

## COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

## **SITTING AS THE DISTRICT COUNCIL**

## 2025 Legislative Session

Bill No. CB-069-2025  
Chapter No. 41  
Proposed and Presented by Council Members Dernoga, Olson and Oriadha  
Introduced by Council Members Dernoga, Olson, Oriadha and Burroughs  
Co-Sponsors \_\_\_\_\_  
Date of Introduction October 14, 2025

## ZONING BILL

## AN ORDINANCE concerning

Use Regulations – Permitted Uses – Quick Service Restaurants with Drive-Through Service  
For the purpose of limiting the location of new quick-service restaurants with drive-through service by prohibiting such uses in residential zones and allowing such uses by special exception in certain commercial zones to address the unique adverse impacts associated with quick-service restaurants with drive-through service.

BY repealing and reenacting with amendments:

Sections 27-5101, 27-5102 and 27-5402,

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

being also

## SUBTITLE 27. ZONING.

## The Prince George's County Code

(2023 Edition; 2024 Supplement).

WHEREAS, Prince George's County has an abundance of quick-service restaurants with drive-through service already available to those who wish to frequent them; and

WHEREAS, Quick-service restaurants with drive-through service create unique adverse impacts on surrounding neighborhoods and Prince George's County in general; and

WHEREAS, Quick-service restaurants with drive-through service can become magnets of traffic and congestion, discouraging walking, public transit use and visits to neighboring businesses; and

WHEREAS, Quick-service restaurants with drive-through service also lead to accidents with pedestrians, cyclists and other cars, and contradict the environmental and livability goals of our communities; and

WHEREAS, Permitting the unfettered development of quick-service restaurants with drive-through service contributes to prolonging the car-centric culture that plans like Plan 2035 seek to end; and

WHEREAS, Prince Georgians are experiencing a health crisis, with high obesity and heart disease rates, high exposure to the pollutants and particulates brought from car exhaust; and

WHEREAS, Prince Georgians have continuously expressed a desire for a more vibrant, walkable County- and this bill seeks to prevent poor development patterns that undermine that goal; now, therefore,

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 27-5101, 27-5102 and 27-5402 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 27-5. USE REGULATIONS.**

## **SECTION 27-5100. PRINCIPAL USES.**

## 27-5101. Principal Use Tables

### (c) Principal Use Table for Rural and Agricultural, and Residential Base Zones

**Table 27-5101(c): Principal Use Table for Rural and Agricultural, and Residential Base Zones**

P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones						Residential Base Zones						Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48		
	*	*	*	*	*	*	*	*	*	*	*	*	*	
<b>Commercial Uses</b>														
	*	*	*	*	*	*	*	*	*	*	*	*	*	
Eating or Drinking Establishment Uses	Restaurant, quick service (with drive-through)		X	X	X	X	X	X	X	X	[P] X	[P] X	[P] X	[27-5102(e)(5)(A)]
	*	*	*	*	*	*	*	*	*	*	*	*	*	
	*	*	*	*	*	*	*	*	*	*	*	*	*	

## Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones (ct)

**Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones**

## (e) Principal Use Table for Planned Development Zones

Table 27-5101(e): Principal Use Table for Planned Development Zones

A = Permitted, unless the District Council prohibits the use in the PD Basic Plan

SE = Allowed only with the approval of a Special Exception X = Prohibited

Principal Use Category	Principal Use Type	Planned Development Zones						Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	
	*	*	*	*	*	*	*	*
<b>Commercial Uses</b>								
	*	*	*	*	*	*	*	*
	*	*	*	*	*	*	*	*
	*	*	*	*	*	*	*	*
	*	*	*	*	*	*	*	*
Eating or Drinking Establishment Uses	Restaurant, quick-service (with drive-through)	[A] SE	X	X	X	X	X	[A] X
			*	*	*	*	*	*
	*	*	*	*	*	*	*	*
	*	*	*	*	*	*	*	*
	*	*	*	*	*	*	*	*

\* \* \* \* \*

1      **Sec. 27-5102. Requirements for Permitted Principal Uses**

2      \*      \*      \*      \*      \*      \*      \*      \*      \*

3      **(e) Commercial Uses**

4      \*      \*      \*      \*      \*      \*      \*      \*      \*

5      **(5) Eating or Drinking Establishment Uses**

6      **(A) Any Eating or Drinking Establishment Use**

7      \*      \*      \*      \*      \*      \*      \*      \*      \*

8                [(ii) A special exception as indicated in Tables 27-5201(b) through (e) shall  
 9 not be required for the principal use "Restaurant, Quick-Service (with Drive-Through)".  
 10 However, if the establishment includes drive-through service, it also shall comply with the  
 11 accessory use standards in Section 27-5203(b)(4), Drive-Through Service.]

12     \*      \*      \*      \*      \*      \*      \*      \*      \*

13      **SECTION 27-5400. SPECIAL EXCEPTION STANDARDS**

14      **Sec. 27-5402. Additional Requirements for Specific Exception Uses**

15      **(z) [Reserved] Restaurant, quick-service (with drive-through)**

16      **(1) A quick-service restaurant with drive-through service may be permitted, subject**  
 17 **to the following:**

18                **(A) The Zoning Hearing Examiner may determine to limit overnight hours of**  
 19 **operation to minimize the adverse impact on adjacent residential dwellings;**

20                **(B) The proposed use will not cause undue harm to the neighborhood as a result**  
 21 **of a noninherent adverse effect alone or the combination of an inherent or a non-inherent adverse**  
 22 **effect in any of the following categories: noise, illumination, fumes, odors, or physical activity;**

23                **(C) The proposed use will not create a traffic hazard or traffic nuisance because**  
 24 **of its location in relation to similar uses, necessity of turning movements in relation to its access**  
 25 **to public roads and intersections, or its location in relation to other buildings or approved**  
 26 **buildings on or near the site and the traffic patterns from such buildings or cause frequent turning**  
 27 **movements across sidewalks and pedestrian ways, thereby disrupting pedestrian circulation**  
 28 **within a concentration of retail activity;**

29                **(2) In addition to the requirements set forth in Section 27-3604(c)(5)(F), the site plan**  
 30 **for a restaurant, quick-service with drive-through service shall show the topography of the**  
 31 **subject lot and abutting lots (for a depth of at least fifty (50) feet).**

1                   (3) When approving a Special Exception for a quick service restaurant with drive-  
 2 through service, the District Council shall find that for the proposed use:

3                   (A) A need exists for the proposed use for service to the population in the  
 4 neighborhood considering the present availability of such use to the neighborhood; and

5                   (B) The proposed use will not result in an excessive concentration of similar  
 6 uses in the same general neighborhood of the proposed use.

7                   (4) This subsection shall not apply to a Restaurant, quick-service (with drive-through  
 8 service) use that is limited to a pick-up window and has no menu board or ordering station for  
 9 customers to order food or drinks.

10                  SECTION 2. BE IT FURTHER ENACTED that any Special Exception or Detailed Site  
 11 Plan application filed prior to October 1, 2025, and approved shall not be subject to this  
 12 provision and shall be deemed a conforming use.

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

Adopted this 18<sup>th</sup> day of November, 2025.

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:



Edward P. Burroughs III  
 Chair

ATTEST:



Donna J. Brown  
 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.

\* \* \* \* \*