

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

Bill No. CB-83-2018
Chapter No. 50
Proposed and Presented by Council Member Toles
Introduced by Council Member Toles
Co-Sponsors _____
Date of Introduction September 25, 2018

ZONING BILL

1 AN ORDINANCE concerning

2 Zoning Definitions—Regulations—Business Advancement and Food Access Infill

3 For the purpose of amending the definition of the use, ‘Business Advancement and Food Access
4 Infill’ and the respective development regulations applicable to said use within the Zoning
5 Ordinance.

6 BY repealing and reenacting with amendments:

7 Sections 27-107.01 and 27-445.15,

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 the provisions of Sections 27-107.01 and 27-
16 445.15 of the Zoning Ordinance, being also Subtitle 27 of the Prince George’s County Code, be
17 and the same are hereby repealed and reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 2. GENERAL.**

20 **DIVISION 1. DEFINITIONS.**

1 **Sec. 27-107.01. Definitions.**

2 (a) Terms in the Zoning Ordinance are defined as follows:

3 * * * * *

4 (38.1) **Business Advancement and Food Access Infill:** A development which
5 combines a food [and] or beverage store not exceeding 40,000 square feet of gross floor area; a
6 consolidated storage facility; may include an eating or drinking establishment, or any other use
7 that is permitted by right , or by special exception, in the C-S-C (Commercial Shopping Center)
8 Zone is permitted; and shall not include a Department or Variety Store [or Gas Station uses],
9 where:

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

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

13 * * * * *

14 **PART 5. RESIDENTIAL ZONES.**

15 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

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

17 (a) Applicability. As permitted in the Residential Use Tables in Section 27-441 of this
18 Subtitle, the following additional requirements apply to development or redevelopment in the
19 County proposing Business Advancement and Food Access Infill uses, as defined in Section 27-
20 107.01 of this Subtitle:

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

22 (2) the proposed use shall be located within a Historically Underutilized Business ("HUB")
23 Zone;

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

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

28 (b) Other Requirements.

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

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

3 (3) The detailed site plan review shall include review and approval of architectural
4 elements, including building materials, typical building elevations, signs, and outdoor lighting.

5 (4) Where the proposed use includes a gas station, the detailed site plan review shall also
6 include review of all building elevations to ensure durability and compatibility with the
7 architecture of surrounding buildings internal to the site. In addition, where the subject property
8 has a prior approved detailed site plan, development of the gas station use shall conform, to the
9 maximum extent possible, with the terms of such prior site plan approval.

10 (5) All consolidated storage for a Business Advancement and Food Access Infill
11 development shall meet the requirements set forth in Sections 27-344.01(a)(5), (6), and (7) of
12 this Subtitle.

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