

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND****SITTING AS THE DISTRICT COUNCIL****2000 Legislative Session**Bill No. CB-47-2000Chapter No. 45Proposed and Presented by Council Members Hendershot and ScottIntroduced by Council Members Hendershot and Scott

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

Date of Introduction June 27, 2000**ZONING BILL**

1 AN ORDINANCE concerning

2 Metro Planned Community

3 For the purpose of amending the definition and certain requirements for a Metro Planned  
4 Community.

5 BY repealing and reenacting with amendments:

6 Sections 27-107.01 and 27-475.06.03,

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

8 being also

9 SUBTITLE 27. ZONING.

10 The Prince George's County Code

11 (1999 Edition).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
 13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
 14 District in Prince George's County, Maryland, that Sections 27-107.01 and 27-475.06.03 of the  
 15 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince  
 16 George's County Code, be and the same are hereby repealed and reenacted with the following  
 17 amendments:

18 **SUBTITLE 27. ZONING.**19 **PART 2. GENERAL.**20 **DIVISION 1. DEFINITIONS.**

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

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

\* \* \* \* \*

**(150.2) Metro Planned Community:**

[(A) A contiguous land assemblage, no less than one hundred [fifty (150)] (100) acres, abutting an existing mass transit rail station site operated by the Washington Metropolitan Area Transit Authority, and planned to be developed with an array of commercial, lodging, recreational, residential, entertainment, retail, social, cultural, or similar uses which are interrelated by one or more themes.]

(A) A contiguous land assemblage, no less than one hundred fifty (150) acres, abutting an existing mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and including land placed in preservation by the State of Maryland, and planned to be developed with an array of commercial, lodging, recreational, residential, entertainment, retail, social, cultural or similar uses which are interrelated by one or more themes.

\* \* \* \* \*

**PART 7. INDUSTRIAL ZONES.**

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

**Sec. 27-475.06.03. Metro Planned Community.**

(a) Purposes:

(1) To promote the optimum use of the transit facilities by assuring the orderly development of land in transit station development areas and access, both vehicular and pedestrian, to metro stations;

(2) To promote the orderly development and redevelopment of land in the vicinity of major interchanges , major intersections, and major transit stops so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

(3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone which might otherwise become scattered throughout and outside the County, to its detriment;

1 (4) To promote the effective and optimum use of transit and other major  
2 transportation systems;

3 (5) To facilitate and encourage a twenty-four (24) hour environment to ensure  
4 continuing functioning of the project after workday hours through a maximum of activity and the  
5 interaction between the uses and those who live, work in, or visit the area;

6 (6) To encourage diverse land uses which blend together harmoniously;

7 (7) To create dynamic, functional relationships among individual uses within a  
8 distinctive visual character and identity;

9 (8) To promote optimum land planning with greater efficiency through the use of  
10 economies of scale and savings in energy beyond the scope of single-purpose projects;

11 (9) To permit a flexible response to the market;

12 (10) To provide for the needs of the workers and residents within a Metro Planned  
13 Community;

14 (11) To provide the maximum amount of freedom possible in the architectural design  
15 of buildings and their grouping and layout within the area classified in this zone in order to  
16 provide an opportunity and incentive to the developer to achieve excellence in physical, social,  
17 and economic planning; to stimulate the coordinated, harmonious, and systematic development  
18 of the area within the zone, the area surrounding the zone, and the Regional District as a whole;  
19 to prevent detrimental effects to the use or development of adjacent properties or the surrounding  
20 neighborhoods; and to promote the health, safety, and welfare of the present and future  
21 inhabitants of the Regional District and County as a whole;

22 (12) To promote orderly development and attract an appropriate mix of quality  
23 employment, residential, retail shopping, restaurant, entertainment, and lodging development in  
24 the vicinity of major transit stops;

25 (13) To afford reasonable flexibility in the design of these projects and their response  
26 to the market while phasing out heavy industrial uses; and

27 (14) To promote the application of, and to be in conformance with, the planning  
28 recommendations, strategies, and/or guidelines for Metro Station areas included in existing  
29 community or area Master Plans and Sectional Map Amendments;

30 (15) To preserve and/or mitigate environmentally-sensitive areas and significant  
31 natural features.

1 (b) A Metro Planned Community permitted (P) in the Table of Uses shall be subject to the  
2 following:

3 (1) **Requirements.**

4 (A) Multifamily housing within a Metro Planned Community which is upscale  
5 and luxurious in building construction and amenities for use at appropriate locations within the  
6 community should be provided. In order to ensure that the overall residential component  
7 conveys an atmosphere of appropriate quality and sophistication, any Conceptual Site Plan for  
8 the overall development shall provide for the following:

9 (i) Party and/or community rooms with kitchen, minimum size of three (3)  
10 square feet per dwelling unit;

11 (ii) Fitness facilities, a minimum size of four (4) square feet per dwelling  
12 unit, which includes exercise/weight equipment, sauna/steam room, dance floor for aerobic and  
13 exercise classes and/or swimming pool;

14 (iii) Landscaped gardens which may include arbors, courtyards, fountains,  
15 and custom features such as walls, fences, and other ornaments;

16 (iv) Business center with 24-hour access and a computer with a fax/modem,  
17 a printer, a fax machine, and a copy machine.

18 (B) In order to ensure that individual residential units within the community are  
19 of continuing character and quality, any Detailed Site Plan for such development shall require  
20 each multifamily unit to include the following:

21 (i) Wall-to-wall carpeting and/or hardwood floors for all rooms, except  
22 kitchens (and related spaces), baths, foyers, laundry closets, balconies, and sunrooms;

23 (ii) Nine (9) foot high interior ceilings within seventy-five percent (75%)  
24 of interior living space;

25 (iii) Crown moldings in living and dining rooms;

26 (iv) Kitchens with self-cleaning ovens, microwave ovens in fifty percent  
27 (50%) of the units, garbage disposals, frost-free refrigerators with automatic icemakers,  
28 dishwashers, pantry cabinet or option for a gourmet kitchen with a grill, double ovens, or island  
29 counter;

30 (v) Individual heating and air-conditioning system;

31 (vi) Full-size washer and dryer in each unit;

(vii) Separate bathroom and bath for the master bedroom with an option for a separate tub and shower in every two (2) bedroom units;

(viii) Eight (8) foot sliding glass patio doors, except on ground floor units which may have French doors;

(ix) (Five (5) foot high standard windows;

(x) Walk-in closets in fifty percent (50%) of the units;

(xi) Gas fireplace in fifty percent (50%) of the units;

(xii) Wiring for pay/cable television and locations for three (3) telephone lines;

(xiii) Individual front door lock system (the capability to electronically unlock the buildings' front door from the unit with an integrated telephone/speaker system) or a gated community with a security system to open the front gate;

(xiv) Optional burglar/intrusion alarms;

(xv) Exterior balcony or sun room for the majority of units;

(xvi) For units on the top floors, cathedral ceilings in fifty percent (50%) of such units.

(C) Amenities for the residents and workers in any office/employment component within a Metro Planned Community not ordinarily found in conventional zoning classifications should be provided. In order to ensure that the overall office/employment component conveys an atmosphere of appropriate quality and sophistication, any Conceptual Site Plan for the overall development shall provide for the following:

(i) Open arcades, enclosed pedestrian space, rooftop activities, outdoor plazas, theatre, green area in excess of minimum requirements, structured parking, distinctive streetscape or parking area design or furnishings, or other appropriate features and amenities;

(ii) Masonry construction such as brick or stone, custom-designed and built;

(iii) Special treatment for building entryways such as brick pavers, monumental signage, public art;

(iv) Landscaped gardens which may include: arbors, courtyards, public art, fountains or other water features, clock-towers, and custom features such as walls and fences;

(v) Outdoor seating and eating areas;

- (vi) Special outdoor lighting;
- (vii) "Grand" lobbies which may include: minimum two (2) story, twenty-four (24) hour security guard, fountains, public art, marble or granite floors, walls;
- (viii) Full-service cafeterias within building;
- (ix) Spas, fitness facilities within building;
- (x) Child care centers within building;
- (xi) Parking garage, underground parking;
- (xii) Hidden HVAC and utilities;
- (xiii) Orientation or buffering of parking so that negative impacts to adjacent properties are reduced;
- (xiv) Stormwater management pond as an amenity which may include walkways or seating areas around pond, fountains;
- (xv) Incorporation of retail uses as part of an office building;
- (xvi) Special treatment for entrance into the development;
- (xvii) Public meeting space.

(D) Well-maintained, easily accessible, and well-connected open space facilities shall be planned;

(E) The maximum height permitted for buildings within the overall development shall be determined in the process of Conceptual Site Plan review. In approving height limits, the Planning Board shall take into consideration the size of the lot or parcel, the relationship of the building or buildings to surrounding uses, the need to preserve light and air for the residents of the development and residents of surrounding properties, and other factors relevant to height of the building;

(F) Private and/or public vehicular access shall be sufficient to accommodate the traffic generated by the project;

(G) Setbacks, tree conservation, landscaping and screening, green space, lot coverage, and parking and loading shall be addressed in the Conceptual Site Plan approval, at which time flexibility to the minimum requirements for these items may be considered; and

(H) At least two (2) of the following three (3) categories of uses shall be included in the Conceptual Site Plan:

- (i) Retail businesses;

(ii) Office, research, or industrial uses; or

(iii) Dwellings, hotel or motel.

(2) **Site Plan.**

(A) A Conceptual Site Plan and Detailed Site Plan(s) will be approved for the use, in accordance with Part 3, Division 9, of this Subtitle to insure compliance with the provisions of this Section.

(B) A pedestrian mobility and bicycle accessibility analysis shall be performed to determine the best, safest, and most convenient location for street and station furniture, bicycle storage racks, and linkages.

(C) At least 30 days prior to the submission of a Conceptual Site Plan in accordance with the provisions of Part 3, Division 9 of this Subtitle, the Applicant shall submit a preliminary informational Conceptual Site Plan to any municipality within which the property is located and any municipality located within one (1) mile of the subject property for the purpose of allowing the public to gain knowledge about the conceptual development themes. The applicant shall submit to the Planning Board evidence of compliance with this requirement with the submission of a Conceptual Site Plan.

~~[(C)]~~ (D) In addition to the information required by Part 3, Division 9, for Conceptual Site Plans, the following information shall be included with plans for the use:

(i) The type and location of uses proposed and the range of square footage anticipated to be devoted to each;

(ii) The physical and functional relationship of the project uses and components;

(iii) The proposed floor area ratio;

(iv) The proposed sequence of development;

(v) Provision of a comprehensive program to protect, preserve, enhance, restore, and/or mitigate environmentally-sensitive areas, including wetlands, floodplains, steep slopes, unstable soils, woodlands, streams, and rivers;

(vi) A general description of the pedestrian system proposed;

(vii) Areas proposed for landscaping and screening;

(viii) An economic analysis justifying that any proposed retail sales area will support a [regional shopping center] high quality main street retail shopping and entertainment

1 complex [and evidence of an executed letter of intent from at least one (1) anchor department  
 2 store with fashion sophistication at a level designed to attract the upscale customer, commonly  
 3 viewed as being well-educated, sophisticated in his/her tastes, and earning in excess of \$50,000  
 4 per year. Department stores under the trade names Bloomingdale's, Lord & Taylor, Macy's,  
 5 Neiman-Marcus, Nordstrom, and Saks 5th Avenue, or the equivalent (or under trade names then  
 6 being used by any of the named department stores, aforesaid) will automatically be deemed to  
 7 meet the criteria set forth in the preceding sentence. In no event shall any of the anchor  
 8 department store tenants initially operate under a trade name generally associated with, and  
 9 characterized as, a discount department store such as WalMart, K-Mart, or Target.  
 10 Notwithstanding the foregoing, in no event shall traditional regional mall anchor stores  
 11 operating under trade names such as Bloomingdale's, Macy's, Hecht's, Lord & Taylor, Sears,  
 12 Dillards, JC Penney, Nordstrom, Neiman-Marcus, or Saks 5th Avenue be deemed a discount  
 13 department store].

14 (ix) A stormwater management concept plan which considers unique site  
 15 characteristics and bioengineered techniques which preserve and enhance natural habitats and/or  
 16 mitigate the effects on these habitats;

17 (x) An economic analysis justifying that the market will support an  
 18 additional hotel, if hotel use is proposed.

19 [(D)] (E) In addition to the information required by Part 3, Division 9, for  
 20 Detailed Site Plans, the following information shall be included on Plans for the use:

21 (i) Guidelines for ensuring quality and maintenance of landscaping and  
 22 open space;

23 (ii) The proposed drainage system;

24 (iii) All improvements and uses proposed on the property;

25 (iv) The proposed floor area ratio of the project and a detailed description  
 26 of any incentives proposed;

27 (v) A refined economic analysis justifying that any proposed retail sales  
 28 area will support a [regional shopping center] high quality main street retail shopping and  
 29 entertainment complex and evidence of an executed letter of intent from at least one (1) anchor  
 30 department store with fashion sophistication at a level designed to attract the upscale customer,  
 31 commonly viewed as being well-educated, sophisticated in his/her tastes, and earning in excess



1 of \$50,000 per year. Department stores under the trade names Bloomingdale's, Lord & Taylor,  
 2 Macy's, Neiman-Marcus, Nordstrom, and Saks 5th Avenue, or the equivalent (or under trade  
 3 names then being used by any of the named department stores, aforesaid) will automatically be  
 4 deemed to meet the criteria set forth in the preceding sentence. In no event shall any of the  
 5 anchor department store tenants initially operate under a trade name generally associated with,  
 6 and characterized as, a discount department store such as WalMart, K-Mart, or Target.  
 7 Notwithstanding the foregoing, in no event shall traditional [regional mall] high quality main  
 8 street retail shopping and entertainment complex anchor stores operating under trade names such  
 9 as Bloomingdale's, Macy's, Hecht's, Lord & Taylor, Sears, Dillards, JC Penney, Nordstrom,  
 10 Neiman-Marcus, or Saks 5th Avenue be deemed a discount department store.

11 (vi) Supporting evidence which shows that the proposed development will  
 12 be adequately served within a reasonable period of time with existing or programmed public  
 13 facilities shown in the adopted County Capital Improvement Program, or within the current State  
 14 Consolidated Transportation Program, U.S. Department of Transportation and/or Federal  
 15 Highway Administration Program, or which will be provided by the applicant, unless a finding  
 16 of adequacy was made at the time of preliminary plat approval;

17 (vii) A refined economic analysis justifying that the market will support an  
 18 additional hotel, if hotel use is proposed.

19 [(E)] (F) In addition to the findings required for the Planning Board to approve  
 20 either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also  
 21 find that:

22 (i) The proposed development is in conformance with the purposes and  
 23 other provisions of this Division;

24 (ii) The uses within the proposed development are either physically or  
 25 visually integrated in order to encourage interaction between and among the uses within the  
 26 development and with those who live, work in, or visit the area;

27 (iii) The mix of uses, and the arrangement and design of buildings and other  
 28 improvements, reflect a cohesive development capable of sustaining an independent environment  
 29 of continuing quality and stability;

30 (iv) If the development is staged, each building phase is designed as a self-  
 31 sufficient entity, while allowing for effective integration of subsequent phases;

(v) The pedestrian system is convenient and is comprehensively designed to encourage pedestrian activity within the development and appropriate linkages to the surrounding community;

(vi) In areas of the development which are to be used for pedestrian activities or as gathering places for people, adequate attention has been paid to human scale, urban design characteristics, and other amenities, such as the types and textures of materials, landscaping and screening, street furniture, and lighting (natural and artificial);

(vii) The proposed development is compatible with existing and proposed development in the vicinity; and

(viii) Unless a finding of adequacy was made at the time of preliminary plat approval, the development will be adequately served within a reasonable period of time with existing or programmed public facilities shown in the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, U.S. Department of Transportation and/or Federal Highway Administration Program, or to be provided by the applicant.

(ix) The proposed development, if it includes a hotel use, will satisfy a public need for an additional hotel in the market area[.] ; and

(x) For approval of the Detailed Site Plan only in a Metro Planned Community, there is evidence of an executed letter of intent from at least one (1) anchor department store with fashion sophistication at a level designed to attract the upscale customer, commonly viewed as being well-educated, sophisticated in his/her tastes, and earning in excess of \$50,000 per year. Department stores operating under the trade names Bloomingdale's, Lord & Taylor, Macy's, Nieman Marcus, Nordstroms and Saks 5<sup>th</sup> Avenue, or the equivalent (or under trade names then being used by any of the named department stores aforesaid) will automatically be deemed to meet the criteria set forth in the preceding sentence. In no event shall any of the anchor department store tenants initially operate under a trade name generally associated with and characterized as a discount department store such as WalMart, K-Mart or Target. Notwithstanding the foregoing, in no event shall traditional high quality main street retail shopping and entertainment complex stores operating under trade names such as Bloomingdales, Macy's, Hecht's, Lord & Taylor, Sears, Dillards, JC Penney, Nordstrom, Nieman Marcus or Saks 5<sup>th</sup> Avenue be deemed a discount department store.

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

Adopted this 25th day of July, 2000.

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: \_\_\_\_\_  
Dorothy F. Bailey  
Chair

ATTEST:

\_\_\_\_\_  
Joyce T. Sweeney  
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.