

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2017 Legislative Session**

Bill No. CB-17-2017

Chapter No. _____

Proposed and Presented by Council Member Glaros

Introduced by Council Members Glaros, Turner and Davis

Co-Sponsors _____

Date of Introduction March 28, 2017

ZONING BILL

1 AN ORDINANCE concerning

2 Zones and Zoning Maps – Conveyances of Property by the State of Maryland for the
3 University of Maryland

4 For the purpose of amending the Zoning Ordinance provision limiting the zoning classification
5 applicable to conveyances of land by the University of Maryland or the State of Maryland.

6
7 BY repealing and reenacting, with amendments:

8 Section 27-113.04,
9 The Zoning Ordinance of Prince George's County, Maryland,
10 being also
11 **SUBTITLE 27. ZONING.**
12 The Prince George's County Code
13 (2015 Edition, 2016 Supplement).

14 **SECTION 1. BE IT ENACTED** by the County Council of Prince George's County,
15 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
16 District in Prince George's County, Maryland, that Section 27-113.04 of the Zoning Ordinance of
17 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
18 be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 27. ZONING.

PART 2. GENERAL.

DIVISION 3. ZONES AND ZONING MAPS.

1 **Sec. 27-113.04. Property conveyed by the State for the University of Maryland.**

2 (a) This section applies to property owned by the State for University of Maryland as
 3 conveyed by the State to a private person. It does not apply to property rezoned within twenty-
 4 four (24) months of State conveyance to a private person, as provided in Section 27-113, [or]
 5 property conveyed from the University of Maryland (or the State of Maryland as title owner for
 6 the University of Maryland) which is zoned R-55, lies adjacent to an existing residential
 7 subdivision, and is restricted in the conveyance to thirty (30) or fewer lots [.] or property
 8 conveyed from the University of Maryland (or the State of Maryland as title owner for the
 9 University of Maryland) which is located within an approved Development District Overlay
 10 Zone or Transit District Overlay Zone, is zoned M-U-I or M-X-T at the time of the conveyance,
 11 and which will continue to be so zoned after the conveyance.

12 (b) For property to be conveyed to a private purchaser by the State for the University of
 13 Maryland, the purchaser or State of Maryland may file a Zoning Map Amendment application
 14 (as described in Part 3, Division 2) directly with the District Council, at any time before the
 15 recording of the deed of conveyance. If no application is filed, then the property shall be placed
 16 in the R-O-S Zone, as provided in Section 27-113.

17 (c) Applications filed under this Section shall be processed as follows:

18 (1) Applicants shall comply with all pre-application informational mailing
 19 requirements in Part 3, Division 1.

20 (2) Before an application is filed with the District Council, the applicant shall submit
 21 to (and have accepted by) the Technical Staff all application materials, together with the filing
 22 fee, for a Zoning Map Amendment.

23 (3) Within seventy (70) days of the date of filing, the Technical Staff shall file with
 24 the Clerk of the Council a report on the application, with findings and conclusions,
 25 recommending approval, approval with conditions, disapproval, or remand for further review to
 26 the Technical Staff or, if further evidence is required, to the Zoning Hearing Examiner.

27 (4) The Technical Staff may recommend and the District Council may approve an
 28 amendment under this Section only on the following findings:

29 (A) The proposed amendment is found to be in general conformance with
 30 the applicable Master Plan map, or the General Plan map, or with the principles and
 31 recommendations in the text of the applicable Master Plan or the General Plan. In making this

1 finding, staff and Council may consider the Master Plan adopted for the University of Maryland.

2 (B) Development proposed by the applicant or permitted in the proposed
3 zoning classification is found not incompatible, as to land uses, visual or noise or environmental
4 effects, or traffic to be generated, with adjoining properties or others in the neighborhood, as they
5 are currently (at application time) zoned or used.

6 (5) Within ninety (90) days of the date of filing, the District Council shall review the
7 application in a public hearing, where exhibits (but not sworn testimony) may be introduced into
8 the record. For hearings under this Section only, but not for other Zoning Map Amendment
9 applications, the applicant shall post the subject property at least thirty (30) days prior to the
10 hearing before the District Council, giving notice as required in Part 3, Division 1, for Examiner
11 hearings.

12 (6) The District Council may approve the rezoning, with or without conditions; may
13 approve a less intense zone, with or without conditions; may deny the application; or may
14 remand it to the Technical Staff or, if further evidence is required, to the Zoning Hearing
15 Examiner.

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

Adopted this ____ day of _____, 2017.

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: _____
Derrick Leon Davis
Chairman

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.