

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2018 Legislative Session**

Bill No. CB-98-2018

Chapter No. 61

Proposed and Presented by Council Members Franklin and Harrison

Introduced by Council Members Franklin, Harrison, Patterson, and Toles

Co-Sponsors _____

Date of Introduction September 25, 2018

ZONING BILL

1 AN ORDINANCE concerning
2 Nonconforming Buildings, Structures, and Uses—General Requirements—Outdoor Advertising
3 Signs

4 For the purpose of permitting certification of certain Outdoor Advertising Signs (“Billboards”) as
5 nonconforming uses, under certain circumstances.

6 BY repealing and reenacting with amendments:

7 Section 27-244,
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 (2015 Edition, 2017 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 27-244 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17 be and the same is repealed and reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**
19 **PART 3. ADMINISTRATION.**
20 **DIVISION 6. ADMINISTRATION.**

SUBDIVISION 1. GENERAL REQUIREMENTS AND PROCEDURES.

Sec. 27-244. Certification.

* * * * *

(b) Application for use and occupancy permit.

(1) The applicant shall file for a use and occupancy permit in accordance with Division 7 of this Part.

(2) Along with the application and accompanying plans, the applicant shall provide the following:

(A) Documentary evidence, such as tax records, business records, public utility installation or payment records, and sworn affidavits, showing the commencing date and continuous existence of the nonconforming use;

(B) Evidence that the nonconforming use has not ceased to operate for more than one hundred eighty (180) consecutive calendar days between the time the use became nonconforming and the date when the application is submitted, or that conditions of nonoperation for more than one hundred eighty (180) consecutive calendar days were beyond the applicant's and/or owner's control, were for the purpose of correcting Code violations, or were due to the seasonal nature of the use;

(C) Specific data showing:

- (i) The exact nature, size, and location of the building, structure, and use;
- (ii) A legal description of the property; and
- (iii) The precise location and limits of the use on the property and within any building it occupies;

(D) A copy of a valid use and occupancy permit issued for the use prior to the date upon which it became a nonconforming use, if the applicant possesses one.

(E) (i) In the case of outdoor advertising signs, the requirements of Section 27-244(b)(2)(B) are not applicable. Documentary evidence, including, but not limited to deeds, tax records, business records, approved plats or development plans, permits, public utility installation or payment records, photographs, and sworn affidavits, showing that the outdoor advertising sign was constructed prior to and has operated continuously since January 1, 2002.

(ii) Notwithstanding any provision of this Subtitle to the contrary, in the case of outdoor advertising signs that were in existence as of November 15, 2016, that were certified as nonconforming or could have been certified as nonconforming uses, but were removed prior to

1 December 31, 2018, the owner may be certified pursuant to this Division, provided that the use is
2 accepted as filed through an application for Certification of a Nonconforming Use on or before
3 June 30, 2019.

4 (iii) Notwithstanding any provision of this Subtitle to the contrary, in the case of
5 outdoor adverting signs that were in existence as of November 15, 2016, that were certified as
6 nonconforming or could have been certified as nonconforming uses, but were removed after
7 December 31, 2018, the outdoor advertising sign may be certified pursuant to this Division,
8 provided that an application for Certification of a Nonconforming Use is filed and accepted for
9 processing no later than 180 days after the outdoor advertising sign is removed. Upon approval
10 of the application, a permit to reconstruct the sign may be issued, including a permit to construct
11 a digital billboard provided that said use conforms with the requirements of Section 27-630.03 of
12 this Subtitle.

13 * * * * *

1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect on the
2 date of its adoption.

Adopted this 23rd day of October, 2018.

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: _____
Dannielle M. Glaros
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.