

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

Bill No. CB-13-2010

Chapter No. 5

Proposed and Presented by Council Member Dean

Introduced by Council Member Dean

Co-Sponsors _____

Date of Introduction April 13, 2010

ZONING BILL

1 AN ORDINANCE concerning

2 Urban Centers and Corridor Nodes Development and Zoning Code

3 For the purpose of temporarily amending the requirements for the approval of a regulating plan
4 in Prince George’s County.

5 WHEREAS, the County Council enacted CB-1-2010, CB-2-2010, and CB-3-2010, sitting
6 as the District Council for that part of the Maryland-Washington Regional District in Prince
7 George’s County, Maryland, on March 9, 2010; and

8 WHEREAS, CB-1-2010, entitled the Urban Centers and Corridor Nodes Development and
9 Zoning Code of Prince George’s County, provides a mechanism for implementing specific goals
10 for existing or future priorities for concentrations of medium- to high-intensity, mixed-use,
11 pedestrian- and transit-oriented development at designated Centers and Corridor Nodes; and

12 WHEREAS, CB-1-2010 sets forth the process for considering a Regulating Plan allocating
13 Building Envelope standards, public spaces, and Street types within each Urban Neighborhood
14 within a designated Center or Corridor Node and provides specific information for the
15 disposition of each building site, serving as the approved plan for the implementation of the
16 County’s General Plan within designated Centers or Corridor Nodes; and

17 WHEREAS, Section 27A-210 of CB-1-2010 further provides that the District Council may
18 approve a Regulating Plan as part of the approval of a Sectional Map Amendment for the
19 comprehensive rezoning of property to an Urban Center District and prescribes certain specific
20 procedures; and

1 WHEREAS, with the approval by the District Council of the Subregion 4 Master Plan,
 2 there is a unique and immediate opportunity to utilize the Urban Centers and Corridor Nodes
 3 Development and Zoning Code in the vicinity of the Addison Road Metro Station to achieve the
 4 following objectives: implement the approved Addison Road Metro Regulating Plan; guide
 5 current development activity now focused at the Addison Road Metro station; continue to
 6 involve community residents and businesses that have been actively engaged in the Subregion 4
 7 planning process; apply the extensive research and investigations conducted as part of the
 8 Subregion 4 Master Plan as part of the Functional Overlays; coordinate and focus the efforts of
 9 County, State, and other governmental agencies that will jointly engage in plan implementation;
 10 and provide a prototype that will inform future applications of the Urban Centers and Corridor
 11 Nodes Development and Zoning Code; and

12 WHEREAS, in order to realize the time-sensitive opportunities for upscale mixed-use
 13 development in the Addison Road Metro Station Area and vicinity, it is necessary to approve a
 14 Regulating Plan as part of the Subregion 4 Master Plan approval process by the District Council ;
 15 and

16 WHEREAS, the last day for approval of the Subregion 4 Master Plan and Sectional Map
 17 Amendment is June 2, 2010; and

18 WHEREAS, it is necessary to make limited amendments to certain procedures,
 19 requirements, and timeframes set forth in Section 27A-210 to permit District Council approval
 20 of a Regulating Plan concurrent with the approval of the Subregion 4 Master Plan and Sectional
 21 Map Amendment; and

22 WHEREAS, Section 8-104 of Article 28 of the Annotated Code of Maryland provides
 23 broad authority to the District Council to amend zoning regulations, including administrative
 24 provisions; now, therefore

25 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 26 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 27 District in Prince George's County, Maryland, that it is the intent of the District Council to
 28 approve the Addison Road Metro Regulating Plan as part of the Subregion 4 Master Plan and
 29 Sectional Map Amendment.

30 SECTION 2. BE IT FURTHER ENACTED that, pursuant to Section 27A-210(b)(1)(B) of
 31 the County Code, the District Council hereby authorizes and directs the Planning Board to

1 prepare a proposed Regulating Plan, Urban Center District designations, and Functional
2 Overlays as required by the provisions of Subtitle 27A of the County Code for the area beginning
3 at the northwest corner of Tax Map/Grid 066B4 Parcel 232, follow parcel boundary NE and SE
4 to the NW corner of Plat A18-1812 , Lot 13; follow along NW and NE sides of Lot 13, NE side
5 of Lot 12, NW sides of Lots 10-8, NE side of Lot 8, SE sides of Lots 8 and 9, crossing Baltic
6 Street to the N corner of Plat A18-1812 Parcel E, following the NE sides of that parcel, Plat
7 18140058, Plat 18124043 Parcel D, along the N side of Plat A18-5554 Block C Lot 51 crossing
8 Addison Road to the eastern ROW line; N along Addison Road, NE along the North side of Plat
9 18173069 to the SW corner of Plat 18173072 Parcel E; N along the west and north sides of
10 Parcel E, crossing Harris Drive to the western boundary of Plat 18173072, north to the southern
11 boundary of Tax Map/Grid 066C4 Parcel 142, east along the southern boundary, south along the
12 western boundary of Tax Map Grid 066C4 Parcel 255; continue east along the southern
13 boundary of Plat A18-5869; crossing Cindy Lane, along the south ROW line for Canyon Drive
14 to Lot 16 of Plat A18-5231, along the southern boundary of said plat to the western ROW line of
15 Daimler Drive, follow the western boundary south, crossing Central Avenue to the north
16 property line of Tax Map Grid 073E1Parcel 116, follow that line east and south to the southern
17 boundary of Tax Map Grid 073D1 (including only the western part) Parcel 117 then south and
18 west along the southern boundary of Parcel 117and Tax Map Grid 073D1 Parcel 74 crossing
19 Cabin Branch Road, then following the western ROW line of Cabin Branch Road to the northern
20 boundary of Plat A18-5057 Block G, west along that plat line and along the northern boundary
21 of Tax Map Grid 073C2 Parcel 346, then across Addison Road South to the NE corner of Tax
22 Map Grid 073C2 Parcel 391, south and east along the southern boundary of Parcel 391 and the
23 southern boundary of Plat 18225038, Parcel C, north along the western boundary of Tax Map
24 Grid 073C2 Parcel 391, also along the western boundary of Plat 18225038 Parcel B, west along
25 the southern boundary of Tax Map Grid 073C2Parcel: 151, continue west along the southern
26 boundary of Plat 18226011 Block E crossing Victorianna Drive, continuing west along the
27 southern boundary of Plat 18226010 to the eastern ROW line of Rollins Avenue, north along
28 Rollins Avenue crossing to the SE corner of Tax Map Grid 073B1 Parcel 418, follow that
29 boundary west, then north, then west again crossing Old Central Avenue to Plat A18-2045 Block
30 1, west along this plat to include lots 1-5, then crossing Park Drive to its NE ROW line, then NW
31 along Park Drive to East Capitol Street, crossing East Capitol Street to the southern ROW line of

1 | Burgundy Street, east to Tax Map/Grid 066B4 Parcel 232, then NW to the point of beginning,
2 | generally referred to herein as the “Addison Road Metro Station Area and Vicinity”.

3 | SECTION 3. BE IT FURTHER ENACTED that the proposed public participation
4 | program, as required by Section 27A-210(b)(1)(D) and attached hereto as Attachment A, is
5 | hereby approved.

6 | SECTION 4. BE IT FURTHER ENACTED that, in accordance with Section 27A-
7 | 210(b)(4)(B)(i) (aa), the District Council shall hold a public hearing on the proposed Addison
8 | Road Metro Regulating Plan on Tuesday, May 18, 2010, at 10:00 a.m. to take public testimony.
9 | Notice shall be as provided in accordance with Section 27-226 of the Zoning Ordinance.

10 | SECTION 5. BE IT FURTHER ENACTED that, notwithstanding the provisions of
11 | Subtitle 27A-210, the time periods prescribed in Section 27A-210 for the consideration and
12 | approval of a Regulating Plan, including initiation, public participation, notice, hearing, close of
13 | the public hearing record, Planning Board action and transmittal, and approval of the Regulating
14 | Plan are hereby temporarily suspended. In the alternative, the prescribed procedural
15 | requirements for the consideration of the functional overlays and approval of the Addison Road
16 | Metro Regulating Plan shall be as set forth in Attachment B.

17 | SECTION 6. BE IT FURTHER ENACTED that the provisions of this Act are hereby
18 | declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
19 | sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of
20 | competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining
21 | words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this
22 | Act, since the same would have been enacted without the incorporation in this Act of any such
23 | invalid or unconstitutional word, phrase, clause, sentence, subparagraph, subsection, or section.
24 | the provisions of this Act are severable,

25 | SECTION 7. BE IT FURTHER ENACTED that this Act be abrogated and of no further
26 | force and effect after October 31, 2010.

27 |

1 SECTION 8. BE IT FURTHER ENACTED that this Ordinance shall take effect on the
2 date of its adoption.

Adopted this 11th day of May, 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.