

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
1996 Legislative Session

Bill No. _____ CB-89-1996

Chapter No.

Proposed and Presented by _____ Council Member Del Giudice

Introduced by

Co-Sponsors

Date of Introduction

ZONING BILL

AN ORDINANCE concerning

Transit District Overlay Zone

For the purpose of amending the Transit District Overlay Zone uses.

BY repealing and reenacting with amendments:

Section 27-548.05,

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

SUBTITLE 27. ZONING.

The Prince George's County Code
(1995 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 Section 27-548.05 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Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 27. ZONING.

PART 10A. OVERLAY ZONES.

DIVISION 1. T-D-O (TRANSIT DISTRICT OVERLAY) ZONE.

Subdivision 1. General.

Sec. 27-548.05. Uses.

(a) The uses allowed on a lot in a Transit District Overlay Zone shall be the same as those allowed in the underlying zone in which the lot is classified, except as is modified by the Transit District Development Plan, or as provided in (1) through (4) below:

(1) The uses or structures existing on the subject property at the time of adoption of the Transit District shall be allowed as interim uses for a period of six (6) years from the date of issuance of a use and occupancy permit, or for a period equal to the depreciation period established by the Internal Revenue Code, and related regulations as amended, for investments of capital similar to the type represented by the proposed interim uses, whichever is longer, provided the applicant provides adequate documentation and verification of such capital investments, as determined by the Planning Board or its designee.

(2) In addition to the provisions of Section (1) above, for properties within the M-X-T Zone, all uses permitted under Section 27-547 shall be permitted as interim uses and the provisions of Section 27-547(c) shall not apply. Further, the Mandatory Development Requirements and the Development Guidelines of the approved Transit District Development Plan shall not apply to the proposed interim use.

(3) The following shall apply to all interim uses:

(A) The provisions of Section 27-548.08 (Site Plan) shall not apply to interim uses approved pursuant to this section.

(B) Anything to the contrary in the Zoning Ordinance notwithstanding, such uses may be reestablished without regard to any period of discontinuance of use.

(C) Anything to the contrary in the Zoning Ordinance notwithstanding, such uses or structures may be reconstructed, enlarged or extended, subject to Site Plan review and approval by the Planning Board. Such review shall be limited to compliance with the requirements of Part 3, Division 9; and shall be appealable to the District Council pursuant to the provisions of Part 3, Division 9, of the Zoning Ordinance.

(4) Upon expiration of the applicable interim use time period set forth in Section (1) above, any use or structure shall be required to comply with the provisions of Part 3, Division 6, of this Subtitle, regarding Nonconforming Buildings, Structures and Uses.

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

Adopted this _____ day of _____, 1996.

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:

Stephen J. Del Giudice
Chairman

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.