

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
1997 Legislative Session

Bill No. _____ CB-14-1997

Chapter No.

Proposed and Presented by _____ Council Member Maloney

Introduced by

Co-Sponsors

Date of Introduction

ZONING BILL

AN ORDINANCE concerning

Mixed Use-Transportation Oriented (M-X-T) Zone

For the purpose of restricting the rezoning of property to the M-X-T Zone, amending the requirement for adequate public facilities at the time of Detailed Site Plan approval, reducing the maximum allowable floor area ratio (FAR), requiring each of the required uses of the Zone to constitute a specific portion of the total development, and providing for reversion of the Zoning Classification if development does not occur within a certain period of time.

BY repealing and reenacting with amendments:

Sections 27-199, 27-213, 27-223, 27-228, 27-545,
27-546, 27-547, and 27-548,

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

SUBTITLE 27. ZONING.

The Prince George's County Code
(1995 Edition, as amended by CB-47-1996, CB-55-1996,
and CB-56-1996).

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 27-199, 27-213, 27-223, 27-228,

27-545, 27-546, 27-547, and 27-548 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Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments: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 3. ADMINISTRATION.

DIVISION 2. ZONING MAP AMENDMENTS.

Subdivision 4. M-X-T and M-X-C Zones.

Sec. 27-199. Applications.

(a) General

* * * * *

(6) No application may be filed for the M-X-T Zone (including extending existing zones) after (effective date of this legislation).

* * * * *

(c) **Other submission requirements.**

(1) Along with the application, the applicant shall submit the following:

* * * * *

[(H) For the M-X-T Zone, supporting evidence which shows whether the proposed development will exceed the capacity of transportation facilities that are existing, are under construction, or for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program and/or within the current State Consolidated Transportation Program;]

[I](H) * * * *

[J](I) * * * *

[K](J) * * * *

* * * * *

Sec. 27-213. Map Amendment approval; amendments, reversion.

* * * * *

(h) Reversion.

(1) Any parcel or lot in the M-X-T Zone, except those parcels or lots which are not usable as legal building sites, for which a building permit has not been issued as of (three years from effective date of this legislation) or three (3) years from the date that the property was placed in the M-X-T Zone, whichever is later, shall automatically revert back to the classification to which it was zoned prior to being placed in the M-X-T Zone. The Planning Board shall note the reverted zoning category on the Zoning Map, and transmit notification of such notation to the Clerk of the District Council. For the purposes of this section, an amendment of the zoning map shall not be subject to the requirements of Part 3, Division 2, of the Zoning Ordinance.

DIVISION 4. SECTIONAL MAP AMENDMENT (SMA).

Subdivision 1. General.

Sec. 27-223. Limitations on zoning.

* * * * *

(j) No property may be zoned M-X-T if it was not classified in that zone prior to the initiation of the Sectional Map Amendment.

Subdivision 2. Procedures.

Sec. 27-228. Revising the Sectional Map Amendment.

* * * * *

(f) Reversion of M-X-T Zone.

(1) Any parcel or lot placed in the M-X-T Zone, except those parcels or lots which are not usable as legal building sites, for which a building permit has not been issued as of (three years from the effective date of this legislation), shall automatically revert back to the classification to which it was zoned prior to being placed in the M-X-T Zone. The Planning Board shall note the reverted zoning category on the Zoning Map, and transmit notification of such notation to the Clerk of the District Council. For the purposes of this section, an amendment of the zoning map shall not be subject to the requirements of Part 3, Division 2, of the Zoning Ordinance.

PART 10. MIXED USE ZONES.

DIVISION 2. SPECIFIC MIXED USE ZONES.

Subdivision 1. M-X-T Zone (Mixed Use-Transportation Oriented).

Sec. 27-545. Optional method of development.

(a) Purposes.

(1) Under the optional method of development, greater densities shall be granted, in increments of up to a maximum floor area ratio of [eight (8.0)] one (1.0), for each of the uses, improvements, and amenities (listed in Subsection (b)) which are provided by the developer. The presence of these facilities and amenities is intended:

- (A) To make possible an environment capable of supporting the greater density and intensity of development permitted;
- (B) To encourage a high degree of urban design;
- (C) To increase pedestrian-oriented activities and amenities; and
- (D) To provide uses which encourage a lively, twenty-four (24) hour cycle for the development.

(b) Bonus incentives.

* * * * *

(4) Residential use.

(A) Additional gross floor area equal to a floor area ratio (FAR) of [one (1.0)] six-tenths (.6) shall be permitted where twenty (20) or more dwelling units are provided.

* * * * *

Sec. 27-546. Site plans.

* * * * *

(c) In addition to the information required by Part 3, Division 9, for Detailed Site Plans, the following information shall be included on Plans in the M-X-T Zone:

* * * * *

(4) Supporting evidence which shows that the proposed 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 or within the current

State Consolidated Transportation Program, or which will be provided by the applicant[, if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last].

(d) In addition to the findings required for the Planning Board to approve either the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

* * * * *

(9) On the Detailed Site Plan, [if more than six (6) years have elapsed since a finding of adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval, or preliminary plat approval, whichever occurred last,] 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, or to be provided by the applicant.

DIVISION 3. USES PERMITTED.

Sec. 27-547. Uses permitted.

* * * * *

(d) At least three (3) of the following four (4) categories shall be included on the Conceptual Site Plan and ultimately present in every development in the M-X-T Zone. The amount of square footage devoted to each use shall be in sufficient quantity to serve the purposes of the zone, and shall be in compliance with the requirements of Section 27-548(h);

- (1) Retail businesses;
- (2) Office, research, or industrial uses;
- (3) Dwellings;
- (4) Hotel or motel.

DIVISION 4. REGULATIONS.

Sec. 27-548. M-X-T Zone.

(a) Maximum floor area ratio (FAR):

- (1) Without the use of the optional method of development -- 0.40 FAR; and
- (2) With the use of the optional method of development --[8.00]1.00 FAR.

* * * * *

(j) Each of the three (3) categories of uses required by Section 27-547(d) shall constitute at least twenty-five percent (25%) of the total square footage included in the Conceptual Site Plan. If all four (4) categories are included on the Site Plan, each category shall constitute at least twenty percent (20%) of the total square footage included in the Plan.

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

Adopted this _____ day of _____, 1997.

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.