

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2020 Legislative Session**

Bill No. CB-7-2020

Chapter No. 8

Proposed and Presented by Council Members Ivey and Glaros

Introduced by Council Members Ivey, Glaros, Turner, Harrison, Davis, Anderson-Walker
Taveras, Hawkins and Franklin

Date of Introduction May 18, 2020

ZONING BILL

1 AN ORDINANCE concerning

2 Market Halls

3 For the purpose of defining Market Halls in the Zoning Ordinance, permitting the use in the I-1
4 (Light Industrial) and C-S-C (Commercial Shopping Center) Zones of Prince George's County
5 under certain circumstances, and providing certain parking, loading, and regulatory requirements
6 for the use.

7 BY repealing and reenacting with amendments:

8 Sections 27-107.01, 27-461, 27-473, 27-568, and 27-582,
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 (2019 Edition).

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 Sections 27-107.01, 27-461, 27-473, 27-568,
17 and 27-582 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle
18 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with
19 the following amendments:

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SUBTITLE 27. ZONING.
PART 2. GENERAL.
DIVISION 1. DEFINITIONS.

Sec. 27-107.01. Definitions.

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

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(146) **Marina:** A waterfront facility which, for a fee, provides for the berthing, mooring, or water storage of boats. The use may include such facilities as major and minor boat repair; boat docks, piers, and slips; boat fueling; dry land boat maintenance and storage; pump-out stations; fishing piers; beaches; erosion control devices; boat ramps, lifts, and launching facilities; boat sales, including parts; restaurant; ships store; sale of ice; car and boat trailer parking; laundromat; locker rooms; cabanas; bathhouse; public showers; outdoor playing courts; and picnic areas.

(146.1) **Market Hall:** A commercial establishment operating in a wholly-enclosed, existing "Building," and consisting of two (2) or more temporary market stalls leased to separate vendors for the retail sale of goods. No individual lease agreement to a vendor shall exceed one year. The owner of the property shall be the sole tenant listed on the use and occupancy permit for the use. The retail goods shall be primarily the small-scale production of the vendors. An eating or drinking establishment that requires on-site cooking or packaging is prohibited. On-site manufacturing or crafting of goods is prohibited; however, incidental, minor on-site assembly of goods is permitted. The use may include the reservation of an area for eating on-site. The term shall not include an "Integrated Shopping Center," "Flea Market," or "Farmer's Market."

(147) **Massage Establishment:** Any establishment having a fixed place of business where massages are administered for pay, including massage parlors, exercise clubs, spas, health clubs, sauna baths, and steam baths. This term shall not include:

(A) A "Hospital," "Nursing or Care Home," or "Medical Clinic";

(B) The office of a physician, surgeon, chiropractor, osteopath, podiatrist, or physical or massage therapist duly licensed or certified by the State of Maryland;

(C) A barber shop or beauty salon in which massages are administered only to the scalp, face, neck, or shoulders;

(D) A volunteer fire department or volunteer rescue squad;

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(E) A nonprofit organization operating an educational, cultural, recreational, or athletic facility;

(F) A facility for the welfare of the residents of the area; or

(G) An establishment providing instruction in, and facilities for, controlled exercise, weight lifting, calisthenics, and general physical fitness, which occupies at least five thousand (5,000) square feet, of which not more than five percent (5%) is used for massages; and whose gross income from massages is less than fifteen percent (15%) of the total gross business income derived from physical fitness sales contracts at each business location.

**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
(1) COMMERCIAL:						
* * * * *	*	*	*	*	*	*
(E) Trade (Generally Retail);						
* * * * *						
<u>Market Hall</u>	<u>X</u>	<u>X</u>	<u>P⁸⁴</u>	<u>X</u>	<u>X</u>	<u>X</u>
* * * * *	*	*	*	*	*	*

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84 If the use conducts business outdoors, said use shall comply with the life safety requirements of Section 27-261(j)(11)-(12).

**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
(1) COMMERCIAL:					
* * * * *	*	*	*	*	*
(E) Trade (Generally Retail);					
* * * * *	*	*	*	*	*
<u>Market Hall</u>	<u>P⁷⁴</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
* * * * *	*	*	*	*	*

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74 If the use conducts business outdoors, said use shall comply with the life safety requirements of Section 27-261(j)(11)-(12).

PART 11. OFF-STREET PARKING AND LOADING.

DIVISION 2. PARKING FACILITIES.

SUBDIVISION 3. MINIMUM REQUIREMENTS.

Sec. 27-568. Schedule (number) of spaces required, generally.

(a) In all zones (except the M-X-T Zone), the minimum number of off-street parking spaces for each type of use shall be as listed in the following table. In the schedule, each “employee” means each employee on the largest shift.

TYPE OF USE	NUMBER OF SPACES	UNIT OF MEASUREMENT
* * * * *	*	*
(5) COMMERCIAL TRADE (GENERALLY RETAIL)/SERVICES:		
* * * * *	*	*
(B) Low Parking Generation Group	1.0	500 sq. ft. of GFA
(This group consists of: furniture stores; carpeting and floor covering stores; retail upholstery shops; sporting goods, which may include marine equipment and supplies; vehicle, trailer, mobile home, and boat sales (indoor); office supply and business machine sales; <u>market halls</u> ; similar uses which, because of their large areas of display space, generate relatively small demands for parking space.)	1.0	500 sq. ft. of GFA
(D) Miscellaneous:		
* * * * *	*	*
<u>Market Halls</u>	<u>+1.0</u>	<u>200 sq. ft. of GFA above the first 3,000 sq. ft.</u>

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DIVISION 3. LOADING FACILITIES.

SUBDIVISION 4. MINIMUM REQUIREMENTS.

Sec. 27-582. Schedule (number) of spaces required, generally.

(a) In all zones (except the M-X-T Zone), the minimum number of required off-street loading spaces for each type of use shall be as listed in the following schedule:

TYPE OF USE	NUMBER OF SPACES	UNIT OF MEASUREMENT
* * * * *	*	*
<u>Market Hall</u>	<u>None</u>	<u>0-10,000 sq. ft of GFA</u>
* * * * *	*	*

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

Adopted this 23rd day of June, 2020.

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: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
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.