

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2022 Legislative Session**

Bill No. CB-065-2022

Chapter No. _____

Proposed and Presented by Council Member Hawkins

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 RE Zone

3 For the purpose of permitting certain industrial uses in the RE (Residential Estate) Zone of
4 Prince George's County under specified circumstances.

5 BY repealing and reenacting with amendments:

6 Sections 27-5101 and 27-5102,

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 (2019 Edition; 2021 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 Sections 27-5101 and 27-5102 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16 County Code, be and the same are hereby repealed and reenacted with the following
17 amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 27-5. USE REGULATIONS.**

20 **SECTION -5100. PRINCIPAL USES.**

1 **Sec. 27-5101. Principal Use Tables.**

2 **(a) Structure of Principal Use Tables**

3 (1) Designation of Principal Uses as Permitted

4 The Principal Use Tables in this Section use the following abbreviations to designate whether
5 and how a principal use is allowed in a particular zone:

6 **P** A "P" under a base zone column indicates that the use is permitted as a
7 principal use in the zone, subject to applicable regulations of this Ordinance.

8 **SE** An "SE" under a base zone column indicates that the use is permitted as a
9 principal use in the zone only on approval of a special exception in accordance with Section 27-
10 3604, Special Exception, and subject to all special exception requirements and all other
11 applicable regulations of this Ordinance.

12 **A** An "A" designation within the Planned Development (PD) zone column
13 indicates that the use is permitted as a principal use in the PD Zone, subject to applicable
14 regulations of this Ordinance—unless the PD Basic Plan/Conditions of Approval approved for
15 the zone expressly identifies the use as prohibited.

16 **X** An "X" under a base or Planned Development (PD) zone column indicates
17 that the use is prohibited as a principal use in the zone.

18 **X** An "X" under an overlay zone column indicates that the use is prohibited as
19 a principal use in the overlay zone, irrespective of whether it is allowed in the underlying base
20 zone. This designation applies only to overlay zones.

21 **SE*** An SE* under an overlay zone column indicates that, irrespective of whether
22 it is a permitted use in the underlying base zone, the use is permitted as a principal use in the
23 overlay zone only on approval of a special exception in accordance with Section 27-3604,
24 Special Exception, and subject to all special exception requirements and all other applicable
25 regulations of this Ordinance.

26 **P*** A P* under an overlay zone column indicates that, irrespective of whether it
27 is prohibited in the underlying base zone, the use is permitted as a permitted principal use in the
28 overlay zone, subject to applicable regulations of this Ordinance.

29 A blank cell under an overlay zone column indicates the use is permitted as a principal use
30 in the overlay zone if it is permitted in the underlying base zone.

31 All uses not listed are prohibited.

32 (2) Reference to Use-Specific Standards

33 A particular use category or use type permitted as a principal use in a zone may be subject to

1 additional standards that are specific to the particular use. The applicability of use-specific
 2 standards is noted in the last column of the Principal Use Tables ("Use-Specific Standards")
 3 through a reference to standards in Section 27-5102, Requirements for Permitted Principal Uses.

4 (3) Reference to Special Exception Standards

5 A particular use category or use type permitted as a principal use in a zone may be subject to
 6 special exception standards when such use category or use type is indicated as requiring approval
 7 of a special exception. The applicability of special exception standards is noted in the last
 8 column of the Principal Use Tables ("Use-Specific Standards") through a reference to standards
 9 in Sec. 27-5400, Special Exception Standards. In the event the last column of the Principal Use
 10 Tables references both use-specific standards and special exception standards for a particular use
 11 category or use type, the use-specific standards shall only apply to uses listed as P, P*, or A in
 12 the use tables, while the special exception standards shall only apply to uses listed as SE or SE*
 13 in the use tables.

14 (b) Multiple Principal Uses

15 (1) A development may include:

16 (A) A single principal use with one or more accessory uses that are customarily
 17 incidental and subordinate to the principal use (e.g., home occupation as accessory to a dwelling,
 18 or administrative offices as accessory to a school, retail sales, or manufacturing use) or which are
 19 identified as accessory uses in Tables 27-5201(b), 27-5201(c), 27-5201(d), or 27-5201(e); or

20 (B) Multiple different principal uses; or

21 (C) Multiple different residential uses (such as dwelling, townhouse and
 22 dwelling, multifamily) on the same lot or parcel in the RMF-12 Zone or any zone of higher
 23 intensity as identified in Section 27-4102(b)(1). More than one dwelling unit of the same type,
 24 such as in a multifamily residential building, does not constitute multiple principal uses.

25 (2) Notwithstanding Subsection (1), above, multiple principal uses shall not be
 26 permitted on any lot in the R-PD Zone or any zone of lesser intensity as identified in Section 27-
 27 4102(b)(1) if that lot contains a single-family residential dwelling.

28 (3) A development with multiple principal uses shall include only those principal uses
 29 designated in the Principal Use Tables as allowed in the applicable zone. Each principal use shall
 30 be subject to any use-specific standards applicable to the use, provided, a building that contains

1 nonresidential uses on the ground floor and residential uses above the ground floor that are
2 subject to different setback requirements (see PART 27-4: Zones and Zone Regulations), shall be
3 subject to the least restrictive of the applicable setback requirements. Where dimensional
4 standards that apply to the lot as a whole, such as lot width or minimum lot area, are different for
5 each use, the most restrictive apply.

(c) Principal Use Table for Rural and Agricultural, and Residential Base Zones

Table 27-5101(c): Principal Use Table for Rural and Agricultural, and Residential Base Zones													
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited													
Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
		*	*	*	*	*	*	*	*	*	*	*	*
Industrial Uses													
		*	*	*	*	*	*	*	*	*	*	*	*
Miscellaneous Industrial Uses	Where not specifically permitted, any use permitted in the Industrial, Heavy (IH) Zone (excluding those permitted by Special Exception)	X	X	X	P	X	X	X	X	X	X	X	Sec. 27-5102(f)(6)
	Where not specifically permitted, any use allowed by Special Exception in the Industrial, Heavy (IH) Zone	X	X	X	SE	X	X	X	X	X	X	X	Sec. 27-5102(f)(6), Sec. 27-3604, Sec. 27-5402
		*	*	*	*	*	*	*	*	*	*	*	*
		*	*	*	*	*	*	*	*	*	*	*	*

1 **Sec. 27-5102. Requirements for Permitted Principal Uses.**

2 * * * * *

3 **(f) Industrial Uses**

4 * * * * *

5 **(6) Miscellaneous Industrial Uses in the RE Zone.**

6 (A) Notwithstanding any other provision of this Subtitle, any use permitted in the
7 Industrial, Heavy (IH) Zone (excluding those permitted by Special Exception) is permitted in the
8 Residential Estate (RE) Zone, provided the use:

9 (i) is located on property with a total acreage of less than sixty-five (65)
10 acres in size;

11 (ii) is contiguous to property in the IE (Industrial, Employment) and/or
12 Industrial, Heavy (IH) Zone that is developed with existing industrial uses;

13 (iii) is adjacent to a railroad spur or line; and

14 (iv) has frontage on a right-of-way shown on the current Master Plan
15 applicable to the subject property.

16 (v) All other use regulations of this Section for the specific permitted
17 industrial use shall apply to the development of industrial uses in the RE Zone.

18 (B) Notwithstanding any other provision of this Subtitle, any use allowed by
19 Special Exception in the Industrial, Heavy (IH) Zone is permitted in the Residential Estate (RE)
20 Zone, provided the use:

21 (i) is located on property with a total acreage of less than sixty-five (65)
22 acres in size;

23 (ii) is contiguous to property in the IE (Industrial, Employment) and/or
24 Industrial, Heavy (IH) Zone that is developed with existing industrial uses;

25 (iii) is adjacent to a railroad spur or line; and

26 (iv) has frontage on a right-of-way shown on the current Master Plan
27 applicable to the subject property.

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(v) All other requirements of this Subtitle for approval of a Special Exception for the specific industrial use shall apply to the development of industrial uses in the RE Zone.

(vi) All other use regulations of this Section for the specific permitted industrial use shall apply to the development of industrial uses in the RE Zone.

* * * * *

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

Adopted this ____ day of _____, 2022.

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: _____
Calvin S. Hawkins, II
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.