

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2007 Legislative Session**

Bill No. CB-40-2007
Chapter No. 26
Proposed and Presented by Council Member Campos
Introduced by Council Member Campos
Co-Sponsors _____
Date of Introduction October 23, 2007

ZONING BILL

1 AN ORDINANCE concerning

2 Nonconforming Buildings, Structures, and Uses

3 For the purpose of allowing certain alteration, enlargement or extension to certified
4 nonconforming buildings, structures, and uses under certain circumstances without the
5 requirement for a special exception.

6 BY repealing and reenacting with amendments:

7 Section 27-242(b),

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 (2003 Edition, 2006 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
15 District in Prince George's County, Maryland, that Section 27-242(b) of the Zoning Ordinance of
16 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
17 be and the same is hereby repealed and reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 3. ADMINISTRATION.**

20 **DIVISION 6. NONCONFORMING BUILDINGS, STRUCTURES, AND USES.**

Subdivision 1. GENERAL REQUIREMENTS AND PROCEDURES.

Sec. 27-242. Alteration, extension, or enlargement.

(a) In general.

(1) A nonconforming building or structure, or a certified nonconforming use (except as provided for in this Section) may be altered, enlarged, or extended, provided that:

(A) The alteration, enlargement, or extension conforms to the building line setback, yard, and height regulations of the zone in which the use is located; and

(B) A special exception has been approved by the District Council, in accordance with Part 4 of this Subtitle.

(b) Exceptions.

* * * * *

(11) Safety Improvements Required by the Commission.

(A) A Special Exception shall not be required for safety improvements made to an existing certified nonconforming use pursuant to an executed agreement with the Maryland-National Capital Park and Planning Commission. The safety improvements shall be identified on the certified nonconforming use site plan.

(12) Adaptive reuse of Community Building.

(A) The renovation and adaptive reuse of a historic structure located within a certified nonconforming use multifamily development pursuant to a Historic Area Work Permit approved by the Historic Preservation Commission does not require a special exception for alteration, extension, or enlargement of the nonconforming use. Allowable modifications shall include, but not be limited to:

(i) Reconfiguration of internal driveways, parking and drive aisles, provided the total number of parking spaces is not reduced;

(ii) The construction of an addition to the historic structure including related sidewalks, entrances, and other site work.

(B) Upon completion of the improvements proposed in accordance with Section 27-242(b)(12)(A), the owner shall be entitled to submit a revised nonconforming use site plan reflecting the improvements which shall be recertified by the Planning Board's authorized representative.

(C) For purposes of this Subsection, the provisions of Section 27-330.02 shall

1 | also not apply.

2 | SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
3 | (45) calendar days after its adoption.

Adopted this 20th day of November, 2007.

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: _____
Camille A. Exum
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.