

Southern Green Line Development District Overlay Zone

The Development District Overlay Zone (DDOZ) is superimposed over the Southern Green Line to ensure that the development of land meets goals and objectives of the sector plan. The development district standards are specifically intended to address new development and redevelopment proposals in the development district. The standards establish a consistent design framework to ensure quality in future development.

The development district standards follow and implement the recommendations of the Southern Green Line Sector Plan and SMA. Property owners and citizens consulting the standards should also review the goals and objectives of the sector plan, the Zoning Ordinance, and the *Landscape Manual* to have a full understanding of the regulations for property within the district.

Applicability and Administration

Development in the Southern Green Line DDOZ is subject to the development district standards as detailed below. All new development and redevelopment of existing structures within the DDOZ should comply with the general intent and goals of the development district standards and the Southern Green Line sector plan. Development must show compliance with the development district standards during the detailed site plan process.

Section 27-107.01 of the Zoning Ordinance and this Development District Overlay Zone defines development as “Any activity that materially affects the condition or use of dry land, land under water, or any structure.” Redevelopment, rehabilitation, and renovation of existing structures are all forms of development.

Development district standards within this document replace comparable standards and regulations required by the Zoning Ordinance of Prince George’s County. Wherever a conflict between the Southern Green Line DDOZ and the Prince George’s County Zoning Ordinance or *Landscape Manual* occurs, the DDOZ shall prevail. For development standards not covered by the Southern Green Line DDOZ, the Zoning Ordinance and the *Landscape Manual* shall serve as the requirement as stated in Section 27-548.21. All development shall comply with all relevant federal, state, county, and local regulations and ordinances.

Exemptions from the Development District Standards

The following are exemptions from the development district standards:

1. **Properties Zoned Mixed-Use Town Center (M-U-TC).** Properties within the Suitland Mixed Use Town Center (M-U-TC) boundaries are exempt from the development district standards and detailed site plan review. Properties zoned M-U-TC shall be developed in accordance with the Suitland M-U-TC development plan and the processes stated therein. However, the Southern Green Line Tables of Uses Permitted may eliminate certain uses permitted within the M-U-TC Zone, and therefore supersede the use table of the Suitland M-U-TC development plan. See the

Use Tables herein for specific use designations pursuant to this DDOZ in the M-U-TC Zone.

2. Existing Development within one-half mile radius from any entrance to the Branch Avenue Metro Station.

a. Detailed Site Plans.

All development or redevelopment on parcels wholly or partially within a one-half mile radius of any entrance to the Branch Avenue Metro Station shall require a Detailed Site Plan approval (or amendment of the same) pursuant to Section 27-548.25 and in compliance with the provisions of this DDOZ, but no other site plan approvals shall be required. Applicants are encouraged, but not required, to apply as an Expedited Transit-Oriented Development Project pursuant to Section 27-290.01 or 27-290.02 of the Code, if applicable. Notwithstanding the provisions of previous site plan approvals, applicants with existing Detailed Site Plan approvals for projects located wholly or partially within a one-half mile radius of either entrance to the Branch Avenue Metro Station may apply for adjustment of their existing Detailed Site Plan approval so that the site plan conforms to the requirements and provisions of this DDOZ. In considering approval or amendment of a Detailed Site Plan, the provisions of this DDOZ supersede any conflicting components of any approved Conceptual Site Plan within the DDOZ.

b. M-X-T flexibility for TOD parcels not in the M-X-T Zone, subject to the enactment of CB-101-2013.

Upon site plan approval by the District Council pursuant to and in compliance with this DDOZ and other applicable provisions of the Zoning Ordinance (provided such provisions do not conflict with this DDOZ) for M-X-T zoned projects, a development project not located in the M-X-T zone, but located wholly or partially within a one-half mile radius of either entrance to Branch Avenue Metro Station, is entitled to approval as a project in the M-X-T Zone, and to the M-X-T uses therein, provided that the development project also complies with the use restrictions and limitations of the M-X-T Zone.

c. Design requirements and limitations.

Any development project, except as provided herein, for which a site plan approval (or amendment) is sought, regardless of the underlying zoning or previous site plan approvals, located wholly or partially within the one-half mile radius of either entrance to the Branch Avenue Metro Station, must comport with the transit-oriented development design principles articulated within the Urban Design Standards section of this DDOZ for the Branch Avenue Metro Station area.

d. Exemption for certain public projects at the Branch Avenue Metro Station.

The DDOZ design standards shall not be binding and shall be only advisory for publicly owned property located within the sector plan area at the Branch Avenue Metro Station, for which the subject property will be developed for a public building or public use, to be operated or occupied by any department or branch of federal or state government for public purposes, excluding warehouses; the public building or public use included in the project is subject to an executed lease, or letter of intent to enter into a lease, with a term of not less than 20 years; the

total density of the public building or public use is a minimum of five-hundred thousand (500,000) square feet; greater than fifty percent (50%) of its net lot area is located within a one-half mile radius of the Branch Avenue Metro Station as measured from either entrance to the transit station; and the project would not otherwise be subject to Mandatory Referral in accordance with Land Use Article §20-301 of the Annotated Code of Maryland.

3. **Other legally existing development within the DDOZ area.** Until a detailed site plan is submitted, all buildings, structures, and uses which were lawful or could be certified as a legal nonconforming use on the date of SMA approval are exempt from the development district standards and from detailed site plan review and are not nonconforming.
4. **Legally existing parking and loading.** Until a detailed site plan is submitted, all legally existing parking and loading spaces in the development district that were lawful and not nonconforming on the date of SMA approval are exempt from the development district standards and detailed site plan review, need not be reduced, and are not nonconforming.
5. **Single-family residential dwellings.** Additions to single-family residential dwellings are exempt from the development district standards and detailed site plan review, if the residential use continues.
6. **Multifamily development.** An addition to a multifamily residential structure that was lawful and not nonconforming on the date of SMA approval is exempt from the development district standards and detailed site plan review if the addition (and the accumulated sum of all additions since approval of the SMA) does not increase the gross floor area (GFA) by more than 15 percent or 750 square feet, whichever is less.
7. **Nonresidential development.** An addition to a nonresidential structure that was lawful and not nonconforming on the date of SMA approval is exempt from the development district standards and detailed site plan review, if the addition (and the accumulated sum of all additions since approval of the SMA) does not increase the GFA by more than 15 percent or 5,000 square feet, whichever is less.
8. **Parking facilities.** Resurfacing, restriping, or adding landscaping to parking facilities are exempt from the development district standards and detailed site plan review, if the parking facilities were lawful and not nonconforming on the date of SMA approval.
9. **Nonconforming Buildings, Structures, and Uses.**
 - a. Changes in ownership of a certified nonconforming use or a use that was lawful or could be certified as a legal nonconforming use on the date of SMA approval shall be permitted subject to the provisions of Section 27-241 and, in the case of property within the DDOZ that is zoned M-U-TC, subject to the requirements of Parts 3 and 10 of the Zoning Ordinance.
 - b. Restoration or reconstruction of a nonconforming building or structure, or a certified nonconforming use, is exempt from the development district standards and from detailed

site plan review if it meets the requirements of Section 27-243(a)(1) of the Zoning Ordinance.

- c. Except for improvements listed in 10. **General** below, a property owner may not expand a certified nonconforming use unless a detailed site plan is approved with findings that the expansion is compatible with adjacent uses and meets the goals of the sector plan.
10. **General.** The following are exempt from the development district standards and detailed site plan review if the existing or proposed use is permitted:
- a. Permits for alteration or rehabilitation, with no increase in the existing gross floor area.
 - b. Canopies.
 - c. Fences of six feet in height or less for rear and side yards and made of wood or masonry (not concrete block) are exempt. Fences and walls in the front yard that are four feet in height or less and made of wood or masonry (not concrete block) are exempt.
 - d. Decks.
 - e. Ordinary maintenance.
 - f. Changes in use or occupancy.
 - g. Changes in ownership.
11. **Signs.** Signs in a development requiring a detailed site plan will be reviewed in the detailed site plan process. Signs for development not otherwise requiring a detailed site plan will be reviewed in the permit review process for compliance with the development district standards.
- a. Refacing of an existing sign with no increase in sign area or increase in the height of freestanding signs is exempt from the development district standards.
 - b. Certain public signs are exempt from the development district standards in accordance with Section 27-602 of the Zoning Ordinance.

Site Plan Submittal Requirements

a. Site Plan Submittal Requirements for Development within one-half mile radius from any entrance to the Branch Avenue Metro Station.

Upon site plan approval by the District Council pursuant to and in compliance with this DDOZ and other applicable provisions of the Zoning Ordinance (provided such provisions do not conflict with this DDOZ) for M-X-T zoned projects, a development project not located in the M-X-T Zone, but located wholly or partially within a ½ mile radius of either entrance to Branch Avenue Metro Station, is entitled to approval as a project in the M-X-T Zone, and to the M-X-T uses therein, provided that the development project also complies with the use restrictions and limitations of the M-X-T Zone.

Any development project, except as provided herein, for which a site plan approval (or amendment) is sought, regardless of the underlying zoning or previous site plan approvals, located wholly or partially within the one-half mile radius of either entrance to the Branch Avenue Metro Station, must comport with the transit-oriented development design principles

articulated within the Urban Design Standards section of this DDOZ for the Branch Avenue Metro Station area.

Exemption for certain public projects at Branch Avenue Metro Station.

The DDOZ design standards shall not be binding and shall be only advisory for publicly owned property located within the sector plan area at the Branch Avenue Metro Station, for which the subject property will be developed for a public building or public use, to be operated or occupied by any department or branch of federal or state government for public purposes, excluding warehouses; the public building or public use included in the project is subject to an executed lease, or letter of intent to enter into a lease, with a term of not less than 20 years; the total density of the public building or public use is a minimum of five-hundred thousand (500,000) square feet; greater than fifty percent (50%) of its net lot area is located within a one-half mile radius of the Branch Avenue Metro Station as measured from either entrance to the transit station; and the project would not otherwise be subject to Mandatory Referral in accordance with Land Use Article §20-301 of the Annotated Code of Maryland

b. Site Plan Submittal Requirements for all other Development within the DDOZ.

Unless otherwise specified herein, the detailed site plan submittal requirements for the Southern Green Line Development District are intended to supplement those required by Part 3, Division 9, of the Zoning Ordinance. In addition, all site plan applications should be designed in accordance with the land use recommendations of the sector plan.

Other pertinent information required for detailed site plan submittals as per Section 27-282(e)(20) shall include:

- Architectural elevations in full color.
- Street and streetscape sections.
- Build-to lines.
- A parking schedule and plan.
- A list of all applicable development district standards, as well as a list of standards that have not been fulfilled and explanations as to why they have not been fulfilled, in the form of a signed and dated justification statement.

Uses

The Southern Green Line Development District includes properties classified in the O-S, R-O-S, R-R, R-80, R-55, R-30, R-30C, R-35, R-18, R-T, R-10, R-10A, C-O, C-M, C-S-C, I-1, I-3, M-X-T, and M-U-TC Zones. The uses allowed on these properties shall be the same as those allowed in the underlying zone in which the property is classified, except as modified by the use tables contained herein.

Certain uses have been modified by the development district standards in accordance with Sections 27-548.22(b) and 27-548.25(d) of the Zoning Ordinance to limit uses that are incompatible with, or detrimental to, the goals of the development district and purposes of the D-D-O Zone and to eliminate the

need for special exceptions, which shall not apply to uses within a development district. Please refer to the table of uses provided herein for specific use designations within the sector plan area.

Uses that would normally require a special exception in the underlying zone are permitted uses if the development district standards so provide, subject to site plan review by the Planning Board. Development district standards may restrict or prohibit such uses. The Planning Board shall find in its approval of the site plan that the use complies with all applicable development district standards, meets the general special exception standards in Section 27-317(a)(1), (4), (5), and (6), and conforms to the recommendations in the sector plan. These uses have been identified with the notation “P*” within the tables of uses permitted. Development district standards may not allow uses prohibited in the underlying zone.

It should be noted that the Southern Green Line Station Area Development District makes a distinction between uses within the overall development district boundaries and those uses located on any parcel wholly or in part within a one-half mile radius of any entrance to the Branch Avenue Metro Station. Generally, uses on parcels wholly or in part within a one-half mile radius of any entrance to the Branch Avenue Metro Station are more restrictive than elsewhere in the development district in order to implement the county and sector plan’s vision of Branch Avenue as a priority for transit-oriented development. Accordingly, the tables of uses permitted within the Southern Green Development District are designed specifically to incorporate this distinction.

Development District Standards

Modification of the development district standards is permitted through the process described in Section 27-548.25(c) of the Zoning Ordinance. “If the applicant so requests, the Planning Board may apply development standards which differ from the approved Development District Standards, unless the Sectional Map Amendment provides otherwise. The Planning Board shall find that the alternative Development District Standards will benefit the development and the development district and will not substantially impair implementation of the Master Plan, Master Plan Amendment, or Sector Plan.”

Per Section 27-548.26 of the Zoning Ordinance, there are two types of amendments that are required to be heard by the District Council: changes to the boundary of the DDOZ and changes to the underlying zones and to the list of permitted uses. These amendment requests may be in the form of a conceptual or detailed site plan.

Equivalent or better practices and products than those specified are always encouraged and may be submitted for approval.

As set forth in Section 27-108.01(a)(15) of the Zoning Ordinance, “The words ‘including’ and ‘such as’ do not limit a term to the specified examples, but are intended to extend its meaning to all other instances or circumstances of like kind or character.” As set forth in Section 27-108.01(a)(19) of the Zoning Ordinance, “The words ‘shall,’ ‘must,’ ‘may only,’ or ‘may not’ are always mandatory and not discretionary. The word ‘may’ is permissive.” The word “should” is also construed as a permissive term and provides guidance on the intended development character.

Except as modified or referenced by the development district standards, the provisions of the *Landscape Manual* regarding alternative compliance and buffering incompatible uses do not apply within the development district. All other standards and regulations of the *Landscape Manual* apply as necessary.

Development proposals evaluated under these regulations should be measured against the general intent and desired character for the Southern Green Line Development District as established in the sector plan.