

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2010 Legislative Session**

Bill No. CB-63-2010

Chapter No. _____

Proposed and Presented by Council Member Olson

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 Eating or Drinking Establishments

3 For the purpose of establishing hours of operation for eating or drinking establishments with
4 drive-through services in certain circumstances.

5 BY repealing and reenacting with amendments:

6 Sections 27-461(b), 27-473(b)

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 (2007 Edition, 2009 Supplement, as amended by CB-19-2010).

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 27-461 and 27-473 of the Zoning
15 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
16 County Code, be and the same are hereby repealed and reenacted with the following
17 amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 6. COMMERCIAL ZONES.**

20 **DIVISION 3. USES PERMITTED.**

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

Sec. 27-461. Uses permitted.

(b) TABLE OF USES I.

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(1) COMMERCIAL:						
(A) Eating or Drinking Establishments:						
Eating or drinking establishment, with drive-through service (CB-49-2005, CB-19-2010)	X	X	P ²⁴	X	P ²⁴	X
* * * * *	*	*	*	*	*	*

* * * * *

24 Subject to Detailed Site Plan approval in accordance with Part 3, Division 9, of this Subtitle, subject to the following condition: eating and drinking establishments with drive-through service within three hundred (300) feet of a residential property shall have drive-through service be subject to business hours of 6 a.m. until 11 p.m. Any fast-food restaurant operating pursuant to an approved Special Exception as of the effective date of CB-49-2005 shall remain valid, be considered a legal use, and shall not be deemed a nonconforming use; however, fast-food restaurants within three hundred (300) feet of a residential property shall comply with the business hours of 6 a.m. until 11 p.m. on or before May 1, 2011. Such fast-food restaurants and their underlying special exceptions may be modified pursuant to the existing provisions relating to revisions or amendments to special exceptions generally and fast-food restaurants specifically as they exist in the Zoning Ordinance.

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

Sec. 27-473. Uses permitted.

(b) TABLE OF USES.

USE	ZONE									
	I-1 ³³		I-2 ³³		I-3		I-4		U-L-I	
(1) COMMERCIAL:										
(A) Eating or Drinking Establishments										
* * * * *	*	*	*	*	*	*	*	*	*	*
(i) Eating or drinking establishment, with drive-through service	P ⁵⁴	P ⁵⁴	P ⁵⁴	P ⁵⁴	P ⁵⁴	P ⁵⁴	P ⁵⁴	P ⁵⁴	SP	SP
* * * * *	*	*	*	*	*	*	*	*	*	*
* * * * *	*	*	*	*	*	*	*	*	*	*

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

Adopted this ____ day of _____, 2010.

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: _____
Thomas E. Dernoga
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.