COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

2006 Legislative Session

Bill No.   .   CB-84-2006

Chapter No.

Proposed and Presented by   Council Member Knotts

Introduced by   Council Member Knotts

Co-Sponsors

Date of Introduction   October 10, 2006

ZONING BILL

1   AN ORDINANCE concerning

2   Chesapeake Bay Critical Area

3   For the purpose of amending the restriction on growth allocation approved in the Resource

4   Conservation Overlay Zone, to conform the County Chesapeake Bay Critical Area Program to

5   requirements of the Chesapeake Bay Critical Area Commission..

6   BY repealing and reenacting with amendments:

7   Section 27-213.13 (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, 2005 Supplement).

13   SECTION 1. BE IT ENACTED by the County Council of Prince George's County,

14   Maryland, sitting as the District Council for that part of the Maryland-Washington Regional

15   District in Prince George's County, Maryland, that Section 27-213.13 (b)of the Zoning

16   Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's

17   County Code, be and the same is hereby repealed and reenacted with the following amendments:

18   **SUBTITLE 27. ZONING.**

19   **PART 3. ADMINISTRATION.**

20   **DIVISION 2. ZONING MAP AMENDMENTS.**

1 **Subdivision 6. CHESAPEAKE BAY CRITICAL AREA OVERLAY ZONES.**

2 **Sec. 27-213.13. Map amendment approval.**

3 (b) **Expansion of Intense Development and Limited Development Overlay Zones**.

4 (1) The boundaries of the Intense Development and Limited Development Overlay

5 Zones may be expanded within the Chesapeake Bay Critical Area only in accordance with the

6 following:

7 (A) Acreage. The maximum area of future additional Intense Development or

8 Limited Development Overlay Zones shall be five percent (5%) of the total area designated as

9 Resource Conservation Overlay Zones at the time of adoption of the initial Chesapeake Bay

10 Critical Area Overlay Zoning Map Amendment. A maximum of fifty percent (50%) of the

11 permissible growth increment may be used to rezone a Resource Conservation Overlay Zone to

12 another Chesapeake Bay Critical Area Overlay Zone.

13 (B) Location. Expanded Intense Development or Limited Development Overlay

14 Zones may be approved subject to the following locational criteria:

15 (i) New Intense Development Overlay Zones shall:

16 (aa) Be located in existing Limited Development Overlay Zones or

17 contiguous to existing Intense Development Overlay Zones;

18 (bb) [Be located] Provide a setback of at least three hundred (300)

19 feet from tidal waters or tidal wetlands if the land was originally designated in the Resource

20 Conservation Overlay Zone, except for Water-Dependent Uses and access to Water-Dependent

21 uses; and

22 (cc)] Minimize impacts on Habitat Protection Areas and on land in

23 Resource Conservation Overlay Zones in proximity to an expanded Intense Development

24 Overlay Zone.

25 (ii) New Limited Development Overlay Zones shall:

26 (aa) Be located contiguous to existing Limited Development Overlay

27 Zones or Intense Development Overlay Zones;

28 (bb) [Be located] Provide a setback of at least three hundred (300)

29 feet from tidal waters or tidal wetlands if the land was originally designated in the Resource

30 Conservation Overlay Zone, except for Water-Dependent Uses and access to Water-Dependent

31 uses; and

1   (cc)   Minimize impacts on Habitat Protection Areas and land in

2   Resource Conservation Overlay Zones in proximity to an expanded Limited Development

3   Overlay Zone.

4   *   *   *   *   *   *   *   *   *

5   SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five

6   (45) calendar days after its adoption.

Adopted this _____ day of _____ , 2006.

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: _____
      Thomas E. Dernoga
      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.