

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

**2006 Legislative Session**

Bill No. \_\_\_\_\_ CB-64-2006

Chapter No. \_\_\_\_\_

Proposed and Presented by \_\_\_\_\_ Council Member Knotts

Introduced by \_\_\_\_\_ Council Member Knotts

Co-Sponsors \_\_\_\_\_

Date of Introduction \_\_\_\_\_ June 20, 2006

**ZONING BILL**

1 AN ORDINANCE concerning

2 Chesapeake Bay Critical Area

3 For the purpose of amending the restriction on growth allocation approved in the Resource  
 4 Conservation Overlay Zone, to conform the County Chesapeake Bay Critical Area Program to  
 5 requirements of the Chesapeake Bay Critical Area Commission..

6 BY repealing and reenacting with amendments:

7 Section 27-213.13 (b),

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 (2003 Edition, 2005 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 Section 27-213.13 (b) of the Zoning  
 16 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's  
 17 County Code, be and the same is hereby repealed and reenacted with the following amendments:

**SUBTITLE 27. ZONING.**

**PART 3. ADMINISTRATION.**

**DIVISION 2. ZONING MAP AMENDMENTS.**

**Subdivision 6. CHESAPEAKE BAY CRITICAL AREA OVERLAY ZONES.**

**Sec. 27-213.13. Map amendment approval.**

**(b) Expansion of Intense Development and Limited Development Overlay Zones.**

(1) The boundaries of the Intense Development and Limited Development Overlay Zones may be expanded within the Chesapeake Bay Critical Area only in accordance with the following:

(A) Acreage. The maximum area of future additional Intense Development or Limited Development Overlay Zones shall be five percent (5%) of the total area designated as Resource Conservation Overlay Zones at the time of adoption of the initial Chesapeake Bay Critical Area Overlay Zoning Map Amendment. A maximum of fifty percent (50%) of the permissible growth increment may be used to rezone a Resource Conservation Overlay Zone to another Chesapeake Bay Critical Area Overlay Zone.

(B) Location. Expanded Intense Development or Limited Development Overlay Zones may be approved subject to the following locational criteria:

(i) New Intense Development Overlay Zones shall:

(aa) Be located in existing Limited Development Overlay Zones or contiguous to existing Intense Development Overlay Zones; and

(bb) [Be located at least three hundred (300) feet from tidal waters or tidal wetlands if the land was originally designated in the Resource Conservation Overlay Zone, except for Water-Dependent Uses; and

(cc)] Minimize impacts on Habitat Protection Areas and on land in Resource Conservation Overlay Zones in proximity to an expanded Intense Development Overlay Zone.

(ii) New Limited Development Overlay Zones shall:

(aa) Be located contiguous to existing Limited Development Overlay Zones or Intense Development Overlay Zones; and

(bb) [Be located at least three hundred (300) feet from tidal waters or tidal wetlands if the land was originally designated in the Resource Conservation Overlay Zone, except for Water-Dependent Uses; and

(cc)] Minimize impacts on Habitat Protection Areas and land in Resource Conservation Overlay Zones in proximity to an expanded Limited Development Overlay Zone.

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SECTION 2. BE IT FURTHER ENACTED that all growth allocation properties approved in the Resource Conservation Overlay Zone since inception of the Prince George's County Chesapeake Bay Critical Area Program, to change the Overlay Zone classification of the properties from R-C-O to L-D-O (or I-D-O), including without limitation the properties in A-9849 (Tepaske) and A-9955 (River's Edge), are hereby rezoned, through approval of this Ordinance, from R-C-O to L-D-O (or I-D-O), as to all of that portion of the properties lying within 300 feet of tidal waters or tidal wetlands of the Chesapeake Bay. These properties are to be deemed classified in the L-D-O (or I-D-O) Zone for their entire acreage within the Chesapeake Bay Critical Area, from the time of initial growth allocation approval, notwithstanding Zoning Ordinance restrictions deleted in this Ordinance.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45) calendar days after its adoption.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2006.

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: \_\_\_\_\_  
Thomas E. Dernoga  
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.