

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

2000 Legislative Session

Bill No. _____ CB-94-2000

Chapter No. _____ 76

Proposed and Presented by _____ Council Member Estepp

Introduced by _____ Council Member Estepp

Co-Sponsors _____

Date of Introduction _____ October 24, 2000

ZONING BILL

1 AN ORDINANCE concerning

2 Private Colleges and Universities in the R-R Zone and the R-A Zone and

3 Certain Development in Comprehensive Design Zones

4 For the purpose of permitting development in Comprehensive Design Zones in accordance with
 5 requirements of the R-R Zone and R-A Zone, under certain circumstances; allowing a private
 6 college or university as a permitted use in the R-R Zone and R-A Zone, under certain
 7 circumstances; and amending definitions and use tables.

8 BY repealing and reenacting with amendments:

9 Sections 27-107.01, 27-443, 27-461, 27-473 and 27-477,

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 (1999 Edition).

15 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 16 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 17 District in Prince George's County, Maryland, that Sections 27-107.01, 27-443, 27-461, 27-473
 18 and 27-477 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle
 19 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with
 20 the following amendments:

SUBTITLE 27. ZONING.

PART 5. RESIDENTIAL ZONES.

DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.

Sec. 27-107.01. Definitions.

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(49.1) **College or university, private:** A type of private school offering a program of instruction for students after secondary school. The college or university must be approved by the Maryland Higher Education Commission and accredited by a national association of colleges and universities, and it must offer one or more programs leading to associate, baccalaureate, or higher degrees.

[(49.1)] **(49.2) Commercial recreational development:** A contiguous assemblage of land leased from a public agency before January 1, 1974, containing no less than 60 acres at the time of said lease and to be developed with an array of commercial, including parking lots for commercial purposes, residential, lodging, recreational, entertainment, retail, social, cultural, or similar uses, and which development and/or use shall conform to the terms of that lease as modified or amended.

* * * * *

(206.1) **[School, Post-secondary Educational Institution:** An educational institution approved to operate in the State of Maryland by the Maryland Higher Education Commission pursuant to Division 3, Titles 10 and 11, Education Article, Annotated Code of Maryland.

(206.2)] **Seafood Market:** A retail store where the sole "Use" is the sale of edible fish, shellfish, and related items. Accessory wholesaling may be permitted, provided it is limited to twenty-five percent (25%) of the gross floor area of the store.

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Sec. 27-443. Private schools.

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(b) A private college or university may be permitted in the R-R Zone and the R-A Zone, subject to the following:

(1) General requirements:

(A) The subject property shall contain at least three hundred (300) contiguous acres.

(B) The property shall have frontage on and direct vehicular access to a street or streets with sufficient capacity to accommodate traffic generated by the campus.

(C) All development and uses, including all building setbacks, shall be shown on a detailed site plan approved by the Planning Board.

(D) All parking and loading facilities needed for campus employees, students, visitors, and residents shall be located on the subject property. They shall be located at least:

(i) One hundred fifty (150) feet from adjoining land zoned or used residentially or proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or approved Conceptual or Detailed Site Plan;

(ii) Fifteen (15) feet from any adjoining street; and

(iii) Ten (10) feet from any other land.

(E) All perimeter setback areas on the site shall be buffered or screened in accordance with Landscape Manual requirements. The applicant shall demonstrate that the required buffer yards will provide reasonable sight and sound barriers.

(F) At least 40% of the net tract area of the site, or as revised by the District Council, shall be devoted to open space.

(G) Regulations in the R-R Zone restricting location, height, coverage, density, frontage, and yards of buildings and structures shall not apply to a private college or university. The dimensions and percentages shown on the approved site plan shall constitute the development regulations.

(H) Notwithstanding Section 27-118.01, more than one (1) building may be located on a lot containing a one-family dwelling.

(2) Uses:

(A) Only uses shown on an approved site plan or a revised and approved site plan are permitted. The campus must provide a harmonious, balanced mix of educational, residential, and limited commercial uses, which may not include a full-service gas station. All uses must serve educational purposes and be deemed consistent with a campus atmosphere.

(B) Every campus shall contain a college or university facility at its core, development which may include the following uses:

(i) Educational facilities, including professional offices, laboratories and

1 testing facilities, clinical facilities, training centers, and accessory uses.

2 (ii) Residential facilities for faculty, students, or employees.

3 (iii) Day care centers for persons (children or adults) under the care of
4 students, faculty, or employees.

5 (iv) Retail commercial and service uses, including a hotel or conference
6 center, consistent with the educational purposes of the campus, to serve residents, employees,
7 students, and visitors. Business signs are not permitted, but identification signs to show the
8 location of commercial, service, or other uses are permitted.

9 (v) Recreational and social uses, such as swimming pools, tennis courts,
10 athletic facilities, community centers, or assembly halls.

11 (3) Site plans and submission requirements:

12 (A) In addition to what is stated in Section 27-296(c) and in Part 3, Division 9,
13 the site plan shall set
14 forth the:

15 (i) Use, character, and zoning classification of all adjoining properties.

16 (ii) Existing and proposed right-of-way and paving widths of adjoining
17 streets.

18 (iii) Existing and proposed topography of the site, at contour intervals of
19 two (2) feet or less.

20 (iv) Existing and proposed drainage patterns.

21 (v) Existing vegetation and other natural features.

22 (vi) Provisions for erosion control, sediment control, and stormwater
23 management.

24 (4) Addition of land:

25 (A) After approval of a detailed site plan, each addition of contiguous land to the
26 campus may be approved after review of an amended site plan. The amended site plan shall
27 include all site plan information required for previously-approved uses and the same information
28 for the proposed additional land.

PART 6. COMMERCIAL ZONES.**DIVISION 3. USES PERMITTED.****Sec. 27-461. Uses permitted.****(b) TABLE OF USES I.**

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
* * * * *	*	*	*	*	*	*
(2) INSTITUTIONAL/EDUCATIONAL:						
* * * * *	*	*	*	*	*	*
School, Private:						
* * * * *	*	*	*	*	*	*
(E) Tutoring establishment	P	X	P	X	P	P
(F) [Post-secondary educational institution] <u>Private college or university</u>	P ²⁸	SE	P ²⁸	SE	P ²⁸	SE
(G) Private schools, subject to Section 27-463	P	P	P	P	P	P
(H) All others	SE	SE	SE	SE	SE	SE
* * * * *	*	*	*	*	*	*

PART 7. INDUSTRIAL ZONES.
DIVISION 3. USES PERMITTED.

Sec. 27-473. Uses permitted.

(b) TABLE OF USES.

USE	ZONE				
	I-1 ³³	I-2 ³³	I-3	I-4	U-L-I
* * * * *	*	*	*	*	*
(3) INSTITUTIONAL/EDUCATIONAL:					
* * * * *	*	*	*	*	*
School, private:					
* * * * *	*	*	*	*	*
(F) Trade	P ³⁴	P ³⁴	P	P	P
(G) [Post-secondary Educational Institution] <u>Private college or university</u>	P ³⁶	SE	P ³⁶	SE	SE
(H) In accordance with Section 27-475.06.01 ²⁸	P ³⁴	P ³⁴	P	P	P
(I) All others	SE	SE	SE	SE	SE
* * * * *	*	*	*	*	*

PART 8. COMPREHENSIVE DESIGN ZONES.

DIVISION 1. GENERAL.

Sec. 27-477. Applicability.

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(b) It is not generally intended that areas zoned O-S (Open Space), R-A (Residential-Agricultural), or R-E (Residential Estate), through the Sectional Map Amendment process, should be considered for Comprehensive Design Zones, where these zones were imposed for staging reasons. The preceding sentence does not apply to the application of the R-L (Residential Low Development), V-L (Village-Low), and V-M (Village-Medium) Zones in the R-A and R-E Zones.

(c) If a property zoned O-S, R-A, [or] R-E, or R-R in a Sectional Map Amendment is then rezoned to a Comprehensive Design Zone, it may still be developed and used under O-S, R-A, [or] R-E, or R-R regulations. Upon approval of a Preliminary Plat of Subdivision for the entire property in accordance with the prior O-S, R-A, [or] R-E, or R-R zoning, the Comprehensive Design Zone and any approved Basic Plan, Comprehensive Design Plan, or Specific Design Plan shall be null and void.

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

Adopted this 21st day of November, 2000.

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: _____
Dorothy F. Bailey
Chair

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.