

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

Bill No. CB-18-2007

Chapter No. 10

Proposed and Presented by Council Member Bland

Introduced by Council Members Bland, Dean and Exum

Co-Sponsors _____

Date of Introduction June 19, 2007

ZONING BILL

1 AN ORDINANCE concerning

2 O-S Zone (Open Space)

3 For the purposes of defining "Rural Entertainment Park" and permitting the use in the O-S Zone
4 (Open Space), subject to approval of a Special Exception and making related amendments to the
5 Zoning Ordinance.

6 BY repealing and reenacting with amendments:

7 Section 27-107.01, 27-441(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 BY adding:

14 Section 27-404.01,

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 (2003 Edition, 2006 Supplement).

20

1 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
2 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
3 District in Prince George's County, Maryland, that Section 27-107.01 and 27-441(b) of the
4 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
5 George's County Code, be and the same is hereby repealed and reenacted with the following
6 amendments:

7 **SUBTITLE 27. ZONING.**

8 **PART 2. GENERAL.**

9 **DIVISION 1. DEFINITIONS.**

10 **Sec. 27-107.01. Definitions.**

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

12 * * * * *

13 (204.1) **Rural Entertainment Park:** In the O-S Zone in the Rural Tier, an area of
14 adjoining parcels used for recreation and entertainment purposes, and for other community-
15 oriented purposes, as provided in Part 5 of this Subtitle.

16 * * * * *

17 **PART 5. RESIDENTIAL ZONES.**

18 **DIVISION 3. USES PERMITTED.**

Sec. 27-441. Uses permitted.

(b) TABLE OF USES.

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
* * * * *	*	*	*	*	*	*	*	*	*
(5) Recreational/Entertainment/Social/Cultural:									
* * * * *	*	*	*	*	*	*	*	*	*
Recreational use (nonprofit) not publicly owned or operated, when not otherwise allowed:									
(A) Only for residents and guests	SE	SE	SE	SE	SE	SE	SE	SE	SE
(B) All others	SE	SE	SE	SE	SE	SE	SE	SE	SE
<u>Rural Entertainment Park, as provided in Section 27-404.01</u>	<u>X</u>	<u>SE</u>	<u>X</u>						
Saunas, solariums, and health clubs, noncommercial, for the sole use of residents and their guests	X	X	X	X	X	X	X	X	X
* * * * *	*	*	*	*	*	*	*	*	*

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
* * * * *	*	*	*	*	*	*	*	*
(5) Recreational/Entertainment/Social/Cultural:								
* * * * *	*	*	*	*	*	*	*	*
Recreational use (nonprofit) not publicly owned or operated, when not otherwise allowed:								
(A) Only for residents and guests	SE	P	P	P	P	P	P	P
(B) All others	SE	SE	SE	SE	SE	X	SE	SE
<u>Rural Entertainment Park, as provided in Section 27-404.01</u>	X	X	X	X	X	X	X	X
Saunas, solariums, and health clubs, noncommercial, for the sole use of residents and their guests	X	X	X	X	X	P	SE	SE
* * * * *	*	*	*	*	*	*	*	*

1 SECTION 2. BE IT FURTHER ENACTED that Section 27-404.01 of the Zoning
2 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
3 County Code, be and the same is hereby added:

4 **PART 4. SPECIAL EXCEPTIONS.**

5 **DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL**
6 **EXCEPTIONS.**

7 **Sec. 27-404.01 Rural Entertainment Park.**

8 A Rural Entertainment Park may be permitted, subject to the following:

9 (1) Purposes.

10 (A) To promote entertainment and recreational opportunities for families and the
11 elderly in rural areas of the County, where recreation and entertainment facilities are limited;

12 (B) To encourage and allow entertainment and recreational uses, indoor and
13 outdoor, at a single rural location, where such uses had been established before zoning
14 regulations were effective;

15 (C) To provide a unique opportunity to revive a use or form of entertainment of
16 substantial historical or cultural significance;

17 (D) To promote and encourage in the Rural Tier mixed-use development where
18 entertainment facilities (to include restaurants, recording and film studios, dance facilities, and
19 similar uses) that promote an important cultural or historical theme may be coupled with housing
20 for senior citizens;

21 (E) To promote all forms of entertainment, live and recorded, at a rural site
22 sufficient to accommodate all of them;

23 (F) To promote a wide variety of entertainment and recreational uses at a single
24 place in the Rural Tier (such as history museums, amphitheaters, and/or restaurants), which will
25 serve as a focal point;

26 (G) To allow establishment of entertainment and recreational facilities at a single
27 place in the Rural Tier, to satisfy the need for those uses in the Rural Tier.

28 (2) Requirements.

29 (A) The subject property shall be in the Rural Tier.

30 (B) The property shall contain at least 70 but not more than 200 acres.

31 (C) The property shall have at least 750 feet of frontage on a State highway of

1 sufficient capacity to accommodate traffic generated by the proposed uses. Highway capacity
 2 and adequacy are to be determined at time of preliminary plan review and confirmed in Detailed
 3 Site Plan review.

4 (3) Uses.

5 (A) Within a Rural Entertainment Park, the following uses are permitted:

6 (i) Open-air amphitheaters (up to 10,000 seats) or closed arenas (up to
 7 6,000 seats), with supporting concession areas and food courts;

8 (ii) Sheltered assembly areas;

9 (iii) Picnic areas;

10 (iv) Children’s recreation areas;

11 (v) Ball fields;

12 (vi) Golf driving ranges;

13 (vii) Historic vistas or viewing areas;

14 (viii) Campgrounds;

15 (ix) Indoor or outdoor horseback riding arenas or trails;

16 (x) Riding stables, with or without paddocks;

17 (xi) Cultural and heritage center;

18 (xii) Restaurants (not fast-food, and with no more than 5,000 square feet
 19 gross floor area);

20 (xiii) Hotels or motels (200 rooms or fewer);

21 (xiv) Studios (music recording or filmmaking);

22 (xv) Dance halls (under 15,000 square feet GFA) for music entertainment
 23 and dancing entertainment with a restaurant serving food and alcoholic beverages with hours of
 24 operation that extend beyond 11:00 p.m.;

25 (xvi) Age-restrictive housing in conformance with the Federal Fair Housing
 26 Act;

27 (xvii) Commercial shopping area up to 80,000 square feet including
 28 ancillary medical services, financial services, concessions, food and personal items to serve the
 29 proposed development;

30 (xviii) Residents’ Recreational Area including pools, fitness centers, and
 31 saunas for the exclusive use of the residents of the proposed development;

1 (xix) Church, on a lot of 2 acres or less.

2 (B) To serve principal uses in the preceding paragraph, accessory uses are
3 permitted, including without limitation on-site water or sewer treatment plant facilities.

4 (4) Detailed Site Plan.

5 (A) Before permits may be issued for the following uses, the Planning Board
6 shall approve a Detailed Site Plan, in accordance with Part 3, Division 9:

7 (i) Open-air amphitheaters (up to 10,000 seats), or enclosed amphitheaters
8 (up to 6,000 seats), with supporting concession areas and food courts;

9 (ii) Cultural and heritage center;

10 (iii) Restaurants;

11 (iv) Hotels or motels;

12 (v) Studios;

13 (vi) Dance halls for music entertainment;

14 (vii) Age restrictive housing;

15 (viii) Church;

16 (ix) Commercial shopping area.

17 (B) In the plan review, the applicant shall satisfy the design standards applied to
18 all Detailed Site Plans. The applicant shall also show that the proposed use:

19 (i) Will preserve the character of the Rural Entertainment Park, to achieve
20 its purposes;

21 (ii) Is compatible, as to land use, with adjacent uses inside and outside the
22 park property;

23 (iii) Is appropriate, as to size, height, design, and building mass, at the
24 proposed location; and

25 (iv) Meets generally the standards in Section 27-317, as demonstrated in
26 the special exception application for the Rural Entertainment Park.

27 (5) Architectural guidelines.

28 (A) In the special exception process, the applicant shall propose and the District
29 Council shall approve architectural guidelines to be followed, throughout the Rural

30 Entertainment Park. The guidelines are intended to provide a framework, to promote and
31 maintain design integrity and quality, while permitting flexibility in the design of buildings and

1 structures in the park. The guidelines should encourage design that creates a sense of place, and
 2 encourages innovative and attractive design, with variations in building materials and facades,
 3 and a variety of architectural features. The guidelines should also include recommended designs
 4 and materials for fences, walls, signage, exterior lighting, and site amenities.

5 (B) Changes to the architectural guidelines may be approved by the Planning
 6 Board, as stated in the District Council's approval order.

7 (6) Age-restrictive housing.

8 (A) Age restrictive housing within or adjoining the Rural Entertainment Park
 9 shall meet age restrictions in conformance with the Federal Fair Housing Act.

10 (B) When it approves age restrictive housing in a park, the District Council
 11 shall find:

12 (i) The subject property is suitable for such housing, and is of
 13 sufficient size to properly accommodate the proposed number of dwelling units;

14 (ii) The dwelling units are functionally, physically, and architecturally
 15 integrated with service and recreational/activity centers;

16 (iii) A recreational facilities plan submitted with the proposed site plan
 17 demonstrates that:

18 (aa) Recreational facilities will be adequate for the prospective
 19 resident population, consistent with their needs and physical abilities; and

20 (bb) Recreational areas are clustered together, to increase levels of
 21 activity, use of amenities, and the sense of community vitality;

22 (iv) The development regulations for the housing, as proposed by the
 23 applicant, concerning density, height of structures, lot size and coverage, frontage, setbacks, and
 24 other dimensional requirements, will ensure a well-designed age restrictive housing community.

25 These regulations shall replace those that would otherwise apply to uses and structures in the
 26 O-S Zone.

27 (7) Covenants.

28 (A) Covenants ensuring the perpetual maintenance of all recreational areas or
 29 facilities not dedicated to a public agency shall be filed among the Land Records, running in
 30 favor of the Commission.

31 (B) Age restrictions in conformance with the Federal Fair Housing Act shall be

1 set forth in covenants submitted with the application and shall be approved by the District
2 Council and filed in the land records at the time the final subdivision plat is recorded.

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

Adopted this 24th day of July, 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.