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COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

Legislative Session

1992

Bill No. _____ CB-90-

1992

Chapter No.

70

Proposed and Presented by _____ Council Member

MacKinnon

Introduced by _____ Council Member

MacKinnon

Co-Sponsors

Date of Introduction _____ October 6,

1992

ZONING BILL

AN ORDINANCE concerning

Motor Freight Facilities, Other Trucking Operations, and
Warehousing, Wholesaling, Distribution, and Storage Uses
FOR the purpose of eliminating ambiguities and conflicts in the
provisions of the Industrial Zones concerning motor freight
facilities, other trucking operations, and warehousing,
wholesaling, distribution, and storage uses.

BY repealing and reenacting with amendments:

Sections 27-107.01,
27-471, and
27-473,

BY adding:

Section 27-467.01,

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

SUBTITLE 27. ZONING.

The Prince George's County Code
(1991 Edition).

SECTION 1. BE IT ENACTED by the 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, that Sections 27-107.01, 27-471, and 27-473 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 27. ZONING.

PART 2. GENERAL.

DIVISION 1. DEFINITIONS.

Sec. 27-107.01. Definitions.

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

* * * * *

*

(66.4) Distribution Facility:

(A) A facility to or from which a wholesaler or retailer ships merchandise, materials, or supplies for storage or distribution by that wholesaler or retailer to the sales outlets or service operations it supports; or

(B) A business whose functions are similar to those of the United States Postal Service, that is exclusively devoted to the receiving, sorting, sending, and delivery of letters, parcels, and other postal express matter.

* * * * *

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(158.1) Motor Freight: Goods transported by truck for compensation by common carrier companies, as distinguished from other "Trucking Operations."

[(158.1)] (158.2) Multifamily Dwelling Management

Company:

* * * * *

*

(243.4) Trucking Operation: Any facility, other than the administrative offices, of a business established for the purpose of carting, hauling, moving, or otherwise transporting goods, materials, equipment, supplies, possessions, vehicles, or other items by truck for compensation. A "Motor Freight" company is a "Trucking Operation." No storage building used by a "Trucking Operation" shall be considered a "Distribution Facility" or "Warehouse

Unit."

* * * * *
*

(256) **Warehouse Unit:** A "**Building**" used for the storage of goods and materials in connection with the day-to-day operation of a wholesale or distribution business, or a business that is not located in the same "Building" or on the same property as the "Warehouse Unit." The storage of goods and materials as an "**Accessory Use**" to a business located on the same property is **not** a "Warehouse Unit." A "Warehouse Unit" is sometimes referred to as a "**Warehouse.**"

* * * * *
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(258) **Wholesale:** The sale of commodities or goods [(usually in large quantities)] to distributors or retail outlets for resale to ultimate consumers.

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PART 7. INDUSTRIAL ZONES.

DIVISION 2. SPECIFIC INDUSTRIAL ZONES.

Sec. 27-471. I-3 Zone (Planned Industrial/Employment Park).

* * * * *
*

(c) **Outside uses**

(1) With the exception of off-street parking and

loading areas, recreational facilities (unless otherwise provided), airports, agricultural uses, sidewalk cafes (as an accessory use), surface mining operations, towers (poles, whips, and antennas), and public utility uses, all uses allowed in the Table of Uses shall be located in wholly enclosed buildings. Outdoor storage is prohibited.

* * * * *

* * * * *

(g) **Warehousing**

(1) Warehousing, wholesaling, distribution, [and] or storage of materials not used, or products not produced, on the premises may be permitted, subject to the following:

* * * * *

* * * * *

DIVISION 3. USES PERMITTED.

Sec. 27-473. Uses permitted.

(a) No use shall be allowed in the Industrial Zones, except as provided for in the Table of Uses or in Subsection (c) of this Section. In the table, the following applies:

* * * * *

* * * * *

(4) The letters "PB" indicate that the use is permitted, subject to the following:

(A) The use shall be related to, dependent on, and secondary to a primary use on the premises;

(B) The use shall be located on the same record lot as the primary use;

(C) The use shall not be located within a building not occupied by the primary use; and

(D) The floor area of any building (and the land area occupied by any structure other than a building) devoted to the use shall not exceed an area equal to forty-five percent (45%) of the gross floor area of the building within which the primary use is located, unless otherwise provided.

(5) The letters "NA" indicate that the language is not applicable.

[(5)] (6) The letter "X" or a blank (unless otherwise clear from the context) indicates that the use is prohibited.

[(6)] (7) All uses not listed are prohibited.

[(7)] (8) The word "manufacture" includes the words "fabricate," "assemble," and "repair."

[(8)] (9) In the I-3 Zone, the word "manufacture" also means that the activity involves materials or parts produced elsewhere.

[(9)] (10) Whenever the table refers to an allowed use, that use is either permitted (P), permitted by Special Exception (SE), or permitted as a (PA) or (PB) use, as accordingly listed in the zone in which it is allowed.

(b) **TABLE OF USES**

| USE | ZONE | | | |
|---------------------------------------------------------------------------------------------------------------------|---------------|---------------|-----------------|-----------|
| | I-1 | I-2 | I-3 | I-4 |
| * * * * * | * | | | |
| (2) INDUSTRIAL: | | | | |
| * * * * * | * | | | |
| (F) Miscellaneous Industrial, Manufacturing, and Related Uses: | | | | |
| * * * * * | * | | | |
| Heavy motorized equipment, motor vehicle, <u>truck</u> , boat, camping trailer, or trailer storage yard | P | P | X P | |
| * * * * * | * | | | |
| <u>Storage building accessory to:</u> | | | | |
| (i) <u>a permitted use</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> |
| (ii) <u>a Special Exception use</u> | <u>SE</u> | <u>SE</u> | <u>SE</u> | <u>SE</u> |
| Storage yard, except as otherwise specified | P | P | X P | |
| * * * * * | * | | | |
| [Warehousing or storage which is not in a wholly enclosed building, [P] [X] [P] except as otherwise specified] | | | [P] | |
| [Warehousing (storage building), except as otherwise specified] [P] [X] [P] | | | [P] | |
| Warehousing[, wholesaling, distribution, and storage of materials (products) not used or produced on the premises:] | | | | |
| | | | | |
| USE | ZONE | | | |
| | I-1 | I-2 | I-3 | I-4 |
| (i) Subject to Section 27-471(g) | [X] <u>NA</u> | [X] <u>NA</u> | P [X] <u>NA</u> | |
| (ii) All others | P | X | P | |
| [Warehousing, wholesaling, distribution, or storage of materials [P] (products) used or produced on the premises] | | [P] | [P] | [P] |
| (M) Wholesale Trade: ⁹ | | | | |
| * * * * * | * | | | |
| <u>Wholesaling or distribution of materials (products) not used or produced on the premises:</u> | | | | |
| (i) <u>Subject to Section 27-471(g)</u> | <u>NA</u> | <u>NA</u> | <u>P</u> | <u>NA</u> |
| (ii) <u>All others</u> | <u>P</u> | <u>X</u> | <u>P</u> | <u>P</u> |
| <u>Wholesaling or distribution of materials (products) used or produced on the premises</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> |

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Wholesaling or distribution use not listed SE P [P]X P
* * * * *

(9) **TRANSPORTATION/PARKING/COMMUNICATIONS/UTILITIES:**

Motor freight receiving or shipping (loading) facilities [and terminals, motor freight garaging and equipment storage and maintenance, and vehicle

| USE | I-1 | I-2 | I-3 | I-4 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------|-----------------|-----------------|
| trucking operations and storage]: | | | | |
| (i) When accessory to, in conjunction with, as an integral part of, [X]P [and] under the same ownership or leasehold interest as, and solely serving another [use] allowed [in I-3 Zone] use on the property | | [X]P | [X]P | P |
| (ii) <u>All others</u> | X ²³ | P | X ²³ | X ²³ |
| Tower, pole, whip, or antenna (electronic, radio, or television, transmitting or receiving), except a satellite dish antenna: | | | | |
| (A) Nonprofit, noncommercial purposes, with no height restrictions | | P | P P | P |
| (B) Freestanding, for commercial purposes, not exceeding 50 feet above ground level | | P | P P | P |
| (C) Freestanding, for commercial purposes, exceeding 50 feet above SE ground level | | SE | SE | SE |
| (D) Attached to a roof, for commercial purposes, not exceeding 15 feet above the height of the building | | P | P P | P |
| (E) Attached to a roof, for commercial purposes, exceeding 15 feet SE above the height of the building | | SE | SE | SE |
| <u>Trucking operations, except as otherwise specified</u> | X | P | X | X |

²³ Except as provided for in Section 27-467.01.

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SECTION 2. BE IT ENACTED by the 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, that Section 27-467.01 be and the same is hereby added to the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code:

SUBTITLE 27. ZONING.

PART 7. INDUSTRIAL ZONES.

DIVISION 1. GENERAL.

Sec. 27-467.01. Motor freight facilities.

Any Motor Freight Trucking Operation, defined pursuant to Section 27- 107.01, which has a valid permit issued prior to December 31, 1992, shall be considered a permitted use, provided the use has not changed to a different use since issuance of the permit. This provision shall apply only to the property which was the subject of the original permit.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect on December 31, 1992.

Adopted this 27th day of October, 1992.

OF
COUNTY,

GEORGE'S

COUNTY COUNCIL OF PRINCE
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART

THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S

MARYLAND

BY:

Richard J. Castaldi
Chairman

ATTEST:

Joyce T. Sweeney
Acting 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.