

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

1996 Legislative Session

Bill No. _____ CB-105-1996

Chapter No.

Proposed and Presented by _____ Council Member Estep

Introduced by _____ Council Member Estep

Co-Sponsors

Date of Introduction _____ October 29, 1996

ZONING BILL

AN ORDINANCE concerning

Sludge Utilization or Application

For the purpose of clarifying that sludge utilization or application for agricultural purposes is limited under certain circumstances.

BY repealing and reenacting with amendments:

Section 27-441(b),

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

being also

SUBTITLE 27. ZONING.

The Prince George's County Code

(1995 Edition).

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 Section 27-441(b) 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Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same is hereby repealed and reenacted with the following amendments:

PART 5. RESIDENTIAL ZONES
DIVISION 3. USES PERMITTED.

Sec. 27-441. Uses permitted.

(b) TABLE OF USES

USE	ZONE									
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20	
* * * *	*	*	*	*	*	*	*	*	*	*
(7) RESOURCE PRODUCTION/RECOVERY:										
Agricultural Preservation Development, in accordance with Section 27-445.01	X	X	X	X	P	X	X	X	X	X
Agricultural uses:										
(A) All general agriculture ²²	P	P	P	P	P ²³	SE	SE	SE	SE	SE
(B) Keeping of horses or ponies	P	P	P	P	P ²³	P ³⁷	P ³⁷	SE	SE	SE
(C) Limited to floriculture, horticulture, gardening, and private, noncommercial greenhouses	X	X	X	X	X	P	P	P	P	P
(D) Keeping of homing or racing pigeons, provided the use was in existence:										
(i) Prior to June 30, 1987	P	P	P	P	P ⁴	X	P ⁵⁰	X	X	X
(ii) On or after June 30, 1987	P	P	P	P	P ⁴	X	X	X	X	X
<u>(E) In accordance with COMAR, sludge utilization or application for fertilization of an active agricultural operation or home gardening</u>										
(i) <u>Subsurface soil injection or land spreading or surface application with immediate incorporation</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>
(ii) <u>Application rate for marginal land not exceeding 50 or more dry tons per acre</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
<u>(iii) Application rate for marginal land exceeding 50 dry tons per acre</u>	<u>X</u>								
<u>(iv) Innovative or research projects for sludge utilization or application</u>	<u>X</u>								
* * *	*		*		*		*		*

USE	ZONE								
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H	
* * * *	*		*		*		*		*
(7) RESOURCE PRODUCTION/RECOVERY:									
Agricultural Preservation Development, in accordance with Section 27-445.01	X								
Agricultural uses:									
(A) All general agriculture²²	X								
(B) Keeping of horses or ponies	X								
(C) Limited to floriculture, horticulture, gardening, and private, noncommercial greenhouses	P								
(D) Keeping of homing or racing pigeons, provided the use was in existence:									
(i) Prior to June 30, 1987	X								
(ii) On or after June 30, 1987	X								

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
<u>(E) In accordance with COMAR sludge utilization or application for fertilization of an active agricultural operation or home gardening</u>								
<u>(i) Subsurface soil injection or land spreading or surface application with immediate incorporation</u>	<u>X</u>							
<u>(ii) Application rate for marginal land not exceeding 50 or more dry tons per acre</u>	<u>X</u>							
<u>(iii) Application rate for marginal land exceeding 50 dry tons per acre</u>	<u>X</u>							
<u>(iv) Innovative or research projects for sludge utilization or application</u>	<u>X</u>							
*	*	*	*	*	*	*	*	*

SECTION 2. In order to provide a reasonable standard of amortization and to prevent an unreasonable loss, all certified nonconforming sludge utilization or application site operations may continue in operation until one year from the effective date of this Ordinance.

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

Adopted this ____ day of _____, 1996.

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:

Stephen J. Del Giudice
Chairman

ATTEST:

Joyce T. Sweeney
Clerk of the Council