

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2008 Legislative Session**

Bill No. CB-77-2008

Chapter No. _____

Proposed and Presented by Council Member Harrison

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 Special Exceptions – Additional Requirements for Specific Special Exceptions

3 For the purpose of amending the Special Exception approval criteria for certain uses in the I-1
4 and I-2 Zones.

5 BY repealing and reenacting with amendments:

6 Sections 27-337.01, 27-340, 27-343.02, and 27-405,

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

8 being also

9 **SUBTITLE 27. ZONING.**

10 The Prince George's County Code

11 (2003 Edition, 2006 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
14 District in Prince George's County, Maryland, that Sections 27-337.01, 27-340, 27-343.02, and
15 27-405 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of
16 the Prince George's County Code, be and the same are hereby repealed and reenacted with the
17 following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 4. SPECIAL EXCEPTIONS.**

20 **DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL**

EXCEPTIONS.

Sec. 27-337.01. Asphalt mixing plant.

(a) An asphalt mixing plant (including the mixing of hot asphalt with aggregates, and the storage of materials) may be permitted, subject to the criteria below.

(1) Mixing plant components and other parts of the operation having the potential for generating adverse impacts (including cold feed systems, drying systems, mixing units, dust collection systems, asphalt circulation systems, asphalt storage tanks, hot mix storage bins, exhaust systems, material stock piles, and truck parking areas) shall be located at least three hundred (300) feet from the boundaries of the subject property adjoining any land in any Residential or Commercial Zone (or land proposed to be used for residential or commercial purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone) and one hundred (100) feet from the boundaries of the subject property adjoining any land in any Industrial Zone (or land proposed to be used for industrial purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone). Other fixed installations (including automobile parking and office uses) shall be located at least one hundred (100) feet from the boundaries of the subject property adjoining any land in any Residential Zone (or land proposed to be used for residential purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone).

* * * * *

Sec. 27-340. Cement manufacturing.

(a) Cement manufacturing may be permitted, subject to the following:

- (1) An impact statement shall be submitted explaining:
 - (A) The scope of the operation;
 - (B) The pollution and dust control measures to be taken; and
 - (C) The compatibility of the use with the surrounding area.

(2) In addition to the requirements of Subsection (a)(1), above, cement manufacturing components and other parts of the operation having the potential for generating adverse impacts shall be located at least fifteen hundred (1,500) feet from any existing or planned residential use.

Sec. 27-343.02. Concrete batching or mixing plant.

(a) A concrete batching or mixing plant (including the batching and mixing of cement with sand, aggregates, and water; the storage of natural materials; and the mixing of materials in trucks) may be permitted, subject to the criteria, below.

1 (1) Mixing plant components and other parts of the operation having the potential for
 2 generating adverse impacts (including conveying systems, concrete mixers, weighing hoppers,
 3 batching equipment, aggregate bins, truck mixing areas, truck wash-out facilities, and truck
 4 parking areas) shall be located at least fifteen hundred (1,500) feet from any existing or planned
 5 residential use and at least three hundred (300) feet from the boundary lines of the subject
 6 property adjoining any land in any [Residential or] Commercial Zone (or land proposed to be
 7 used for [residential or] commercial purposes in a Comprehensive Design, Mixed Use, or
 8 Planned Community Zone), and one hundred (100) feet from the boundaries of the subject
 9 property adjoining any land in any Industrial Zone (or land proposed to be used for industrial
 10 purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone). Other fixed
 11 installations (including automobile parking, settling ponds, and office uses) shall be located at
 12 least one hundred (100) feet from the boundaries of the subject property adjoining any land in
 13 any Residential Zone (or land proposed to be used for residential purposes in a Comprehensive
 14 Design, Mixed Use, or Planned Community Zone).

15 * * * * *

16 **Sec. 27-405. Sand and gravel wet-processing.**

17 (a) Wet-processing of sand and gravel (including only washing, screening, classifying,
 18 crushing, and stockpiling of natural materials), may be permitted, subject to the criteria below:

19 (1) The subject property shall contain at least fifty (50) contiguous acres. This
 20 minimum acreage requirement may be waived by the District Council, provided the property has
 21 direct vehicular access to an existing four (4) lane highway.

22 (2) Initially, the Special Exception shall be valid for twenty (20) years, unless the
 23 District Council grants some lesser time period. Extensions of specific periods may be granted if
 24 a new Special Exception application is filed and no substantial adverse impact is found in the
 25 continuation of the use. When the subject property is in a Residential Zone, extensions of time
 26 may be granted only where the area surrounding the property is not substantially developed with
 27 incompatible uses;

28 (3) Fixed installations that involve washing, screening, classifying, and crushing
 29 facilities, and parking and storage areas for trucks and heavy equipment, shall be located at least
 30 fifteen hundred (1,500) feet from a planned or existed residential use and four hundred (400) feet
 31 from all boundary lines of the subject property; fixed installations that involve automobile

1 parking, and settling ponds shall be located at least two hundred (200) feet from all boundary
2 lines of the subject property; and nonstructural installations that involve stockpiles of natural
3 material shall be located at least three hundred (300) feet from all boundary lines of the subject
4 property. The District Council may waive the three hundred (300) foot setback for stockpiles of
5 natural material when it determines that adequate screening and buffering are being provided.

6 * * * * *

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

Adopted this ____ day of _____, 2008.

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: _____
Samuel H. Dean
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.