

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2016 Legislative Session**

Resolution No. CR-70-2016  
Proposed by Council Chairman Davis  
Introduced by Council Members Davis, Turner and Taveras  
Co-Sponsors \_\_\_\_\_  
Date of Introduction September 20, 2016

**RESOLUTION**

1 A RESOLUTION concerning

2 M-I-O (Military Installation Overlay) Zoning Map Amendment

3 For the purpose of directing, in accordance with applicable provisions of state and local law, that  
4 an additional public hearing be scheduled in order to receive further public comment and written  
5 testimony in the record of public hearing testimony as to five (5) proposed changes to the  
6 underlying zoning classifications for certain specific properties situated within the Military  
7 Installation Overlay (M-I-O) Zoning Map Amendment, as endorsed by the Prince George’s  
8 Planning Board of the Maryland-National Capital Park and Planning Commission.

9 WHEREAS, in 2007, the County Council of Prince George’s County, Maryland, sitting as  
10 the District Council approved CR-61-2007, legislation related to land use in the vicinity of  
11 operations in the County by the military installation at Andrews Air Force Base which, pursuant  
12 to its October 1, 2009, establishment as a joint base with Naval Air Facility Washington, is now  
13 known as Joint Base Andrews Naval Air Facility Washington, or Joint Base Andrews (“Joint  
14 Base Andrews”); and

15 WHEREAS, upon concurrence with the recommendations of the Maryland-National  
16 Capital Park and Planning Commission, the Council adopted CR-61-2007, thereby approving  
17 support for a multi-agency partnership amongst the United States Department of Defense Office  
18 of Economic Adjustment, Joint Base Andrews, the Prince George’s County Planning Department  
19 of the Maryland-National Capital Park and Planning Commission, and the Prince George’s  
20 County Council, for a Joint Land Use Study within certain Accident Potential Zone areas of  
21 affected land in the County, together with nearby County properties impacted by high

1 levels of noise emanating from activities related to longstanding military operations at Joint Base  
2 Andrews; and

3 WHEREAS, based on the 2009 *Joint Base Andrews Naval Air Facility Washington Joint*  
4 *Land Use Study* (“JLUS”), a Technical and Policy Committee was formed to initiate  
5 implementation of the United States Department of Defense Office of Economic Adjustment’s  
6 JLUS guidelines; and

7 WHEREAS, between the period between September 2008 and October 2009, the Technical  
8 and Policy Committees analyzed pertinent regarding the military installation, and it ultimately  
9 formulated its recommendations for potentially compatible development within the Joint Base  
10 Andrews Accident Potential Zones (“APZ 1” and “APZ II”), as well as related noise zones,  
11 including recommendations as to potentially efficacious strategies aimed to mitigate adverse  
12 impacts associated noise within that zone (and which are critical, according to the survey of  
13 public opinion), in order to safeguard the public health, safety, and welfare of citizens and  
14 residents of the County; and

15 WHEREAS, a critical recommendation within the 2009 JLUS is included the  
16 establishment of a implementation task force to provide ongoing oversight, direction, and  
17 assistance in securing necessary resources for the implementation of the JLUS recommendations;  
18 and

19 WHEREAS, after solicitation of substantial public input through public outreach meetings,  
20 public work sessions, and a duly-advertised public hearing, the County Council of Prince  
21 George’s County, Maryland, sitting as the District Council, enacted CB-42-2015 on November  
22 10, 2015, thereby creating a new Military Installation Overlay (M-I-O) Zone in the County and  
23 setting forth certain procedural requirements for its consideration and approval of a new M-I-O  
24 Zone; and

25 WHEREAS, as stated therein, the purpose of the M-I-O Zone is to protect the public  
26 safety, health, and welfare of the citizens and residents in the County through regulation of the  
27 development and use of structures and property to promote land uses compatible with operations  
28 at Joint Base Andrews, and to protect the safety and welfare of individuals in the area of Joint  
29 Base Andrews from the potential for aircraft accidents, and the adverse impacts that are known  
30 to be associated with high levels of noise emanating from, flight operations associated with  
31 proximity to Joint Base Andrews operations; and

1           WHEREAS, as set forth in Section 27-213.24 of the Zoning Ordinance, preparation and  
2 approval of a Military Installation Overlay Zoning Map Amendment was initiated by Resolution  
3 of the District Council authorizing the Planning Board to prepare the proposed Map Amendment;  
4 and

5           WHEREAS, it remains the intent of the M-I-O Zone to protect the lives and safety of  
6 workers, visitors, and residents affected by, while reducing interference with, the military  
7 operations at Joint Base Andrews; and

8           WHEREAS, on April 5, 2016, the District Council and Prince George's Planning Board  
9 conducted a duly-advertised joint public hearing to receive public comment and to receive other  
10 testimony as to the proposed preliminary M-I-O Zone; and

11           WHEREAS, after the close of the April 5, 2016, record of joint public hearing testimony,  
12 the Planning Board conducted a public work session on the proposed M-I-O Zone and favorably  
13 voted to recommend approval of the proposed M-I-O Zone, thereafter transmitting its  
14 recommendations in accordance with the prescriptions of the Zoning Ordinance within an  
15 endorsed Military Installation Overlay Zone to the District Council on June 17, 2016; and

16           WHEREAS, if approved by final action of the District Council, the proposed M-I-O Zone  
17 will impose a new, statutory overlay zone which has not previously been applied to property  
18 within in Prince George's County; and

19           WHEREAS, on September 19, 2016, the District Council convened as the Committee of the  
20 Whole to conduct a publicly-advertised work session to evaluate and discuss the record of joint  
21 public hearing testimony, as well as recommendations compiled by the Technical Staff and the  
22 Planning Board within the endorsed M-I-O Zone transmitted on June 17, 2016; and

23           WHEREAS, upon consideration of Planning Board's recommendations embodied in its  
24 endorsed Military Installation Overlay Zoning Map Amendment, as well as public discussion  
25 regarding the record of public hearing testimony, the Council favorably voted, by motion  
26 properly seconded, to direct preparation of a Council Resolution declaring its determination that  
27 an additional public is needed as to five (5) rezoning proposals to change the underlying zoning  
28 classification of said properties within the boundaries of the proposed M-I-O Zone, as set forth  
29 herein.

30           NOW, THEREFORE, BE IT RESOLVED by the County Council of Prince George's  
31 County, Maryland, sitting as the District Council for that part of the Maryland-Washington

1 Regional District in Prince George's County, Maryland, that an additional public hearing be held  
2 in order to receive public comment and other testimony into the record of public testimony  
3 concerning the following changes set forth within the Endorsed Military Installation Overlay  
4 Zoning Map Amendment, as follows:

**A. CHANGES TO UNDERLYING ZONING CLASSIFICATION OF CERTAIN  
PROPERTIES WITHIN THE PLAN BOUNDARIES OF THE ENDORSED  
MILITARY INSTALLATION OVERLAY ZONE**

**CHANGE NO. 1:**

Property owner request to rezone approximately 58.08 acres of land  
Property Address/Account Information:  
6600 Foxley Road  
Upper Marlboro, MD 20772  
Description: Existing Structure, Nonconforming Use  
Tax Map/I.D.: 108D1, Parcel 64  
Tax Account No.: 0897694

Current Zone: I-4 Zone  
Requested Zone: M-I-O (Military Installation Overlay) / I-2 (Heavy Industrial) Zones  
PGCPB Endorsed Zone: M-I-O (Military Installation Overlay) / I-2 Zones

**CHANGE NO. 2:**

Property owner request to rezone approximately 0.224 acre of land  
Property Address/Account Information:  
3309 Springdale Avenue  
District Heights, MD 20747  
Description: LOT 271 and E 33 FT LOT 270  
Tax Map/I.D.: 0081F4  
Tax Account No.: 0627018

Current Zone: R-55 Zone  
Requested Zone: M-I-O (Military Installation Overlay) / C-S-C Zones  
PGCPB Endorsed Zone: M-I-O (Military Installation Overlay) / R-55 Zones

**CHANGE NO. 3:**

Proposal by Planning Staff to rezone approximately 33.35 acres of land  
Property Address/Account Information:  
3700 Forestville Road  
District Heights, MD 20747  
Description: L6865 F966, Parcel 023  
  
Tax Map/I.D.: 0089F1

Tax Account No.: 0478834

Current Zone: Split-Zoned, C-S-C / I-1 Zones  
PGCPB Endorsed Zone: M-I-O (Military Installation Overlay) / I-1 Zones, in furtherance of consistency as to land use and development policies approved within the 2010 *Subregion 4 Master Plan and Sectional Map Amendment*.

**CHANGE NO. 4:**

Property owner request to rezone approximately 16.978 acres of land  
Property Address/Account Information:  
8150 Parston Drive  
District Heights, MD 20747  
Description: Parcel 0075  
Tax Map/I.D.: 0082B4  
Tax Account No.: 0451336

Current Zone: I-1 Zone  
Requested Zone: M-I-O (Military Installation Overlay) / C-S-C Zones.  
PGCPB Endorsed Zone: M-I-O (Military Installation Overlay) / I-1 Zones.

**CHANGE NO. 5:**

Property owner request to rezone approximately 0.702 acres of land  
Property Address/Account Information:  
7900 Old Alexandria Ferry Road  
Clinton, MD 20735  
Description:  
Tax Map/I.D.: 0117A1  
Tax Account No.: 0867788

Current Zone: I-4 Zone  
Requested Zone: M-I-O (Military Installation Overlay) / I-1 Zones.  
PGCPB Endorsed Zone: M-I-O (Military Installation Overlay) / I-1 Zones.

1 BE IT FURTHER RESOLVED that, pursuant to Section 27-213.30 of the Zoning  
2 Ordinance, a public hearing shall be scheduled in order for the District Council to receive  
3 testimony on the proposed changes specified herein; in addition, a copy of this Resolution shall  
4 be transmitted to the Prince George’s County Planning Board for written comments regarding  
5 testimony and exhibits received into the record of public hearing testimony as to the five (5)  
6 rezoning proposals identified herein.

7 BE IT FURTHER RESOLVED that, upon conducting an additional public hearing on  
8 the proposed changes set forth in this Resolution, the District Council may reconsider each  
9 change and/or rezoning request, and may further approve the Military Installation Overlay  
10 Zoning Map Amendment with all, any, one or more, or none of the rezoning requests proposed  
11 herein.

Adopted this 20<sup>th</sup> day of September , 2016.

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