

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2019 Legislative Session**

Bill No. CB-14-2019

Chapter No. 17

Proposed and Presented by Council Member Taveras

Introduced by Council Members Taveras, Franklin, Ivey, Harrison,  
Davis, Glaros, Dernoga & Hawkins

Date of Introduction July 23, 2019

**ZONING BILL**

1 AN ORDINANCE concerning

2 Zoning – Definitions – Urban Farm

3 For the purpose of amending the definition of “Urban farm” uses in the Zoning Ordinance to  
4 generally align with the corresponding definition of “Urban farm” within the proposed new  
5 zoning laws approved via CB-013-2018, being also Chapter No. 37, Laws of Prince George’s  
6 County, Maryland, and to permit the use in certain Residential, Commercial, and Industrial  
7 Zones of Prince George’s County.

8 BY repealing and reenacting with amendments:

9 Sections 27-107.01(a), 27-441, 27-461, and 27-473,

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

11 being also

12 SUBTITLE 27. ZONING.

13 The Prince George's County Code

14 (2015 Edition, 2018 Supplement).

15 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
16 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
17 District in Prince George's County, Maryland, that Sections 27-107.01(a), 27-441, 27-461, and  
18 27-473 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of  
19 the Prince George's County Code, be and the same are hereby repealed and reenacted with the  
20 following amendments:

**SUBTITLE 27. ZONING.**

**PART 2. GENERAL.**

**DIVISION 1. DEFINITIONS.**

**Sec. 27-107.01. Definitions.**

(a) Terms in the Zoning Ordinance are defined as follows:

\* \* \* \* \*

(243.7) **University Research and Development Park:** A technology-based university research and development park containing university, private sector, institutional, non-profit and/or governmental uses featuring commercial office, biotechnology, bioscience, information technology, green technology, aeronautics, agriscience or similar fields. The proposed park should encourage a mix of educational, office, light industrial, supporting retail (not to exceed ten percent (10%) of the developed gross floor area), and recreational uses designed in a setting to attract technology-based employment and research activities. The ten percent (10%) limitation on supporting retail developed gross floor area shall exclude any eating or drinking establishments. Additionally, all uses typically deemed accessory to the university or college uses, including but not limited to, supporting residential facilities for students, research fellows, administrators, professors, scientists, research professionals and /or scholars shall be included in this definition. The designation of a University Research and Development Park shall not preclude other uses otherwise allowed in the applicable zoning category.

(243.8) **Urban Farm:** [A use that permits a non-profit organization or for-profit business to cultivate fruits, vegetables, flowers, that permits composting, beekeeping, agricultural education, and incidental sales (excluding in the R-80 and R-55 Zones) on the property, and excludes livestock. However, a Health Department permit is required if fruits and vegetables are cut up or prepared foods are sold to the public. The non-profit organization or for-profit business operating an urban farm shall be a cooperator with the Prince George's Soil Conservation District, and operate under an approved Farm Management Plan. Accessory structures ordinarily found in association with an Urban Farm are permitted. The appearance and scale of all accessory structures shall be in compliance with the existing requirements of the zone. Off-street parking and loading requirements in Part 11 and Landscape Manual regulations do not apply to an Urban Farm. The term shall not include "Agriculture."] A use permitting a non-profit organization or for-profit business for the cultivation of fruits, vegetables, flowers, and

1 other ornamental and edible plants; the limited keeping and raising of bees; and similar activities  
2 on residential, commercial, or industrial lands. “Urban farm” uses may include processing of  
3 agricultural product on the site of the farm where grown or raised in the course of preparing the  
4 product for sale, which may cause a change in the natural form or state of the product. Said use  
5 also includes composting, agricultural education, and incidental sales (excluding R-80 and R-55).  
6 In addition, “Urban farm” uses may occur indoors or outdoors, including but not limited to the  
7 following production methods: in-ground farming; raised-bed farming; hydroponics; controlled  
8 environment agriculture; rooftop farming; or aquaponics. Common accessory structures  
9 associated with “Urban farm” uses may include, but are not limited to: tool sheds; high tunnels;  
10 fencing; composting structures; and water cisterns. Lastly, the term “Urban farm” shall not  
11 include “Agriculture”; the keeping of roosters, fowl, or livestock; commercial feeding of garbage  
12 or offal to animals; the slaughtering of livestock for marketing; or the disposal of sludge, except  
13 for the fertilization of crops; and, horticultural products; or floricultural products in connection  
14 with an active agricultural operation or home gardening.

15 \* \* \* \* \*

16 SECTION 2. BE IT FURTHER ENACTED that provisions of Section 27-441 of the  
17 Zoning Ordinance be and the same is hereby repealed and reenacted, with the following  
18 amendments:  
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**PART 5. RESIDENTIAL ZONES.  
DIVISION 3. USES PERMITTED.**

**Sec. 27-441. Uses permitted.**

**(b) TABLE OF USES.**

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
<b>(7) RESOURCE PRODUCTION/RECOVERY:</b>								
* * * * *	*	*	*	*	*	*	*	*
Agricultural Uses								
* * * * *	*	*	*	*	*	*	*	*
<u>(F) Urban Farm</u>	X	[X] P <sup>97</sup> , 112, 161	X	P <sup>97</sup> , 112, 161	X	[X] P <sup>97</sup> , 112, 161	[X] P <sup>97</sup> , 112, 161	[X] P <sup>97</sup> , 112, 161
<u>(I) Rooftop urban farm uses, provided that the use meets certain structural requirements set by DPIE and approved by the Council.</u>	X	X	X	X	X	P	P	P
* * * * *	*	*	*	*	*	*	*	*

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<b>97</b>	Permitted use if the extent of the use on the property does not exceed a maximum of five (5) acres in size. The Urban Farm shall not allow noxious odors or dust to drift off the premises. The applicant shall be required to obtain a Health Department permit if fruits and vegetables are cut up or prepared foods are being sold to the public. Signage shall be limited to way finding and directional signs.
	* * * * *

<b>112</b>	Provided:
	(A) The use shall not cause noxious odors or dust to drift off the premises;
	(B) Onsite signage shall be limited to one identification sign not exceeding six (6) square feet in area. <u>Way-finding, directional and interpretative signs educating attendees about urban farming are allowed on the property;</u>
	(C) The use must be maintained in an orderly manner, including litter removal, irrigation, pest control, and removal of dead or diseased plant materials. All garbage must be removed from the site weekly;
	(D) Garbage and compost receptacles at an urban farm shall be screened from the street and adjacent properties by utilizing landscaping, fencing, or storage within structures;
	(E) The use shall be required to obtain all necessary permits as applicable, including for accessory structures and signage,
	(F) Notwithstanding Section 27-107.01(243.8), incidental sales are not permitted onsite; however, customers subscribed to a Community Supported Agriculture (CSA) program managed by the farm are allowed to pick up their weekly share of produce from the urban farm property, and
	* * * * *
<b>134</b>	<u>Crop plantings shall be located a minimum of ten (10) feet from the front and rear street lines, and ten (10) feet from any other residential zone.</u>

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SECTION 3. BE IT FURTHER ENACTED that the provisions of Section 27-461 of the Zoning Ordinance be and the same is hereby repealed and reenacted, with the following amendments:

**PART 6. COMMERCIAL ZONES.  
DIVISION 3. USES PERMITTED.**

**Sec. 27-461. Uses permitted**

**(b) TABLE OF USES.**

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
<b>(7) RESOURCE PRODUCTION/RECOVERY:</b>						
* * * * *	*	*	*	*	*	*
<b>(C) Urban Farm Uses</b>	<u>p<sup>76, 77, 78</sup></u>	<u>p<sup>76, 77, 78</sup></u>	<u>p<sup>76, 77, 78</sup></u>	<u>p<sup>76, 77, 78</sup></u>	<u>p<sup>76, 77, 78</sup></u>	<u>p<sup>76, 77, 78</sup></u>
(i) <u>Rooftop urban farm uses, provided that the use meets certain structural requirements set by DPIE and approved by the Council</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
* * * * *	*	*	*	*	*	*

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<b>76</b>	<u>Permitted use if the extent of the use on the property does not exceed a maximum of five (5) acres in size. The Urban Farm shall not allow noxious odors or dust to drift off the premises. The applicant shall be required to obtain a Health Department permit if fruits and vegetables are cut up or prepared foods are being sold to the public. Signage shall be limited to way finding and directional signs.</u>
<b>77</b>	<u>Provided:</u>
	<u>(A) The use shall not cause noxious odors or dust to drift off the premises;</u>
	<u>(B) Onsite signage shall be limited to one identification sign not exceeding six (6) square feet in area. Way-finding, directional and interpretative signs educating attendees about urban farming are allowed on the property;</u>
	<u>(C) The use must be maintained in an orderly manner, including litter removal, irrigation, pest control, and removal of dead or diseased plant materials. All garbage must be removed from the site weekly;</u>
	<u>(D) Garbage and compost receptacles at an urban farm shall be screened from the street and adjacent properties by utilizing landscaping, fencing, or storage within structures;</u>
	<u>(E) The use shall be required to obtain all necessary permits as applicable, including for accessory structures and signage,</u>
	<u>(F) Notwithstanding Section 27-107.01(243.8), incidental sales are permitted onsite, provided all other regulations of the zone are met. For the purposes of this footnote, incidental sales shall be defined as up to three times per week.</u>
<b>78</b>	<u>Crop plantings shall be located a minimum of ten (10) feet from the front and rear street lines, and ten (10) feet from any other residential zone.</u>

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SECTION 4. BE IT FURTHER ENACTED that provisions of Section 27-473 of the Zoning Ordinance be and the same is hereby repealed and reenacted, with the following amendments:

**PART 7. INDUSTRIAL ZONES.  
DIVISION 3. USES PERMITTED.**

**Sec. 27-473. Uses permitted.**

**(b) TABLE OF USES.**

USE	ZONE				
	I-1 <sup>33</sup>	I-2 <sup>33</sup>	I-3	I-4	U-L-I
<b>(8) RESOURCE PRODUCTION/RECOVERY:</b>					
* * * * *	*	*	*	*	*
<b>(b) Urban Farms</b>	<u>P<sup>71, 72, 73</sup></u>	<u>P<sup>71, 72, 73</sup></u>	<u>P<sup>71, 72, 73</sup></u>	<u>P<sup>71, 72, 73</sup></u>	<u>P<sup>71, 72, 73</sup></u>
(i) <u>Rooftop urban farm uses, provided that the use meets certain structural requirements set by DPIE and approved by the Council</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
* * * * *	*	*	*	*	*

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<b>71</b>	<u>Permitted use if the extent of the use on the property does not exceed a maximum of five (5) acres in size. The Urban Farm shall not allow noxious odors or dust to drift off the premises. The applicant shall be required to obtain a Health Department permit if fruits and vegetables are cut up or prepared foods are being sold to the public. Signage shall be limited to way finding and directional signs.</u>
<b>72</b>	<u>Provided:</u>
	<u>(A) The use shall not cause noxious odors or dust to drift off the premises;</u>
	<u>(B) Onsite signage shall be limited to one identification sign not exceeding six (6) square feet in area. Way-finding, directional and interpretative signs educating attendees about urban farming are allowed on the property;</u>
	<u>(C) The use must be maintained in an orderly manner, including litter removal, irrigation, pest control, and removal of dead or diseased plant materials. All garbage must be removed from the site weekly;</u>
	<u>(D) Garbage and compost receptacles at an urban farm shall be screened from the street and adjacent properties by utilizing landscaping, fencing, or storage within structures;</u>
	<u>(E) The use shall be required to obtain all necessary permits as applicable, including for accessory structures and signage,</u>
	<u>(F) Notwithstanding Section 27-107.01(243.8), incidental sales are permitted onsite, provided all other regulations of the zone are met. For the purposes of this footnote, incidental sales shall be defined as up to three times per week.</u>
<b>73</b>	<u>Crop plantings shall be located a minimum of ten (10) feet from the front and rear street lines, and ten (10) feet from any other residential zone.</u>

1 SECTION 5. BE IT FURTHER ENACTED that the provisions of this Ordinance shall not  
2 be construed to exempt any Urban Farm uses from any applicable State taxes as agricultural  
3 uses.

4 SECTION 6. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five  
5 (45) calendar days after its adoption.

Adopted this 17<sup>th</sup> day of September, 2019.

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: \_\_\_\_\_  
Todd M. Turner  
Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
Acting 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.