

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

Bill No. CB-107-2021

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

Proposed and Presented by Council Members Dernoga, Harrison, Hawkins

Introduced by \_\_\_\_\_

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

Date of Introduction \_\_\_\_\_

**ZONING BILL**

1 AN ORDINANCE concerning

2 Gas Stations

3 For the purpose of requiring special exception approval, and revising certain site design criteria  
4 in certain commercia, industrial, comprehensive design, and mixed use zones of the Zoning  
5 Ordinance for Prince George’s County.

6 BY repealing and reenacting with amendments:

7 Sections 27-358, 27-461, 27-473, 27-515, 27-547

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 (2019 Edition; 2020 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 Sections 27-358, 27-461, 27-473, 27-515 and  
16 27-547 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of  
17 the Prince George's County Code, be and the same are hereby repealed and reenacted with the  
18 following amendments:

19 **SUBTITLE 27. ZONING.**

20 **PART 4. SPECIAL EXCEPTIONS**

**DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL  
EXCEPTIONS.**

Sec. 27-358 – Gas Station.

(a) A gas station may be permitted, subject to the following:

(1) (A) The subject property shall have at least one hundred and fifty (150) feet of frontage on and direct vehicular access to a street with a right-of-way width of at least seventy (70) feet; and

(B) The site plan shall demonstrate that the subject property is of sufficient size that the proposed layout provides adequate ingress, egress and circulation for large fuel transport vehicles and demonstrate clear line-of-site.

(2) The subject property shall be located at least [~~three~~] five hundred (~~[300]~~ 500) feet from any lot on which a school, outdoor playground, library, or hospital is located[;].

(3) The fuel dispensers shall be located at least three hundred (300) feet from any existing dwelling unit;

(~~[3]~~ 4) The use shall not include the display and rental of cargo trailers, trucks, or similar uses, except as a Special Exception in accordance with the provisions of Section 27-417[;].

(~~[4]~~ 5) The storage or junking of wrecked motor vehicles (whether capable of movement or not) is prohibited;

(~~[5]~~ 6) Access driveways shall be not less than thirty (30) feet wide unless a lesser width is allowed for a one-way driveway by the Maryland State Highway Administration or the County Department of Permitting, Inspections, and Enforcement, whichever is applicable, and shall be constructed in compliance with the minimum standards required by the County Road Ordinance or Maryland State Highway Administration regulations, whichever is applicable. In the case of a corner lot, a driveway may begin at a point not less than twenty (20) feet from the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an intersection without curb and gutter. A driveway may begin or end at a point not less than twelve (12) feet from the side or rear lot line of any adjoining lot;

(~~[6]~~ 7) Access driveways shall be defined by curbing[;].

1            ([7] 8) A sidewalk at least [five (5)] eight (8) feet wide shall be provided in the area  
 2            between the building line and the curb in those areas serving pedestrian traffic[;].

3            ([8] 9) Gasoline pumps and other service appliances shall be located at least [twenty]  
 4            thirty-five ([2]35) feet behind the street line and shall be screened by landscaping.[;]

5            ([9] 10) Repair service shall be completed within forty-eight (48) hours after the vehicle  
 6            is left for service. Discarded parts resulting from any work shall be removed promptly  
 7            from the premises. Automotive replacement parts and accessories shall be stored either  
 8            inside the main structure or in an accessory building used solely for the storage. The  
 9            accessory building shall be wholly enclosed. The building shall either be constructed  
 10           of brick (or another building material similar in appearance to the main structure) and  
 11           placed on a permanent foundation, or it shall be entirely surrounded with screening  
 12           material. Screening shall consist of a wall, fence, or sight-tight landscaping material,  
 13           which shall be at least as high as the accessory building. The type of screening shall be  
 14           shown on the landscape plan.

15           ([10] 11) Details on architectural elements such as elevation depictions of each facade,  
 16           schedule of exterior finishes, and description of architectural character of proposed  
 17           buildings shall demonstrate compatibility with existing and proposed surrounding  
 18           development. Signage shall be limited to the minimum necessary. In Regional Transit  
 19           Districts, Local Centers, Neighborhood Reinvestment Areas or the Innovation  
 20           Corridor, site design shall give substantial consideration to having a build-to line.

21           (12) The Special Exception application shall include a plan for remediation f the site  
 22           upon abandonment, including a schedule for allocation of reserves sufficient to fund  
 23           the remediation plan.

24           (13) An acoustic analysis shall demonstrate that night time noise from operations  
 25           (including the truck noise from refueling operations) will not violate the County noise  
 26           control ordinance (Section 19-120, et seq.)

27           (b) In addition to what is required by Section 27-296(c), the site plan shall show the following:

- 28           (1) The topography of the subject lot and abutting lots (for a depth of at least fifty
- 29           (50) feet);
- 30           (2) The location and type of trash enclosures; and
- 31           (3) The location of exterior vending machines or vending area.

1 (c) Upon the abandonment of a gas station, the Special Exception shall terminate and all  
2 structures exclusively used in the business (including underground storage tanks),  
3 except buildings, shall be removed by the owner of the property. For the purpose of this  
4 Subsection, the term "abandonment" shall mean nonoperation as a gas station (including  
5 the cessation of the sale of motor vehicle fuel) for a period of fourteen (14) months after  
6 the retail services cease.

7 (d) When approving a Special Exception for a gas station, the District Council shall find that  
8 the proposed use:

9 (1) (A) Is necessary to the public in the surrounding area; and

10 [(2)] (B) Will not unduly restrict the availability of land, or upset the balance of land  
11 use, in the area for other trades and commercial uses.

12 (2) In determining whether a Special Exception is warranted, the District Council  
13 may consider the number of existing or proposed gas stations within a 3-mle radius of  
14 the subject property.

15 \* \* \* \* \*

**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
<b>(1) COMMERCIAL:</b>						
* * * * *	*	*	*	*	*	*
<b>(B) Vehicle, Mobile Home, Camping Trailer, and Boat Sales and Service:</b>						
* * * * *	*	*	*	*	*	*
Gas Station [(in the C-M Zone, subject to Detailed Site Plan review in accordance with Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9), and (10))]	P <sup>71, 74</sup>	X	SE <sup>80</sup>	SE	[P] SE	X
Incidental automobile service in a parking garage <sup>3</sup>	X	X	SE	X	X	X
Private Automobile and Other Motor Vehicle Auctions						
(i) Operating prior to January 1, 2011, as a use that conforms to the definition under Section 27-107.01, subject to the provisions of Section 27-464.06(c), (d) and (f)	X	X	X	X	P <sup>57</sup>	X
(ii) All Others, subject to the requirements of Section 27-464.06 (CB-59-2010)	X	X	SE	X	[P] SE	X
* * * * *	*	*	*	*	*	*

\* \* \* \* \*

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

**Sec. 27-473. Uses permitted.**

**(b) TABLE OF USES.**

USE	ZONE				
	I-1 <sup>33</sup>	I-2 <sup>33</sup>	I-3	I-4	U-L-I
<b>(1) COMMERCIAL:</b>					
* * * * *	*	*	*	*	*
<b>(B) Vehicle, Mobile Home, Camping Trailer, and Boat Sales and Service:</b>					
* * * * *	*	*	*	*	*
Gas station	P <sup>65</sup>	P <sup>65</sup>	SE	[P <sup>64</sup> ] <u>SE</u>	SE
* * * * *	*	*	*	*	*

\* \* \* \* \*

**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
<b>(1) COMMERCIAL:</b>									
* * * * *	*	*	*	*	*	*	*	*	*
<b>(B) Vehicle service:</b>									
Gas station	[P] <u>SE</u>	[P] <u>SE</u>	P <sup>6</sup>	X	X	X	X	[P] <u>SE</u>	[P] <u>SE</u>
* * * * *	*	*	*	*	*	*	*	*	*
* * * * *	*	*	*	*	*	*	*	*	*

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

**Sec. 27-547. Uses permitted.**

**(b) TABLE OF USES.**

USE	ZONE	
	M-X-T	M-X-C
<b>(1) COMMERCIAL:</b>		
* * * * *	*	*
Gas station:		
(A) With or without a service center for minor repairs (placed underground or in a wholly enclosed structure)	[P] <u>SE</u>	[P] <u>SE</u>
(B) With or without a service center, and may include a car wash	X	[P] <u>SE</u>
* * * * *	*	*

\* \* \* \* \*



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

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