

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2015 Legislative Session**

Bill No. CB-2-2015

Chapter No. 2

Proposed and Presented by Council Members Glaros, Toles and Taveras

Introduced by Council Members Glaros, Toles and Franklin

Co-Sponsors _____

Date of Introduction January 20, 2015

ZONING BILL

1 AN ORDINANCE concerning

2 Mixed-Use Town Center Zone – Design Standards –Definitions

3 For the purpose of providing a general definition for routine maintenance in the Zoning
4 Ordinance; clarifying the definition of routine maintenance in a Development Plan within the
5 Mixed-Use Town Center Zone; and adding routine maintenance or repairs to the required
6 explanations in the preparation of a Mixed-Use Town Center Development Plan required in the
7 Mixed-Use Town Center Zone.

8 BY repealing and reenacting, with amendments:

9 Sections 27-107.01 and 27-546.13,

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 (2011 Edition; 2014 Supplement).

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 and 27-546.13 of the
18 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
19 George's County Code, be and the same are hereby repealed and reenacted with the following
20 amendments:

SUBTITLE 27. ZONING.

PART 2. GENERAL.

DIVISION 1. DEFINITIONS.

Sec. 27-107.01. Definitions.

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

* * * * *

(204) **Rooming House:** A "Dwelling" in which (for compensation) lodging (excluding meals) is furnished by the inhabitants to four (4) or more, but not over nine (9), guests. The "Dwelling" shall contain not over five (5) "Guest Rooms." A Rooming House shall not be considered a "Bed-and-Breakfast Inn."

(204.1) [**Reserved.**] **Routine Maintenance or Repairs:** Activities that do not require a building permit, that are associated with regular (e.g., daily, weekly, monthly, etc.) or general upkeep of a building, parking lot or parking facility, signage or open space, equipment, machine, plant, or system against normal wear and tear that maintain the asset's functionality and preserve value.

(205) **Sanitary Landfill:** A planned, systematic method of refuse disposal where waste material is placed in the earth in layers, compacted, and covered with earth or other approved covering material at the end of each day's operation, or any method of in-ground disposal of sludge other than for fertilization of crops, horticultural products, or floricultural products in connection with an active agricultural operation or home gardening. A "Sanitary Landfill" includes a "Rubble Fill" for construction and demolition materials.

SUBTITLE 27. ZONING.

PART 10. MIXED USE ZONES.

DIVISION 2. SPECIFIC MIXED USE ZONES.

Subdivision 3. M-U-TC (Mixed-Use Town Center).

Sec. 27-546.13. Development Plan.

(a) General.

(1) The Development Plan will create a flexible framework for reviewing and approving future development in the M-U-TC Zone. The regulations and graphic representations embodied in the Plan should protect existing community characteristics that are critical to the conservation of the Town Center's character. The Development Standards and Guidelines

1 adopted in the Plan are intended to be flexibly applied and broadly interpreted to promote local
2 revitalization efforts.

3 (2) The Development Plan shall consider the evolution of development regulations
4 and the existing development character and create more appropriate standards and development
5 guidelines that will encourage investment that supports the purposes of the zone.

6 (3) Buildings legally existing at the time a rezoning to the M-U-TC Zone is approved
7 are considered to be legally existing, and shall not be considered to be nonconforming. Any
8 expansion or exterior alteration is subject to the Town Center Development Plan.

9 (4) Any existing use which has a valid permit issued prior to the approval of a
10 rezoning to the M-U-TC Zone shall be considered a permitted use, and shall not be considered
11 nonconforming, provided the use has not changed to a different use since issuance of the permit.
12 This provision shall apply only to the property which was the subject of the original permit.

13 (b) The Town Center Development Plan shall include, at a minimum, the following:

14 (1) A description of the area within the Town Center, including a location map
15 showing the boundaries of the Zone (with north arrow and scale) and a description of the existing
16 improvements within those boundaries;

17 (2) Existing zoning and use of properties within and adjacent to the M-U-TC Zone;

18 (3) Existing and proposed right-of-way widths of internal and adjoining streets;

19 (4) An inventory of existing development characteristics, which may include the
20 following:

21 (A) Building:

22 (i) Height;

23 (ii) Width;

24 (iii) Setbacks;

25 (iv) Roof shape;

26 (v) Construction materials;

27 (vi) Color;

28 (vii) Distribution of windows/door openings;

29 (viii) Architectural style, details, and ornamentations;

30 (B) Signs:

31 (i) Number;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

- (ii) Lighting;
- (iii) Location (building, roof, freestanding);
- (C) Awnings and canopies:
 - (i) Location;
 - (ii) Width;
 - (iii) Materials;
- (D) Mechanical equipment:
 - (i) Visibility from roads and adjacent properties;
- (E) Parking/circulation:
 - (i) View from the road;
 - (ii) Paving materials and striping;
 - (iii) Landscaping;
 - (iv) Crosswalks;
 - (v) Sidewalks;
 - (vi) Pedestrian alleys;
- (F) Streetscape:
 - (i) Furniture;
 - (ii) Landscaping;
 - (iii) Signs;
 - (iv) Monuments and art.

(5) Development Standards and Guidelines shall be established to manage the physical development and use of land in the M-U-TC Zone. These Development Standards and Guidelines may include the following and any other elements deemed necessary:

- (A) Setbacks;
- (B) Proportion;
- (C) Height;
- (D) Roofs;
- (E) Rear entrance;
- (F) Awnings and canopies;
- (G) Utility areas and mechanical equipment;
- (H) Architectural detailing;

- 1 (I) Fenestration:
- 2 (i) Facade openings;
- 3 (ii) Windows;
- 4 (iii) Blank walls;
- 5 (J) Materials;
- 6 (K) Color;
- 7 (L) Lighting;
- 8 (M) Sidewalks and pedestrian places.

9 (c) The Development Plan shall include minimum and maximum Development Standards
 10 and Guidelines, as necessary, to regulate parking and loading schedules and design standards,
 11 sign design standards, and landscaping and screening standards.

12 (d) The Development Plan [should] shall contain both a written explanation and graphic
 13 representations of Development Standards and Guidelines, [as necessary] including a recitation
 14 of the specific activities constituting routine maintenance or repairs, as defined in Section 27-
 15 107.01(b)(204.1). For Development Plans approved prior to January 1, 2015, the definition set
 16 forth in Section 27-107.01(b)(204.1) shall apply, notwithstanding any provision set forth in the
 17 approved Development Plan, unless otherwise modified through approval of a secondary
 18 amendment in accordance with Section 27-546.14 of this Code.

19 (e) The Development Plan may include specific findings and criteria for uses permitted as
 20 a Special Permit in the Use Table. Such findings shall generally be limited to site planning
 21 issues not otherwise found in the Development Plan.

22 (f) The Development Plan may create a local design review committee to advise the
 23 Planning Board and District Council during review of Special Permits, Special Exceptions, site
 24 plans, and other proposals.

25 (g) If a local design review committee is created, the Development Plan shall, at a
 26 minimum, define the committee membership, minimum and maximum review time frames, and
 27 the extent of the Committee's review responsibilities.

28

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

Adopted this 17th day of March, 2015.

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: _____
Mel Franklin
Chairman

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.