

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

1997 Legislative Session

Bill No. _____ CB-28-1997
Chapter No. _____ 62
Proposed and Presented by _____ Council Member Del Giudice
Introduced by _____ Council Member Del Giudice
Co-Sponsors _____
Date of Introduction _____ September 30, 1997

ZONING BILL

AN ORDINANCE concerning

Pawnshops

For the purpose of defining pawnshops, permitting pawnshops in certain commercial zones by Special Exception, and prohibiting pawnshops in all other commercial and industrial zones.

BY repealing and reenacting with amendments:

Sections 27-107.01, 27-461, and 27-473,
The Zoning Ordinance of Prince George's County, Maryland,
being also
SUBTITLE 27. ZONING.
The Prince George's County Code
(1995 Edition, 1996 Supplement).

BY adding:

Sections 27-250.01, and 27-394.01,
The Zoning Ordinance of Prince George's County, Maryland,
being also
SUBTITLE 27. ZONING.
The Prince George's County Code
(1995 Edition, 1996 Supplement).

SECTION 1. BE IT ENACTED by the 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, that Sections 27-107.01, 27-461 and 27-473 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments: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:

* * * * *

(177) **Passenger Debarkation Area:** An area used for the loading and unloading of "Passenger Vehicles," which:

(A) Is connected to a public "Street" by a "Driveway" having separate ingress and egress lanes;

(B) Is of sufficient size to accommodate turnaround movements of "Passenger Vehicles" (except where traffic is limited to one-way); and

(C) Is not part of a "Parking Lot."

(177.01) **Pawnshop:** a business at which a person lends money on the deposit or pledge of tangible personal property or purchases tangible personal property on the condition of reselling the same to the seller at a stipulated price.

(178) **Person:** Any individual, natural person, legal entity, joint stock company, partnership, voluntary association, society, club, firm, company, corporation, business trust, organization, "Owner," or occupant; or any other group acting as a unit, principal, or agent; or the manager, lessor, lessee, agent, servant, partner, member, director, officer, or employee, or any of them; or an executor, administrator, trustee, receiver, or other representative appointed according to law.

* * * * *

(202) **Retail:** The sale of commodities or goods, usually in small quantities, directly

to ultimate consumers. The term shall not include a "Pawnshop" as defined in this Subtitle.

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PART 6. COMMERCIAL ZONES

DIVISION 3. USES PERMITTED

Sec. 27-461. Uses permitted.

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(b) TABLE OF USES

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(1) COMMERCIAL:						
* * * *	*	*	*	*	*	*
(E) Trade (Generally Retail):						
* * * *	*	*	*	*	*	*
Convenience commercial center (uses located on the same premises that together provide retail sales of food, beverages, gasoline, medicines, and sundries in a convenient manner to neighborhood residents or travelers along a highway or waterway	X	X	P ⁵	SE	SE	X
Department or variety store, <u>excluding pawnshops</u> . (CB-71-1993)	X	X	P	X	P ²⁰	P
Drug paraphernalia display or sales, pursuant to Section 27-115(a)(1)	X	X	X	X	X	X

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
*	*	*	*	*	*	*
Paint or wall covering store	X	X	P	X	P	P
<u>Pawnshop</u>						
(i) <u>In accordance with Section 27-250.01</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
(ii) <u>In accordance with Section 27-394.01</u>	<u>X</u>	<u>X</u>	<u>SE</u> ³⁷	<u>X</u>	<u>SE</u> ³⁷	<u>X</u>
Pet (sales) shop, provided all animals are confined to the interior of the building and adequate measures are taken to control noise and odor; may include the sale of pet feed and supplies (CB-2-1991)	X	X	P	X	X	P
*	*	*	*	*	*	*

³⁷ Provided that a certified nonconforming pawnshop that does not meet the location requirements of Section 27-394.01 may relocate without the necessity of obtaining a Special Exception if locational requirements of the proposed location are satisfied and the nonconforming use at the former location is discontinued.

PART 7. INDUSTRIAL ZONES.

DIVISION 3. USES PERMITTED.

Sec. 27-473. Uses permitted.

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(b) TABLE OF USES

<i>USE</i>					<i>I-1</i> ³³	<i>I-2</i> ³³	<i>ZONE</i> <i>I-3</i>	<i>I-4</i>	<i>U-L-I</i>	
(1) COMMERCIAL:										
	*	*	*	*	*	*	*	*	*	*
(E) Trade (Generally Retail):										
	*	*	*	*	*	*	*	*	*	*
Paint or wall covering store (CB-3-1989)					P		P	P	P P	
<u>Pawnshop</u>					<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	
Pet feed and supply store (CB-2-1991)					P	P	X	X	P	
	*	*	*	*	*	*	*	*	*	*

SECTION 2. BE IT FURTHER ENACTED that Sections 27-250.01 and 27-394.01 be and the same are hereby added:

SUBTITLE 27. ZONING.

PART 3. ADMINISTRATION.

DIVISION 6. NONCONFORMING BUILDINGS, STRUCTURES, AND USES.

Subdivision 2. Additional Requirements for Specific Nonconforming Uses.

Sec. 27-250.01. Pawnshops.

(a) In order for a certified nonconforming pawnshop to continue, the requirements of this Section shall be met (in addition to any other applicable requirements of this Division).

(b) The purposes of this Section are:

(1) To preserve, conserve and facilitate the revitalization of historic and older communities,

(2) To control detrimental effects upon neighboring properties and existing and proposed land uses in the general area; and

(3) To provide appropriate siting of pawnshops to mitigate adverse effects on nearby residential and commercial areas.

(c) All certified nonconforming pawnshops shall meet the following requirements:

(1) The proprietor, owner, or personnel of the pawnshop establishment shall not transact business with any person who is under eighteen (18) years old.

(2) No parking of motor vehicles pledged as collateral shall be permitted on the subject property.

(d) In the event that a certified nonconforming pawnshop is relocated to another location, the certification shall cease.

PART 4. SPECIAL EXCEPTIONS.

DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL EXCEPTIONS.

Sec. 27-394.01. Pawnshop.

(a) A pawnshop may be permitted by Special Exception, subject to the following:

(1) The structure in which the use is proposed shall be located at least three hundred (300) feet from any school, library, park, recreational facility, and historic site, resource or district identified on the current Adopted Historic Site and District Plan, or National Register Site or Historic District.

(2) As a part of the Special Exception approval, the Council may impose other reasonable requirements deemed necessary to safeguard the health, safety, morals, and general welfare of the community, taking into account the character of surrounding properties and the general neighborhood, and any other uses on the subject property.

(3) No Special Exception shall be permitted for a pawnshop located within 2000 feet of another pawnshop.

(4) Parking of motor vehicles pledged as collateral permitted on the subject property shall be in addition to parking required pursuant to Part 11.

SECTION 3. BE IT FURTHER ENACTED that all existing pawnshops with a license issued pursuant to Division 9, Subtitle 5, of this Code, and a validly issued use and occupancy permit shall be deemed certified nonconforming uses.

SECTION 4. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45) calendar days after its adoption.

Adopted this 28th day of October, 1997.

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.