

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2011 Legislative Session**

Bill No. _____ CB-53-2011 _____

Chapter No. _____ 27 _____

Proposed and Presented by _____ Council Member Olson _____

Introduced by _____ Council Members Olson, Turner, Lehman _____

Co-Sponsors _____

Date of Introduction _____ October 18, 2011 _____

ZONING BILL

1 AN ORDINANCE concerning

2 Transit District Overlay Zone

3 For the purpose of amending the regulations for the Transit District Overlay Zone to include
4 adequate public facilities review under certain circumstances.

5 BY repealing and reenacting with amendments:

6 Section 27-548.09.01,

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

8 being also

9 **SUBTITLE 27. ZONING.**

10 The Prince George's County Code

11 (2007 Edition, 2010 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
14 District in Prince George's County, Maryland, that Section 27-548.09.01 of the Zoning
15 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
16 County Code, be and the same is repealed and reenacted with the following amendments:

17 **SUBTITLE 27. ZONING.**

18 **PART 10A. OVERLAY ZONES.**

19 **DIVISION 1. T-D-O (TRANSIT DISTRICT OVERLAY) ZONE.**

20 **Subdivision 1. General.**

1 **Sec. 27-548.09.01. Amendment of Approved Transit District Overlay Zone.**

2 (a) District Council.

3 (1) The District Council but not the Planning Board may approve any of the
4 following amendments to Transit District development requirements, under procedures in Part 3,
5 Division 2, Subdivision 5:

6 (A) Change of the boundary of the T-D-O Zone;

7 * * * * *

8 (b) Property Owner.

9 (1) A property owner may ask the District Council, but not the Planning Board, to
10 change the boundaries of the T-D-O Zone, a property's underlying zone, the list of allowed uses,
11 building height restrictions, or parking standards in the Transit District Development Plan. The
12 Planning Board may amend parking provisions concerning the dimensions, layout, or design of
13 parking spaces or parking lots.

14 (2) The owner's application shall include:

15 (A) A statement showing that the proposed development conforms with the
16 purposes and recommendations for the Transit District, as stated in the Transit District
17 Development Plan; and

18 (B) A Detailed Site Plan or Conceptual Site Plan, in accordance with Part 3,
19 Division 9.

20 (3) Filing and review of the application shall follow the site plan review procedures
21 in Part 3, Division 9, except as modified in this Section. The Technical Staff shall review and
22 submit a report on the application [, and the]. When an amendment application proposes to
23 enlarge the boundaries of the Transit District Overlay Zone by five (5) or more acres, the
24 Technical Staff shall also provide an Adequate Public Facilities report as defined in Subtitle 24
25 of the County Code as part of the development review process for proposed development of the
26 subject property. The Planning Board shall hold a public hearing and submit a recommendation
27 to the District Council. Before final action the Council may remand the application to the
28 Planning Board for review of specific issues.

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

31 (5) The District Council may approve, approve with conditions, or disapprove any

1 amendment requested by a property owner under this Section. In approving an application and
2 site plan, the District Council shall find that the proposed development conforms with the
3 purposes and recommendations for the Transit Development District, as stated in the Transit
4 District Development Plan, and meets applicable site plan requirements.

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

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

Adopted this 15th day of November, 2011.

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: _____
Ingrid M. Turner
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.