

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**SITTING AS THE DISTRICT COUNCIL****2018 Legislative Session**Bill No. CB-26-2018Chapter No. 8Proposed and Presented by Council Member PattersonIntroduced by Council Members Patterson, Davis and Franklin

Co-Sponsors _____

Date of Introduction July 2, 2018**ZONING BILL**

1 AN ORDINANCE concerning

2 Overlay Zones—Procedures—Amendment of Approved D-D-O Zone

3 For the purpose of amending the procedural requirements in the Zoning Ordinance for property
 4 owner requests to amend, subject to certain specified criteria, within an approved D-D-O
 5 (Development District Overlay) Zone in Prince George's County, Maryland.

6 BY repealing and reenacting with amendments:

7 Section 27-548.26,

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

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (2015 Edition, 2017 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 15 District in Prince George's County, Maryland, that Section 27-548.26 of the Zoning Ordinance of
 16 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
 17 be and the same is hereby repealed and reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**19 **PART 10A. OVERLAY ZONES.**20 **DIVISION 3. D-D-O (DEVELOPMENT DISTRICT OVERLAY) ZONES.**

Sec. 27-548.26. Amendment of Approved Development District Overlay Zone.

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(b) Property Owner.

(1) Notwithstanding the provisions of subsection (a), above, a property owner may request that the District Council amend development requirements for the owner's property, as follows:

(A) An owner of property in, adjoining, or separated only by a right-of-way from the Development District may request changes to the boundary of the approved D-D-O Zone.

(B) An owner of property in the Development District may request changes to the underlying zones or the list of allowed uses, as modified by the Development District Standards.

(i) A request for changes to the underlying zone or list of allowed uses may include requested amendments to the applicable Development District Standards for the applicable D-D-O Zone.

(ii) In determining whether to approve such amendments to the Development District Standards, the District Council shall find that the amended standards will benefit the proposed development, will further the purposes of the applicable Development District, and will not substantially impair implementation of any applicable Master Plan or Sector Plan.

(2) The owner's application shall include:

(A) A statement showing that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan; [and]

(B) A description of any requested amendments to the Development District Standards applicable to a qualifying development proposal; and

(C) A site plan, either the Detailed Site Plan required by Section 27-548.25 or a Conceptual Site Plan.

(3) Filing and review of the application shall follow the site plan review procedures in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and submit a report on the application, and the Planning Board shall hold a public hearing and submit a recommendation to the District Council. Before final action the Council may remand the application to the Planning Board for review of specific issues.

(4) An application may be amended at any time. A request to amend an application shall be filed and reviewed in accordance with Section 27-145.

(5) The District Council may approve, approve with conditions, or disapprove any amendment requested by a property owner under this Section. In approving an application and site plan, the District Council shall find that the proposed development conforms with the purposes and recommendations for the Development District, as stated in the Master Plan, Master Plan Amendment, or Sector Plan, [and] meets applicable site plan requirements, and does not otherwise substantially impair the implementation of any comprehensive plan applicable to the subject development proposal.

(6) If a Conceptual Site Plan is approved with an application, the owner may not obtain permits without an approved Detailed Site Plan.

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

Adopted this 24th day of July , 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.