

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2015 Legislative Session

Bill No. CB-62-2015

Chapter No. 56

Proposed and Presented by Council Member Toles

Introduced by Council Member Toles

Co-Sponsors _____

Date of Introduction October 20, 2015

ZONING BILL

1 AN ORDINANCE concerning
2 R-10 (Multifamily High Density Residential) Zone – Business Advancement and Food Access
3 Infill

4 For the purpose of defining Business Advancement and Food Access Infill in the Zoning
5 Ordinance, creating a consolidated review process to encourage Business Advancement and
6 Food Access Infill, and permitting the use Business Advancement and Food Access Infill in the
7 R-10 (Multifamily High Density Residential) Zone, under certain circumstances.

8 BY repealing and reenacting with amendments:

9 Sections 27-107.01 and 27-441,
10 The Zoning Ordinance of Prince George's County, Maryland,
11 being also
12 SUBTITLE 27. ZONING.
13 The Prince George's County Code
14 (2011 Edition; 2014 Supplement).

15 BY adding:

16 Section 27-445.15,
17 The Zoning Ordinance of Prince George's County, Maryland,
18 being also
19 SUBTITLE 27. ZONING.

20

The Prince George’s County Code
(2011 Edition; 2014 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 27-107.01 and 27-441 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Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments: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:

* * * * *

(38) Bulk Retailing: The sale of merchandise in large quantities, such as in unbroken cases or oversized containers, directly to ultimate consumers.

(38.1) **Business Advancement and Food Access Infill:** A development which combines a food and beverage store not exceeding 40,000 square feet of gross floor area; a consolidated storage facility; may include an eating or drinking establishment, or any other use that is permitted by right in the C-S-C (Commercial Shopping Center) Zone; and shall not include a Department or Variety Store or Gas Station uses, where:

(A) the proposed development is part of a revitalization project in accordance with Section 27-445.15 of this Subtitle; and

(B) the development meets the criteria of Division 5, Part 5 of this Subtitle.

(39) Camping Trailer: A vehicle originally sold to the consumer for recreational, travel, or vacation purposes, which is self-propelled or capable of being towed, and which provides facilities for temporary camping or sleeping. "Camping Trailer" includes a unit designed to be carried by an open pickup truck. The term "Camping Trailer" also includes "travel trailer," "camper," "recreational vehicle," "motor home," "truck camper," and similar vehicles.

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PART 5. RESIDENTIAL ZONES.
DIVISION 3. USES PERMITTED.

Sec. 27-441. Uses permitted.

(b) TABLE OF USES.

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
* * * * *									
(3) MISCELLANEOUS:	*	*	*	*	*	*	*	*	*
Buildings and uses, serving public health purposes, on land owned by Prince George's County, Maryland, upon which hospitals or health centers are located, except if otherwise allowed as a Permitted (P) use ⁴¹	P	P	P	P	P	P	P	P	P
<u>Business Advancement and Food Access Infill, in accordance with Section 27-445.15 of this Subtitle.</u>	X	X	X	X	X	X	X	X	X
Cemetery, crematory:									
(A) Cemetery, in accordance Section 27-445.06	X	X	X	X	X	X	X	X	X
(B) Cemetery, accessory to a church, convent, or monastery ⁴⁹	P	P	P	P	P	P	P	P	P
(C) All others	X	X	X	X	X	X	X	X	X
* * * * *									

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
* * * * *								
(3) MISCELLANEOUS:	*	*	*	*	*	*	*	*
Buildings and uses, serving public health purposes, on land owned by Prince George's County, Maryland, upon which hospitals or health centers are located, except if otherwise allowed as a Permitted (P) use ⁴¹	P	P	P	P	P	P	P	P
<u>Business Advancement and Food Access Infill, in accordance with Section 27-445.15 of this Subtitle.</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
Cemetery, crematory:								
(A) Cemetery, in accordance Section 27-445.06	X	X	X	X	X	X	X	X
(B) Cemetery, accessory to a church, convent, or monastery ⁴⁹	P	P	P	P	P	P	P	P
(C) All others	X	X	X	X	X	X	X	X
* * * * *								

* * * * *

41 Provided the health center is located on a minimum of twenty-five (25) acres.

* * * * *

49 Provided both uses were existing as of January 1, 1991.

* * * * *

1 SECTION 2. BE IT FURTHER ENACTED that Section 27-445.15 of the Zoning
2 Ordinance be and the same is hereby added:

3 SUBTITLE 27. ZONING.

4 PART 5. RESIDENTIAL ZONES.

5 DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.

6 **Sec. 27-445.15. Business Advancement and Food Access Infill.**

7 (a) Applicability. As permitted in the Residential Use Tables in Section 27-441 of this
8 Subtitle, the following additional requirements apply to development or redevelopment in the
9 County proposing Business Advancement and Food Access Infill uses, as defined in Section 27-
10 107.01 of this Subtitle:

11 (1) the proposed use shall be located in a Revitalization Tax Credit District Census
12 Tract;

13 (2) the proposed use shall be located within a Historically Underutilized Business
14 (“HUB”) Zone;

15 (3) the proposed use is located at the intersection of two (2) four-lane, divided
16 roadways, one of which is a State road with functional transportation classification as an
17 expressway; and

18 (4) the property on which the proposed uses will be located has a land area of at least
19 eight (8) acres and abuts property in the R-10 (Multifamily High Density Residential) Zone.

20 (b) Other Requirements.

21 (1) The prescriptions set forth in Section 27-442 of this Subtitle shall not apply to the
22 uses and structures within a Business Advancement and Food Access Infill development project.
23 The dimensions and structures shown on the approved detailed site plan for the project shall
24 serve as the development regulations for the project.

25 (2) All Business Advancement and Food Access Infill development shall be subject
26 to detailed site plan approval process in accordance with Division 9, Part 3 of this Subtitle.

27 (3) The detailed site plan review shall include review and approval of architectural
28 elements, including building materials, typical building elevations, signs, and outdoor lighting.
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(4) All consolidated storage for a Business Advancement and Food Access Infill development shall meet the requirements set forth in Sections 27-344.01(a)(5), (6), and (7) of this Subtitle.

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

Adopted this 17th day of November, 2015.

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: _____
Mel Franklin
Chairman

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.