 Tree Conservation Plan prepared in conformance with Division 2 of Subtitle 25 and The Woodland and Wildlife Habitat Conservation Technical Manual or Letter of Exemption; and

[12] (13) Where a Comprehensive Design Plan proposes to include an adaptive use of a Historic Site, the application shall include:

\* \* \* \* \*

**SUBTITLE 27. ZONING.**

**PART 8. COMPREHENSIVE DESIGN ZONES.**

**DIVISION 4. COMPREHENSIVE DESIGN PLANS AND SPECIFIC DESIGN PLANS.**

**SUBDIVISION 1. COMPREHENSIVE DESIGN PLANS.**

**Sec. 27-521. Required findings for approval.**

(a) Prior to approving a Comprehensive Design Plan, the Planning Board shall find that:

\* \* \* \* \*

(9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d); [and]

(10) The Plan is in conformance with an approved Type 1 Tree Conservation Plan [.] and;

(11) The plan is demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible.

**SUBTITLE 27. ZONING.**

**PART 8. COMPREHENSIVE DESIGN ZONES.**

**DIVISION 4. COMPREHENSIVE DESIGN PLANS AND SPECIFIC DESIGN PLANS.**

**SUBDIVISION 2. SPECIFIC DESIGN PLANS.**

**Sec. 27-527. Contents of Plan.**

\* \* \* \* \*

(b) The Specific Design Plan shall include (at least) the following[:] with all plans prepared at the same scale:

\* \* \* \* \*

(2) Reproducible preliminary architectural plans, including floor plans and exterior elevations; [and]

(3) A reproducible landscape plan prepared in accordance with the provisions of the Landscape Manual [.];

(4) A Type 2 Tree Conservation Plan prepared in conformance with Division 2 of Subtitle 25 and The Woodland and Wildlife Habitat Conservation Technical Manual or Letter of Exemption;

(5) An approved Natural Resource Inventory and;

(6) A letter of justification stating how the proposed design ensures the preservation and/or restoration of the regulated environmental features to the fullest extent possible;

(c) An applicant may submit a Specific Design Plan for Infrastructure in order to proceed with limited site improvements. These improvements must include infrastructure which is essential to the future development of the site, including streets, utilities, or stormwater management facilities. Only those regulations, submittal requirements, development standards, and site design guidelines which are applicable shall be considered. The Planning Board may also consider the proposal in light of future requirements, such that the plan cannot propose any improvements which would hinder the achievement of the purposes of the zone, the purposes of this Division, or any conditions of previous approvals, in the future. The Planning Board shall also consider any recommendations by the Department of Environmental Resources and the Prince George’s Soil Conservation District. Prior to approval, the Planning Board shall find that the Specific Design Plan is in conformance with an approved Type 2 Tree Conservation Plan and must also approve a Type[II] 2 Tree Conservation Plan in conjunction with approval of the

1 Specific Design Plan for Infrastructure.

2 \* \* \* \* \*

3 **SUBTITLE 27. ZONING.**

4 **PART 8. COMPREHENSIVE DESIGN ZONES.**

5 **DIVISION 4. COMPREHENSIVE DESIGN PLANS AND SPECIFIC DESIGN PLANS.**

6 **SUBDIVISION 2. SPECIFIC DESIGN PLANS.**

7 **Sec. 27-528. Planning Board action.**

8 (a) Prior to approving a Specific Design Plan, the Planning Board shall find that:

9 \* \* \* \* \*

10 (3) Adequate provision has been made for draining surface water so that there are no  
11 adverse effects on either the subject property or adjacent properties; [and]

12 (4) The plan is in conformance with an approved Type 2 Tree Conservation Plan [.] ;

13 and

14 (5) The plan demonstrates that the regulated environmental features are preserved  
15 and/or restored to the fullest extent possible.

16 \* \* \* \* \*

17 **SUBTITLE 27. ZONING.**

18 **PART 8. COMPREHENSIVE DESIGN ZONES.**

19 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

20 **Sec. 27-532.02. Arenas (stadiums).**

21 \* \* \* \* \*

22 (d) Requirements, optional preliminary Specific Design Plan.

23 (1) A preliminary Specific Design Plan shall include the following:

24 \* \* \* \* \*

25 (D) [A Forest Stand Delineation and Proposed Type I Tree Conservation Plan;]  
26 An approved Natural Resource Inventory; [and]

27 (E) A Type 2 Tree Conservation Plan prepared in conformance with Division 2 of  
28 Subtitle 25 and The Woodland and Wildlife Habitat Conservation Technical Manual or Letter of  
29 Exemption;

30 [(E)] (F) Engineering feasibility studies (including traffic engineering studies), as  
31 necessary[.] and;

1 (G) A letter of justification stating how the proposed design ensures the  
2 preservation and/or restoration of the regulated environmental features to the fullest extent  
3 possible;

4 (e) Requirements, final Specific Design Plan.

5 \* \* \* \* \*  
6 (2) The Specific Design Plan shall include a text or statement of justification,  
7 additional drawings, and such other documentation necessary to address:

8 \* \* \* \* \*  
9 (D) [A Forest Stand Delineation and Proposed Type II Tree Conservation Plan;  
10 and] An approved Natural Resource Inventory;

11 (E) A Type 2 Tree Conservation Plan prepared in conformance with Division 2 of  
12 Subtitle 25 and The Woodland and Wildlife Habitat Conservation Technical Manual or Letter of  
13 Exemption;

14 [(E)] (F) Location of [perennial streams, nontidal wetlands, soils by soil types,  
15 including highly erodible soils, cemeteries, one\_hundred (100) year floodplain, proposed stream  
16 buffers, existing and proposed topography, indicating areas of steep slopes (15-25%), severe  
17 slopes over (25%), and important historical or archeological resources;] existing site features as  
18 shown on the approved Natural Resource Inventory;

19 \* \* \* \* \*  
20 (f) Required findings, final Specific Design Plan.

21 (1) In order for the District Council to approve a Specific Design Plan for an arena  
22 (stadium) in the Comprehensive Design Zones, it shall make the following findings:

23 \* \* \* \* \*  
24 (F) Stream, wetland, and water quality protection and stormwater management.

25 (i) The development has been designed to preserve and/or restore the  
26 regulated environmental features in a natural state to the fullest extent possible; [minimize the  
27 effects of development on land, streams, and, nontidal wetlands; to assist in the attainment and  
28 maintenance of water quality standards; and to preserve and enhance the environmental quality  
29 of stream valleys;]

30 \* \* \* \* \*  
31



**SUBTITLE 27. ZONING.**

**PART 10. MIXED USE ZONES.**

**DIVISION 2. SPECIFIC MIXED USE ZONES.**

**SUBDIVISION 2. M-X-C (MIXED USE COMMUNITY).**

**Sec. 27-546.05**

\* \* \* \* \*

**(c) Contents of Comprehensive Sketch Plan.**

\* \* \* \* \*

(2) The Comprehensive Sketch Plan shall consist of the following:

\* \* \* \* \*

(D) The location of all [streams and one-hundred (100) year floodplains, nontidal wetlands, slopes over twenty-five percent (25%), and slopes [over] fifteen percent (15%) on highly erodible soils] existing site and environmental features shown on the approved Natural Resource Inventory;

(E) A Type [I] 1 Tree Conservation Plan [;] prepared in conformance with Division 2 of Subtitle 25 and The Woodland and Wildlife Habitat Conservation Technical Manual or Letter of Exemption;

(F) An approved Natural Resource Inventory;

(G) A letter of justification stating how the proposed design ensures the preservation and/or restoration of the regulated environmental features to the fullest extent possible;

[(F)] (H) The general location and type of conceptual design elements, such as special gateway treatment areas, focal points, major intersections, views to be screened, enhanced, controlled, or emphasized, and areas appropriate for special architectural treatment;

[(G)] (I) The general location and type of recreational facilities, trails, and pedestrian circulation and amenities;

[(H)] (J) Text material setting forth criteria, standards, and design principles for the following:

\* \* \* \* \*

[(I)] (K) The estimated residential or employment population for each land use area;

1 [(J)] (L) Where a Comprehensive Sketch Plan proposes to include an adaptive  
2 use of a Historic Site, the application shall include:

3 \* \* \* \* \*

4 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect on  
5 September 1, 2010.

6 SECTION 3. BE IT FURTHER ENACTED that a development project for which all  
7 required development applications have been approved by the Planning Board, Zoning Hearing  
8 Examiner, or District Council, and appeal periods have not expired, is grandfathered; or a  
9 development project that has an approved preliminary plan of subdivision, but has not completed  
10 subsequent processes such as final plat or site plan, is grandfathered for that portion of the  
11 project covered by the preliminary plan.

Adopted this 13<sup>th</sup> day of July, 2010.

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: \_\_\_\_\_  
Thomas E. Dernoga  
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.