

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2023 Legislative Session

Bill No. CB-005-2023

Chapter No. 12

Proposed and Presented by Council Members Dernoga, Ivey, Blegay, Ivey, Olson, Oriadha

Introduced by Council Members Dernoga, Ivey, Blegay, Burroughs, Olson, Oriadha,
Fisher, Hawkins, Harrison, and Watson

Co-Sponsors _____

Date of Introduction January 31, 2023

ZONING BILL

1 AN ORDINANCE concerning
2 General Provisions—Development Authority Pursuant to the Prior Ordinance—Gas Station Uses
3 For the purpose of amending the time period in the Zoning Ordinance for development of Gas
4 Station uses pursuant to the prior Ordinance.

5 BY repealing and reenacting with amendments:

6 Section 27-1903,
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 (2019 Edition; 2022 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 Section 27-1903 of the Zoning Ordinance of
15 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
16 be and the same are hereby repealed and reenacted with the following amendments:

17 **SUBTITLE 27. ZONING.**

18 **PART 24-1. GENERAL PROVISIONS.**

19 **SECTION 27-1900. DEVELOPMENT PURSUANT TO PRIOR ORDINANCE.**

1 **Sec. 27-1903. Applicability.**

2 (a) Development proposals for property within the LCD, LMXC, and LMUTC zones are
3 ineligible for application of the prior Zoning Ordinance. All development proposed in the zones
4 set forth in this Section shall develop in accordance with the requirements of this Ordinance,
5 unless subject to the Transitional Provisions set forth in Section 27-1700, Transitional
6 Provisions, of this Subtitle.

7 (b) Notwithstanding procedures specified in Sections 27-548.09.01 and 27-548.26 of the
8 prior Zoning Ordinance, development proposals within a Transit District Overlay Zone (TDOZ)
9 or Development District Overlay Zone (DDOZ) may not include requests to change the
10 boundary of the approved TDOZ or DDOZ or change the underlying zones.

11 (c) Development-proposals or permit applications of any type for properties in all other
12 zones of the County may utilize the prior Zoning Ordinance or Subdivision Regulations for
13 development of the subject property.

14 (d) Notwithstanding the abrogation provisions in Section 27-1901, if an application that
15 elects to utilize the prior ordinance for development of uses other than a gas station principal use
16 is filed and accepted within 2 years from the effective date of this ordinance, the development
17 project shall be reviewed in accordance with the prior Zoning Ordinance and Subdivision
18 Regulations.

19 (e) For applications electing to utilize the prior ordinance for development of a gas station
20 principal use:

21 (1) Existing gas station principal uses may elect to utilize the prior ordinance for any
22 modification, alteration, or expansion, including the complete demolition and reconstruction on-
23 site, until April 1, 2024.

24 (2) For new gas station principal uses to be located on a site where a prior gas station
25 did not exist on April 1, 2022, if the application is filed and accepted within 1 year from the
26 effective date of this Ordinance, the development project shall be reviewed in accordance with
27 the prior Zoning Ordinance and Subdivision Regulations.

28 (e) Once approved, development applications that utilize the prior Zoning Ordinance shall
29 be considered “grandfathered” and subject to the provisions set forth in Section 27-1704 of this
30 Subtitle.

31 * * * * *

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

Adopted this 7th day of March, 2023.

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:

Donna J. Brown
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.