

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2018 Legislative Session

Bill No. CB-86-2018

Chapter No. 52

Proposed and Presented by Council Member Toles

Introduced by Council Members Toles, Davis, Turner and Harrison

Co-Sponsors _____

Date of Introduction September 25, 2018

ZONING BILL

1 AN ORDINANCE concerning

2 Tobacco Shops, Electronic Cigarette Shops, or Retail Tobacco Shops

3 For the purpose of amending the Zoning Ordinance to include reasonable parameters as to hours
4 of operation as a criterion for approval of Special Exceptions for Tobacco Shops, Electronic
5 Cigarette Shop, or Retail Tobacco Business uses in furtherance of the public safety, health, and
6 welfare of the citizens and residents of Prince George's County.

7 BY repealing and reenacting with amendments:

8 Section 27-415.01,

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

10 being also

11 **SUBTITLE 27. ZONING.**

12 The Prince George's County Code

13 (2015 Edition, 2017 Supplement).

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
15 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
16 District in Prince George's County, Maryland, that Section 27-415.01 of the Zoning Ordinance of
17 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
18 be and the same is hereby repealed and reenacted with the following amendments:

19 **SUBTITLE 27. ZONING.**

20 **PART 4. SPECIAL EXCEPTIONS.**

DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL EXCEPTIONS.

Sec. 27-415.01. Tobacco shops, electronic cigarette shops or retail tobacco business.

(a) Tobacco shops, electronic cigarette shops, or a retail tobacco business may be permitted by Special Exception, subject to the following:

(1) The structure in which the use is proposed shall be located at least three hundred (300) feet from any school, library, park, recreational facility, and historic site, resource, or district identified on any applicable Historic Site and District Plan, a National Register Site, or an Historic District. This provision shall not apply to a Retail Tobacco Business within a Recreational or Entertainment Establishment of a Commercial Nature with Video Lottery Facility uses in accordance with Section 27-548.01.04 of this Subtitle.

(2) In its final decision to approve a Special Exception for the use, the Council may impose other reasonable requirements deemed necessary to safeguard the health, safety, morals, and general welfare of the community, taking into account the character of surrounding properties and the general neighborhood, and any other uses on the subject property.

(3) No Special Exception shall be permitted for a tobacco shop, electronic cigarette shop, or a retail tobacco business located within 2,000 feet of another tobacco shop, electronic cigarette shop, or a retail tobacco business. In addition, the use shall be limited to specified daily hours of operation, which shall be from 10:00 a.m. until 10:00 p.m. This provision shall not apply to a Retail Tobacco Business or Retail Tobacco Businesses within a Recreational or Entertainment Establishment of a Commercial Nature with Video Lottery Facility uses.

(4) Tobacco shops, electronic cigarette shops or retail businesses shall not be accessory uses.

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

Adopted this 23rd day of October, 2018.

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: _____
Dannielle M. Glaros
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.