

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**SITTING AS THE DISTRICT COUNCIL**  
**1998 Legislative Session**

Bill No. \_\_\_\_\_ CB-35-1998  
 Chapter No. \_\_\_\_\_ 25  
 Proposed and Presented by \_\_\_\_\_ Council Member Hendershot  
 Introduced by \_\_\_\_\_ Council Member Hendershot  
 Co-Sponsors \_\_\_\_\_  
 Date of Introduction \_\_\_\_\_ April 7, 1998

**ZONING BILL**

1 AN ORDINANCE concerning

2 Industrial and M-X-T Zones

3 For the purpose of defining a Metro Planned Community and permitting this use in the I-2 and  
 4 M-X-T Zones, in accordance with certain requirements.

5 BY repealing and reenacting with amendments:

6 Sections 27-107.01, 27-473, 27-547, and 27-574,

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 (1995 Edition, 1997 Supplement).

12 BY adding:

13 Section 27-475.06.03,

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

15 being also

16 SUBTITLE 27. ZONING.

17 The Prince George's County Code

18 (1995 Edition, 1996 Supplement).

19 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
 20 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional

District in Prince George's County, Maryland, that Sections 27-107.01, 27-473, 27-547, and 27-574 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments:

**SUBTITLE 27. ZONING.**

**PART 2. GENERAL.**

**DIVISION 1. DEFINITIONS.**

**Sec. 27-107.01. Definitions.**

(a) Terms in the Zoning Ordinance are defined as follows:

\* \* \* \* \*

(150.2) **Metro Planned Community:** A contiguous land assemblage, no less than one hundred fifty (150) acres, abutting an existing mass transit rail station site operated by the Washington Metropolitan Area Transit Authority, and planned to be developed with an array of commercial, lodging, recreational, residential, entertainment, retail, social, cultural or similar uses which are interrelated by one or more themes.

\* \* \* \* \*

**PART 7. INDUSTRIAL ZONES.**

**DIVISION 3. USES PERMITTED.**

**Sec. 27-473. Uses permitted.**

**(b) TABLE OF USES**

<i>USE</i>	<i>I-1</i> <sup>33</sup>	<i>I-2</i> <sup>33</sup>	<i>ZONE</i> <i>I-3</i>	<i>I-4</i>	<i>U-L-I</i>
<b>(4) MISCELLANEOUS:</b>					
* * *	*	*		*	
Ice vending machine for block ice	<b>P</b>	<b>P</b>	<b>X</b>	<b>P</b>	<b>P</b>
<u>Metro Planned Community in Accordance with Section 27-475.06.03</u>	<u><b>X</b></u>	<u><b>P</b></u>	<u><b>X</b></u>	<u><b>X</b></u>	<u><b>X</b></u>
Mobile home, with a use for which amusement taxes are collected <sup>2</sup>	<b>P</b>	<b>P</b>	<b>P</b>	<b>P</b>	<b>X</b>
* * *	*	*		*	

**PART 10. MIXED USE ZONES.****DIVISION 3. USES PERMITTED.****Sec. 27-547. Uses permitted.**

\* \* \* \* \*

**(b) TABLE OF USES**

<i>USE</i>	<i>ZONE</i>	
	<i>M-X-T</i>	<i>M-X-C</i>
<b>(4) MISCELLANEOUS:</b>		
	*	*
Home occupations (except in multifamily dwellings)	P	P
<u>Metro Planned Community</u>	<u>P</u>	<u>X</u>
Mobile home, with use for which amusement taxes collected <sup>2</sup>	P	X
	*	*

**PART 11. OFF-STREET PARKING AND LOADING.****DIVISION 2. PARKING FACILITIES.****Subdivision 3. Minimum Requirements.****Sec. 27-574. Number of spaces required in the M-X-T Zone and in a Metro Planned Community.**

(a) The number of parking spaces required in the M-X-T Zone and in a Metro Planned Community are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.

(b) The number of off-street parking spaces required for development in the M-X-T Zone and in a Metro Planned Community shall be calculated using the following procedures:

(1) Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one (1) hour and are to be known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of

the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).

(2) For each hour of the day the number of parking spaces to be occupied by each use shall be calculated. These numbers are known as the hourly fluctuation pattern. For each use, at least one (1) hour shall represent the peak parking demand, and the remaining hours will represent a percentage of the peak. There may be more than one (1) hour at the peak level.

(3) The total number of parking spaces required for all uses proposed in the M-X-T Zone and in a Metro Planned Community shall be the greatest number of spaces in any one (1) hour for the combined total of all uses proposed, based on the calculations in paragraphs (1) and (2), above. This total is known as the base requirement.

\* \* \* \* \*

SECTION 2. BE IT FURTHER ENACTED that Section 27-475.06.03 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same is hereby added:

## **PART 7. INDUSTRIAL ZONES.**

### **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

#### **Sec. 27-475.06.03. Metro Planned Community.**

##### **(a) Purposes.**

(1) To promote the optimum use of the transit facilities by assuring the orderly development of land in transit station development areas and access, both vehicular and pedestrian, to metro stations;

(2) To promote the orderly development and redevelopment of land in the vicinity of major interchanges, major intersections, and major transit stops, so that these areas will enhance the economic status of the County and provide an expanding source of desirable employment and living opportunities for its citizens;

(3) To conserve the value of land and buildings by maximizing the public and private development potential inherent in the location of the zone, which might otherwise become scattered throughout and outside the County, to its detriment;

(4) To promote the effective and optimum use of transit and other major transportation systems;

(5) To facilitate and encourage a twenty-four (24) hour environment to ensure continuing functioning of the project after workday hours through a maximum of activity, and

1 the interaction between the uses and those who live, work in, or visit the area;

2 (6) To encourage diverse land uses which blend together harmoniously;

3 (7) To create dynamic, functional relationships among individual uses within a  
4 distinctive visual character and identity;

5 (8) To promote optimum land planning with greater efficiency through the use of  
6 economies of scale and savings in energy beyond the scope of single-purpose projects;

7 (9) To permit a flexible response to the market;

8 (10) To provide for the needs of the workers and residents within a Metro Planned  
9 Community;

10 (11) To provide the maximum amount of freedom possible in the architectural design  
11 of buildings and their grouping and layout within the area classified in this zone in order to  
12 provide an opportunity and incentive to the developer to achieve excellence in physical, social,  
13 and economic planning; to stimulate the coordinated, harmonious and systematic development of  
14 the area within the zone, the area surrounding the zone, and the Regional District as a whole; to  
15 prevent detrimental effects to the use or development of adjacent properties or the surrounding  
16 neighborhoods; and to promote the health, safety and welfare of the present and future  
17 inhabitants of the Regional District and County as a whole;

18 (12) To promote orderly development and attract an appropriate mix of quality  
19 employment, residential, retail shopping, restaurant, entertainment and lodging development in  
20 the vicinity of major transit stops;

21 (13) To afford reasonable flexibility in the design of these projects and their response  
22 to the market while phasing out heavy industrial uses; and

23 (14) To promote the application of and to be in conformance with the planning  
24 recommendations, strategies and/or guidelines for Metro Station areas included in existing  
25 community or area Master Plans and Sectional Map Amendments.

26 (15) To preserve and/or mitigate environmentally sensitive areas and significant  
27 natural features.

28 (b) A Metro Planned Community permitted (P) in the Table of Uses shall be subject to the  
29 following:

30 (1) **Requirements.**

31 (A) Multifamily housing within a Metro Planned Community which is upscale

1 and luxurious in building construction and amenities for use at appropriate locations within the  
 2 community should be provided. In order to ensure that the overall residential component  
 3 conveys an atmosphere of appropriate quality and sophistication, any Conceptual Site Plan for  
 4 the overall development shall provide for the following:

5 (i) Party and/or community rooms with kitchen, minimum size of three (3)  
 6 square feet per dwelling unit;

7 (ii) Fitness facilities, a minimum size of four (4) square feet per dwelling  
 8 unit, which includes exercise/weight equipment, sauna/steam room, dance floor for aerobic and  
 9 exercise classes and/or swimming pool;

10 (iii) Landscaped gardens which may include arbors, courtyards, fountains,  
 11 and custom features such as walls, fences and other ornaments;

12 (iv) Business center with 24-hour access and a computer with a fax/modem,  
 13 a printer, a fax machine and a copy machine.

14 In order to ensure that individual residential units within the community are of continuing  
 15 character and quality, any Detailed Site Plan for such development shall require each multifamily  
 16 unit to include the following:

17 (i) Wall-to-wall carpeting and/or hardwood floors for all rooms, except  
 18 kitchen (and related space), baths, foyers, laundry closets, balconies and sunrooms;

19 (ii) Nine (9) foot high interior ceilings within seventy-five percent (75%)  
 20 of interior living space;

21 (iii) Crown moldings in living and dining rooms;

22 (iv) Kitchens with self cleaning ovens, microwave ovens in fifty percent  
 23 (50%) of the units, garbage disposal, frost free refrigerators with automatic icemaker,  
 24 dishwasher, pantry cabinet or option for a gourmet kitchen with a grill, double ovens or island  
 25 counter;

26 (v) Individual heating and air-conditioning system;

27 (vi) Full size washer and dryer in each unit;

28 (vii) Separate bathroom and bath for the master bedroom with an option for  
 29 a separate tub and shower in every two (2) bedroom unit;

30 (viii) Eight (8) foot sliding glass patio doors except on ground floor units  
 31 which may have french doors;

- (ix) Five (5) foot high standard windows;
- (x) Walk-in closets in fifty percent (50%) of the units;
- (xi) Gas fireplace in fifty percent (50%) of the units;
- (xii) Wiring for pay/cable television and locations for three (3) telephone lines;
- (xiii) Individual front door lock system (the capability to electronically unlock the buildings' front door from the unit with an integrated telephone/speaker system) or a gated community with a security system to open the front gate;
- (xiv) Optional burglar/intrusion alarms;
- (xv) Exterior balcony or sun room for the majority of units;
- (xvi) For units on the top floors, cathedral ceilings in fifty percent (50%) of such units.

(B) Amenities for the residents and workers in any office/employment component within a Metro Planned Community not ordinarily found in conventional zoning classifications should be provided. In order to ensure that the overall office/employment component conveys an atmosphere of appropriate quality and sophistication, any Conceptual Site Plan for the overall development shall provide for the following:

- (i) Open arcades, enclosed pedestrian space, rooftop activities, outdoor plazas, theatre, green area in excess of minimum requirements, structured parking, distinctive streetscape or parking area design or furnishings, or other appropriate features and amenities;
- (ii) Masonry construction such as brick or stone, custom-designed and built;
- (iii) Special treatment for building entryways such as brick pavers, monumental signage, public art;
- (iv) Landscaped gardens which may include: arbors, courtyards, public art, fountains or other water features, clock-towers and custom features such as walls and fences;
- (v) Outdoor seating and eating areas;
- (vi) Special outdoor lighting;
- (vii) "Grand" lobbies which may include: minimum two (2) story, twenty-four (24) hour security guard, fountains, public art, marble or granite floors, walls;
- (viii) Full-service cafeterias within building;



(ix) Spas, fitness facilities within building;

(x) Child care centers within building;

(xi) Parking garage, underground parking;

(xii) Hidden HVAC and utilities;

(xiii) Orientation or buffering of parking so that negative impacts to adjacent properties are reduced;

(xiv) Stormwater management pond as an amenity which may include walkways or seating areas around pond, fountains;

(xv) Incorporation of retail uses as part of an office building;

(xvi) Special treatment for entrance into the development;

(xvii) Public meeting space.

(C) Well-maintained, easily accessible and well connected open space facilities shall be planned;

(D) The maximum height permitted for buildings within the overall development shall be determined in the process of Conceptual Site Plan review. In approving height limits the Planning Board shall take into consideration the size of the lot or parcel, the relationship of the building or buildings to surrounding uses, the need to preserve light and air for the residents of the development and residents of surrounding properties and other factors relevant to height of the building;

(E) Private and/or public vehicular access shall be sufficient to accommodate the traffic generated by the project;

(F) Setbacks, tree conservation, landscaping and screening, green space, lot coverage, and parking and loading, shall be addressed in the Conceptual Site Plan approval, at which time flexibility to the minimum requirements for these items may be considered; and

(G) At least two (2) of the following three (3) categories of uses shall be included in the Conceptual Site Plan:

(i) Retail businesses;

(ii) Office, research, or industrial uses; or

(iii) Dwellings, hotel or motel.

**(2) Site Plan.**

(A) A Conceptual Site Plan and Detailed Site Plan(s) will be approved for the

1 use, in accordance with Part 3, Division 9, of this Subtitle, to insure compliance with the  
 2 provisions of this Section.

3 (B) A pedestrian mobility and bicycle accessibility analysis shall be performed  
 4 to determine the best, safest, and most convenient location for street and station furniture, bicycle  
 5 storage racks, and linkages.

6 (C) In addition to the information required by Part 3, Division 9, for Conceptual  
 7 Site Plans, the following information shall be included with plans for the use:

8 (i) The type and location of uses proposed, and the range of square footage  
 9 anticipated to be devoted to each;

10 (ii) The physical and functional relationship of the project uses and  
 11 components;

12 (iii) The proposed floor area ratio;

13 (iv) The proposed sequence of development;

14 (v) Provision of a comprehensive program to protect, preserve, enhance,  
 15 restore, and/or mitigate environmentally sensitive areas, including wetlands, floodplain, steep  
 16 slopes, unstable soils, woodlands, streams, and rivers;

17 (vi) A general description of the pedestrian system proposed;

18 (vii) Areas proposed for landscaping and screening;

19 (viii) An economic analysis justifying that any proposed retail sales area will  
 20 support a regional shopping center and evidence of an executed letter of intent from at least one  
 21 (1) anchor department store with fashion sophistication at a level designed to attract the upscale  
 22 customer, commonly viewed as being well-educated, sophisticated in his/her tastes, and earning  
 23 in excess of \$50,000 per year. Department stores under the trade names Bloomingdale's, Lord &  
 24 Taylor, Macy's, Nieman Marcus, Nordstroms and Saks 5th Avenue, or the equivalent (or under  
 25 trade names then being used by any of the named department stores aforesaid) will automatically  
 26 be deemed to meet the criteria set forth in the preceding sentence. In no event shall any of the  
 27 anchor department store tenants initially operate under a trade name generally associated with  
 28 and characterized as a discount department store such as WalMart, K-Mart or Target.

29 Notwithstanding the foregoing, in no event shall traditional regional mall anchor stores

30 operating under trade names such as Bloomingdales, Macy's, Hecht's, Lord & Taylor, Sears,

31 Dillards, JC Penney, Nordstrom, Neiman-Marcus or Saks 5th Avenue be deemed a discount

1 department store.

2 (ix) A stormwater management concept plan which considers unique site  
 3 characteristics and bioengineered techniques which preserve and enhance natural habitats and/or  
 4 mitigate the effects on these habitats.

5 (x) An economic anlaysis justifying that the market will support an  
 6 additional hotel, if hotel use is proposed.

7 (D) In addition to the information required by Part 3, Division 9, for Detailed  
 8 Site Plans, the following information shall be included on Plans for the use:

9 (i) Guidelines for ensuring quality and maintenance of landscaping and  
 10 open space;

11 (ii) The proposed drainage system;

12 (iii) All improvements and uses proposed on the property;

13 (iv) The proposed floor area ratio of the project, and a detailed description  
 14 of any incentives proposed;

15 (v) A refined economic analysis justifying that any proposed retail sales  
 16 area will support a regional shopping center and evidence of an executed letter of intent from at  
 17 least one (1) anchor department store with fashion sophistication at a level designed to attract the  
 18 upscale customer, commonly viewed as being well-educated, sophisticated in his/her tastes, and  
 19 earning in excess of \$50,000 per year. Department stores under the trade names Bloomingdale's,  
 20 Lord & Taylor, Macy's, Nieman Marcus, Nordstroms and Saks 5th Avenue, or the equivalent (or  
 21 under trade names then being used by any of the named department stores aforesaid) will  
 22 automatically be deemed to meet the criteria set forth in the preceding sentence. In no event  
 23 shall any of the anchor department store tenants initially operate under a trade name generally  
 24 associated with and characterized as a discount department store such as WalMart, K-Mart or  
 25 Target. Notwithstanding the foregoing, in no event shall traditional regional mall anchor stores  
 26 operating under trade names such as Bloomingdales, Macy's, Hecht's, Lord & Taylor, Sears,  
 27 Dillards, JC Penney, Nordstrom, Neiman-Marcus or Saks 5thAvenue be deemed a discount  
 28 department store.

29 (vi) Supporting evidence which shows that the proposed development will  
 30 be adequately served within a reasonable period of time with existing or programmed public  
 31 facilities shown in the adopted County Capital Improvement Program, or within the current State

1 Consolidated Transportation Program, U.S. Department of Transportation and/or Federal  
 2 Highway Administration Program, or which will be provided by the applicant, unless a finding  
 3 of adequacy was made at the time of preliminary plat approval.

4 (vii) A refined economic analysis justifying that the market will support an  
 5 additional hotel, if hotel use is proposed.

6 (E) In addition to the findings required for the Planning Board to approve either  
 7 the Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

8 (i) The proposed development is in conformance with the purposes and  
 9 other provisions of this Division;

10 (ii) The uses within the proposed development are either physically or  
 11 visually integrated in order to encourage interaction between and among the uses within the  
 12 development and with those who live, work in, or visit the area;

13 (iii) The mix of uses, and the arrangement and design of buildings and other  
 14 improvements, reflect a cohesive development capable of sustaining an independent environment  
 15 of continuing quality and stability;

16 (iv) If the development is staged, each building phase is designed as a self-  
 17 sufficient entity, while allowing for effective integration of subsequent phases;

18 (v) The pedestrian system is convenient and is comprehensively designed  
 19 to encourage pedestrian activity within the development and appropriate linkages to the  
 20 surrounding community;

21 (vi) In areas of the development which are to be used for pedestrian  
 22 activities or as gathering places for people, adequate attention has been paid to human scale,  
 23 urban design characteristics, and other amenities, such as the types and textures of materials,  
 24 landscaping and screening, street furniture, and lighting (natural and artificial);

25 (vii) The proposed development is compatible with existing and proposed  
 26 development in the vicinity; and

27 (viii) Unless a finding of adequacy was made at the time of preliminary plat  
 28 approval, the development will be adequately served within a reasonable period of time with  
 29 existing or programmed public facilities shown in the adopted County Capital Improvement  
 30 Program, within the current State Consolidated Transportation Program, U.S. Department of  
 31 Transportation and/or Federal Highway Administration Program, or to be provided by the

1     applicant.

2                     (ix) The proposed development, if it includes a hotel use, will satisfy a  
3     public need for an additional hotel in the market area.

4             SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five  
5     (45) calendar days after its adoption.

Adopted this 9th day of June, 1998.

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: \_\_\_\_\_  
Ronald V. Russell  
Chairman

ATTEST:

\_\_\_\_\_  
Joyce T. Sweeney  
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.