

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2021 Legislative Session

Bill No. CB-3-2021

Chapter No. _____

Proposed and Presented by Council Members Dernoga and Hawkins

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 Qualified Data Centers

3 For the purpose of defining a new use, Qualified Data Centers, in the Zoning Ordinance and
4 permitting the use in the C-O (Commercial Office), C-S-C (Commercial Shopping Center), M-
5 A-C (Major Activity Center), E-I-A (Employment and Industrial Area), M-X-T (Mixed Use -
6 Transportation-Oriented), and Industrial Zones of Prince George’s County, under certain
7 circumstances.

8 BY repealing and reenacting with amendments:

9 Sections 27-107.01, 27-461, 27-473, 27-515, and 27-547,

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 (2020 Edition).

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, 27-461, 27-473, 27-515,
18 and 27-547 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle
19 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with
20 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:

* * * * *

(187.1.1) **Qualified Data Center:** As defined in Section 11-236 of the Tax—General Article, Annotated Code of Maryland, as amended from time to time, being also a building or group of buildings used to house computer systems, computer storage equipment, and associated infrastructure that businesses or other organizations use to organize, process, store, and disseminate large amounts of data, which may be a co-located or hosting data center where equipment, space and bandwidth are available to lease to multiple customers, or an enterprise data center owned and operated by the company it supports. A Qualified data center shall also comply with the following standards:

(A) Principal Building Facades. Principal building facades shall include all exterior building facades that are adjacent to public rights-of-way. Principal building facades associated with new construction shall meet the following standards:

(1) Principal building facades shall avoid the use of undifferentiated surfaces. When a building has more than one principal façade, such principal building facades shall be consistent in terms of design, materials, details, and treatment.

(2) Principal building facades shall include at least two (2) of the following design elements: change in building height, building step-backs or recesses, fenestration, change in building material, pattern, texture, color, or use of accent materials.

(B) Screening of Mechanical Equipment. In order to minimize visibility from adjacent roads and adjacent properties, ground level and roof top mechanical equipment may be screened by a principal building or located away from the perimeter of the property. Mechanical equipment not located in such a manner shall be screened by a visually solid fence, screen wall or panel, parapet wall, or other visually solid screen and shall be constructed of materials compatible with those used in the exterior construction of the principal building.

(C) Exterior Lighting. All exterior lighting shall be designed and constructed with cutoff and fully shielded fixtures that direct light downward and into the interior of the

1

property and away from adjacent roads and adjacent properties.

2

* * * * *

**PART 6. COMMERCIAL ZONES.
DIVISION 3. USES PERMITTED.**

Sec. 27-461. Uses permitted.

(b) TABLE OF USES I.

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(3) MISCELLANEOUS:						
* * * * *	*	*	*	*	*	*
<u>Qualified data center</u>	<u>P⁸⁵</u>	<u>X</u>	<u>P⁸⁵</u>	<u>X</u>	<u>X</u>	<u>X</u>
* * * * *	*	*	*	*	*	*

* * * * *

- 85** (a) A Qualified data center shall submit a site plan that shall be approved at the time of permitting. A Qualified data center is exempt from Detailed Site Plan approval.
- (b) Regulations concerning the net lot area, lot coverage and green area, lot/width frontage, yards, building height, intensity, accessory buildings, and other requirements shall be as provided by the site plan approved at the time of permitting.
- (c) Security fencing shall be effectively screened by landscaping or other buffers where the use is located within 300 feet of residential uses.
- (d) Security lighting shall not impact adjacent residential properties.
- (e) The applicant shall submit an acoustic study at the time of permitting demonstrating that the use will not violate the maximum allowable noise levels (dBA) set forth in Subtitle 19 of this Code.

**PART 7. INDUSTRIAL ZONES.
DIVISION 3. USES PERMITTED.**

Sec. 27-473. Uses permitted.

(b) TABLE OF USES.

USE	ZONE				
	I-1 ³³	I-2 ³³	I-3	I-4	U-L-I
(4) MISCELLANEOUS:					
* * * * *	*	*	*	*	*
<u>Qualified data center</u>	<u>P⁷⁵</u>	<u>P⁷⁵</u>	<u>P⁷⁵</u>	<u>P⁷⁵</u>	<u>P⁷⁵</u>
* * * * *	*	*	*	*	*

* * * * *

- 75** (a) A Qualified data center shall submit a site plan that shall be approved at the time of permitting. A Qualified data center is exempt from Detailed Site Plan approval.
- (b) Regulations concerning the net lot area, lot coverage and green area, lot/width frontage, yards, building height, intensity, accessory buildings, and other requirements shall be as provided by the site plan approved at the time of permitting.
- (c) Security fencing shall be effectively screened by landscaping or other buffers where the use is located within 300 feet of residential uses.
- (d) Security lighting shall not impact adjacent residential properties.
- (e) The applicant shall submit an acoustic study at the time of permitting demonstrating that the use will not violate the maximum allowable noise levels (dBA) set forth in Subtitle 19 of this Code.

**PART 8. COMPREHENSIVE DESIGN ZONES.
DIVISION 3. USES PERMITTED.**

Sec. 27-515. Uses permitted.

(b) TABLE OF USES.

USE	ZONE								
	M-A-C	L-A-C	E-I-A	R-U	R-M	R-S	R-L	V-L	V-M
(4) MISCELLANEOUS:									
* * * * *	*	*	*	*	*	*	*	*	*
<u>Qualified Data Center</u>	P ³⁹	X	P ³⁹	X	X	X	X	X	X
* * * * *	*	*	*	*	*	*	*	*	*

* * * * *

- 39** (a) A Qualified data center shall submit a site plan that shall be approved at the time of permitting. A Qualified data center is exempt from Comprehensive Design Plan or Specific Design Plan approval.
- (b) Regulations concerning the net lot area, lot coverage and green area, lot/width frontage, yards, building height, intensity, accessory buildings, and other requirements shall be as provided by the site plan approved at the time of permitting.
- (c) Security fencing shall be effectively screened by landscaping or other buffers where the use is located within 300 feet of residential uses.
- (d) Security lighting shall not impact adjacent residential properties.
- (e) The applicant shall submit an acoustic study at the time of permitting demonstrating that the use will not violate the maximum allowable noise levels (dBA) set forth in Subtitle 19 of this Code.

**PART 10. MIXED USE ZONES.
DIVISION 3. USES PERMITTED.**

Sec. 27-547. Uses permitted.

(a) TABLE OF USES.

USE	ZONE	
	M-X-T	M-X-C
(4) MISCELLANEOUS:		
* * * * *	*	*
<u>Qualified Data Center</u>	<u>P²¹</u>	<u>X</u>

- 21** (a) A Qualified data center shall submit a site plan that shall be approved at the time of permitting. A Qualified data center is exempt from Conceptual Site Plan or Detailed Site Plan approval.
- (b) Regulations concerning the net lot area, lot coverage and green area, lot/width frontage, yards, building height, intensity, accessory buildings, and other requirements shall be as provided by the site plan approved at the time of permitting.
- (c) Security fencing shall be effectively screened by landscaping or other buffers where the use is located within 300 feet of residential uses.
- (d) Security lighting shall not impact adjacent residential properties.
- (e) The applicant shall submit an acoustic study at the time of permitting demonstrating that the use will not violate the maximum allowable noise levels (dBA) set forth in Subtitle 19 of this Code.

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

Adopted this ____ day of _____, 2021.

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.