

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

Legislative Session _____ 1990 _____

Bill No. _____ CB-18-1990 _____

Chapter No. _____ 6 _____

Proposed and Presented by Council Members Bell and Casula

Introduced by Council Members Bell, Casula, Pemberton,

_____ and Wineland _____

Co-Sponsors _____

Date of Introduction _____ March 13, 1990 _____

ZONING BILL

AN ORDINANCE concerning

Approval of Basic Plans

FOR the purpose of defining additional procedures for the amendment of Basic Plan applications; and clarifying that a Basic Plan application and approval may address specific land uses.

BY repealing and reenacting with amendments:

Sections 27-181(a),

27-195, and

27-478(a)(1),

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

being also

SUBTITLE 27. ZONING.

The Prince George's County Code
(1987 Edition, 1988 Supplement).

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 Sections 27-181(a), 27-195, and 27-478(a) (1) of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, are hereby repealed and reenacted with the following amendments:

SUBTITLE 27. ZONING.

PART 3. ADMINISTRATION.

DIVISION 2. ZONING MAP AMENDMENTS.

Subdivision 3. Comprehensive Design Zones.

Sec. 27-181. Amendment of applications.

(a) Requests to amend an application shall be in writing and signed by the owner of record. The request may be submitted only by the applicant (or his authorized representative). The amendment of applications shall be subject to the following:

* * * * *

(4) Notification of any amendments made shall be furnished to [any] all persons who [has] have requested (in writing) a copy of the Technical Staff Report and all persons of record not less than fourteen (14) days prior to the District Council hearing.

Sec. 27-195. Map Amendment approval.

(a) In general

(1) The District Council may approve or deny the

application (including the Basic Plan). Approval shall be an approval of the general land use types, range of dwelling unit densities and commercial/industrial intensities, general circulation pattern, general location of major access points and land use relationships shown on the Basic Plan. Whenever an applicant designates a limitation of uses within an application, the District Council may approve specific land use types and their general locations within the development, in accordance with the applicant's designation, as part of its approval of the Basic Plan, in order to ensure overall compatibility of land use types within the proposed development and with surrounding land uses. Such an approval by the District Council shall become a part of the approved Basic Plan.

The District Council may also specify certain planning and development matters (known as "considerations") for the Planning Board and Technical Staff to consider in later Comprehensive Design Plan, Specific Design Plan, or subdivision plat review. The specifics of the considerations shall be followed, unless there is a clear showing that the requirement is unreasonable under the circumstances.

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(b) Criteria for approval.

(1) Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

* * * * *

(E) Environmental relationships reflect compatibility between the proposed [development] general land use types, or if identified, the specific land use types, and surrounding land uses, so as to promote the health, safety, and welfare of the present and future inhabitants of the Regional District.

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(c) Conditional approval

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(2) In no case shall these conditions waive or lessen the requirements of, or prohibit uses allowed in, the approved zone, except as provided in Subparagraph (a) (1), above.

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PART 8. COMPREHENSIVE DESIGN ZONES.

DIVISION 1. GENERAL.

Sec. 27-478. Review process.

(a) The purposes of each individual Comprehensive Design Zone (Division 2 of this Part) are intended to be satisfied by establishing incentives for good development, and the following three (3) phase plan review procedure:

(1) The initial phase is the review of a Basic Plan which shall show the types, [and] amounts, and general location of land uses proposed. The Basic Plan shall be reviewed concurrently with the review of, and action on, the Zoning Map Amendment application (Part 3, Division 2, Subdivision 3).

SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall apply to all Basic Plans regardless of date of actual approval but

shall not apply to or affect any specific and particular use if a valid application for a building permit has been received by the Department of Environmental Resources prior to the effective date of this Ordinance.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect on the date of its adoption.

Adopted this 17th day of April, 1990.

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

EFFECTIVE: APRIL 17, 1990

BY: _____
Jo Ann T. Bell
Chairman

ATTEST:

Jean M. Schmuhl, CMC
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.