

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2012 Legislative Session**

Bill No. CB-15-2012

Chapter No. 16

Proposed and Presented by Council Member Olson

Introduced by Council Members Olson, Franklin and Patterson

Co-Sponsors _____

Date of Introduction May 15, 2012

ZONING BILL

1 AN ORDINANCE concerning

2 Transit District Overlay Zone

3 For the purpose of requiring the Planning Board to conduct a public hearing on proposed Transit
4 District Overlay Zoning Map Amendments within a certain time period and providing for a
5 limited extension subject to approval by the District Council.

6 BY repealing and reenacting with amendments:

7 Section 27-213.02,

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

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (2011 Edition).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
15 District in Prince George's County, Maryland, that Section 27-213.02 of the Zoning Ordinance of
16 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
17 be and the same is hereby repealed and reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 3. ADMINISTRATION.**

20 **DIVISION 2. ZONING MAP AMENDMENTS.**

Subdivision 5. Transit District Overlay Zone.

Sec. 27-213.02. General Procedures.

(a) The Planning Board may initiate a Transit District Overlay Zoning Map Amendment only with the concurrence (by resolution) of the District Council.

(b) After the Map Amendment is initiated by the Planning Board, the Technical Staff shall immediately proceed to prepare a proposed Map Amendment. The proposal shall contain the following:

(1) The proposed boundaries of the Transit District Overlay Zone, shown on the Zoning Map;

(2) A Transit District Development Plan prepared in accordance with Part 10A, Division 1, Subdivision 1;

(3) Any proposed changes in underlying zoning categories, along with written justification for the changes.

(c) During the preparation of the proposed Transit District Overlay Zoning Map Amendment, the Technical Staff shall contact all owners of land, and any municipality lying (wholly or in part) within the anticipated boundaries of the proposed Transit District, and any municipality within one (1) mile of the anticipated District boundary, to invite comments and recommendations concerning their plans and desires for development within the proposed Transit District. The purpose of these mailings, and those required at the time of Planning Board and District Council hearings, is for informational purposes only. The failure of the Planning Board to send, or a property owner or municipality to receive, the notice shall not invalidate the adoption or approval of the Transit District Overlay Zoning Map Amendment.

(d) Following the initiation of the Transit District Overlay Zoning Map Amendment, a Special Exception shall be required for any new use on a lot, any portion of which is located within the proposed boundaries of the Map Amendment (unless the use is proposed in an existing building), in the I-1 and I-2 Zones, under certain circumstances as set forth in Section 27-473.

(e) The Planning Board shall review the proposal of the Technical Staff and [shall hold a public hearing on the matter] grant permission to print the proposed Transit District Overlay Zoning Map Amendment and preliminary Transit District Development Plan not later than nine (9) months from the date of the Resolution initiating the Transit District Overlay Zoning Map

1 Amendment in accordance with Section 27-213.01 of this Subdivision. If issues arise during the
2 preparation of the Transit District Overlay Zone which the Planning Board believes sufficient
3 analysis would result in a need for an extension of the time for the public hearing beyond the
4 eleven (11) months provided herein, the issues shall be brought to the attention of the District
5 Council. If the District Council concurs, they may grant an appropriate amount of time to
6 perform the additional analysis. After the public hearing, the Planning Board shall take action on
7 the proposal and shall transmit its recommended Map Amendment to the District Council for
8 another public hearing and final action.

9 (f) Upon transmittal of the recommended Transit District Overlay Zoning Map
10 Amendment to the District Council, the Planning Board and Zoning Hearing Examiner (as
11 appropriate) shall cease accepting and processing all Zoning Map Amendment and Special
12 Exception applications within the boundaries of the proposed Transit District until after final
13 action by the District Council on the Map Amendment. Any application pending before the
14 District Council shall immediately be remanded to the Office of the Zoning Hearing Examiner.

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

Adopted this 3rd day of July, 2012.

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: _____
Andrea C. Harrison
Chair

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.