

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2010 Legislative Session

Bill No. _____ CB-59-2010 _____
Chapter No. _____ 51 _____
Proposed and Presented by _____ Council Member Knotts _____
Introduced by _____ Council Member Knotts _____
Co-Sponsors _____
Date of Introduction _____ September 28, 2010 _____

ZONING BILL

1 AN ORDINANCE concerning

2 Private Automobile and Other Motor Vehicle Auctions

3 For the purpose of defining Private Automobile and Other Motor Vehicle Auctions; permitting
4 the use in the C-M, I-1, and I-2 Zones with certain improvements; and making related
5 amendments to the Zoning Ordinance.

6 BY repealing and reenacting with amendments:

7 Sections 27-107.01, 27-242, 27-251.01, 27-441(b), 27-461(b),
8 27-473(b), 27-547, 27-515, 27-568

9 The Zoning Ordinance of Prince George's County, Maryland,
10 being also

11 SUBTITLE 27. ZONING.

12 The Prince George's County Code
13 (2007 Edition, 2009 Supplement).

14 BY adding:

15 Sections 27-475.06.06 and 27-630.02,

16 The Zoning Ordinance of Prince George's County, Maryland,
17 being also

18 SUBTITLE 27. ZONING.

19 The Prince George's County Code

(2007 Edition, 2009 Supplement).

SECTION 1. BE IT ENACTED by the 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, that Sections 27-107.01, 27-242, 27-441(b), 27-461(b), 27-473(b), 27-515, and 27-568 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 27. ZONING.

PART 2. GENERAL.

DIVISION 1. DEFINITIONS.

Sec. 27-107.01. Definitions.

* * * * *

(184.2)Private Automobile and Other Motor Vehicle Auctions: An area used for the sale at auction on a recurring basis of motor vehicles, including but not limited to, cars, trucks, vans, trailers, motorcycles, motor homes, and buses. Private vehicle auctions are venues for the sale of vehicles between state-licensed dealers, wholesalers, and/or state-licensed dealers and the general public who are required to register as a bidder for the privilege of purchasing a vehicle. Auction sales may only be conducted by a state-licensed dealer or an auctioneer holding a valid state Trader’s License. Private vehicle auctions include businesses conducting on-site auctions and businesses auctioning vehicles through Internet sites.

[(184.2)] (184.3) Public Benefit Conservation Subdivision:

* * * * *

**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
(1) COMMERCIAL:						
* * * * *	*	*	*	*	*	*
(B) Vehicle, Mobile Home, Camping Trailer, and Boat Sales and Service:						
* * * * *	*	*	*	*	*	*
<u>Private Automobile and Other Motor Vehicle Auctions</u>						
<u>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)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u> ⁵⁶	<u>X</u>
<u>All Others, subject to the requirements of Section 27-464.06</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
* * * * *	*	*	*	*	*	*

56 Any private automobile and other vehicle auction operating in the C-M Zone prior to January 1, 2011, shall not be certified as a nonconforming use and shall meet the requirements of Section 27-464.06 (c), (d) and (f). If the use is not brought into conformance within the prescribed two-year time period, the property owner shall cease all auction operations on the property.

**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
(1) COMMERCIAL:					
* * * * *	*	*	*	*	*
(B) Vehicle, Mobile Home, Camping Trailer, and Boat Sales and Service:					
* * * * *	*	*	*	*	*
<u>Private Automobile and Other Motor Vehicle Auctions</u>					
<u>Operating as of January 1, 2011, as a use that conforms to the definition under Section 27-107.01, subject to the provisions of Section 27-475.06.06(b),(c), and(d).</u>	<u>P</u> ⁵⁴	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>All others, subject to the requirements of Section 27-475.06.06</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
* * * * *	*	*	*	*	*

54. Any private automobile and other vehicle auction operating in the I-1 Zone prior to January 1, 2011, shall not be certified as a nonconforming use and shall meet the requirements of Section 27-475.06.06.(b), (c), and (d). If the use is not brought into conformance with these requirements within the prescribed two-year time period, the property owner shall cease all auction operations on the property.

**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
(1) COMMERCIAL:									
* * * * *	*	*	*	*	*	*	*	*	*
(E) Trade (Generally Retail, Consistent with the Purposes of the Zone) such as:									
* * * * *	*	*	*	*	*	*	*	*	*
<u>Private Automobile and Other Motor Vehicle Auctions</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</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
(1) COMMERCIAL:		
* * * * *	*	*
<u>Private Automobile and Other Motor Vehicle Auctions</u>	<u>X</u> ¹²	<u>X</u>
Public utility use or structure:		
(A) Railroad yard, round house, car barn, and freight station	X	X
(B) All others	P	P
* * * * *	*	*

12. Any private automobile and other motor vehicle auction operating in the M-X-T Zone prior to January 1, 2011, shall have until January 1, 2013, to cease all auction operations on the property.

SUBTITLE 27. ZONING.

PART 11. OFF-STREET PARKING AND LOADING.

DIVISION 1. GENERAL.

Sudivision 3. Minimum Requirements.

Sec. 27-568. Schedule (number) of spaces required, generally.

(a) In all zones (except the M-X-T Zone), the minimum number of required off-street parking spaces for each type of use shall be as listed in the following schedule. In the schedule, each "employee" means each employee on the largest shift.

TYPE OF USE	NUMBER OF SPACES	UNIT OF MEASUREMENT
(5) COMMERCIAL TRADE (GENERALLY RETAIL)/SERVICES:		
* * * * *	* *	* * * * *
<u>Private Automobile and Other Motor Vehicle Auctions</u>	<u>1</u>	<u>1,000 square feet of gross outdoor display area</u>
* * * * *	* *	* * * * *

SECTION 2. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 27-464.06 and 27-475.06.06 of the Prince George's County Code be and

1 the same are hereby added:

2 **SUBTITLE 27. ZONING.**

3 **PART 6. COMMERCIAL ZONES.**

4 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

5 **Sec. 27-464.06. Private Automobile and Other Motor Vehicle Auctions.**

6 (a) The purposes of this Section are:

7 (1) To prevent or control detrimental effects upon neighboring properties, and
8 existing and proposed land uses in the general area, including noise, dust and traffic;

9 (2) To prevent or control detrimental effects upon the subject property, including
10 excessive crowding of vehicles, discarded vehicle parts and other debris, and environmental
11 contamination from fluids or chemical residues; and

12 (3) To prevent or control untreated stormwater runoff, which may include residues
13 from exhaust fumes, brake pads, gasoline and motor oil, to ensure that harmful materials do not
14 enter the Chesapeake Bay and its tributaries.

15 (b) Any private automobile and other vehicle auction operating in the C-M Zone prior to
16 January 1, 2011, shall meet the requirements of Section 27-464.06 (c) and (d) without requiring a
17 Detailed Site Plan.

18 (c) All new private vehicle auctions in the C-M Zone and those operating in the C-M Zone
19 prior to January 1, 2011, shall meet the following requirements:

20 (1) All parking and car carrier loading/unloading shall be performed on site and
21 shall be located separately from the customer parking areas.

22 (2) Parking and loading areas shall not be used for the sale, display, or storage of
23 vehicles; performing vehicle services; or any other purpose unrelated to parking and loading.

24 (3) Junked, salvaged, or wrecked vehicles may not be sold or stored on the
25 property, unless associated with an auction that regularly deals in the disposal of vehicles that have
26 been declared total losses by insurance companies.

27 (4) The following is prohibited on all private automobile and other motor vehicle
28 auction properties:

29 (A) Retail sales (other than by auction) of vehicles, vehicle parts, or boats;

30 (B) Outdoor storage or display of vehicle parts;

31 (C) Vehicle dismantling and demolition;

1 (D) The stacking of vehicles and/or use of a vehicle rack system;

2 (E) The parking, storage, or display of vehicles within public rights-of-way
3 or internal driveways.

4 (5) No vehicle may be displayed or stored on the site for more than ninety
5 consecutive (90) days, unless required by a law enforcement agency or the Maryland Department
6 of Motor Vehicles, or where required for any other litigation purposes, to store the vehicle for a
7 longer period of time.

8 (6) All auction activities, including sales, loading/unloading of vehicles, and
9 vehicle transport shall be conducted between the hours of 7:00 a.m. and 10:00 p.m. seven (7) days
10 a week.

11 (7) The site must be kept clear of all trash, litter, and other debris. Exterior trash
12 receptacles shall be provided in all areas open to the public including those for parking, auction
13 activities, and offices and be routinely emptied. Trash and debris within the public right-of-way
14 resulting from an auction shall be immediately removed by the auction operator.

15 (8) The auction operator shall maintain records of bills of sale and make those
16 records available to County inspectors upon request within thirty (30) days of the sale during
17 normal business hours to ensure that vehicles abandoned off site can be traced back to the auction
18 house and/or the purchaser.

19 (d) New private vehicle auctions are required to meet the provisions of this Section. Private
20 vehicle auctions operating in the C-M Zone prior to January 1, 2011, shall meet the provisions of
21 this Section within two years.

22 (1) Private vehicle auctions shall be screened to block visibility from public rights-
23 of-way and residential zones in accordance with the following:

24 (A) Private vehicle auctions operating as of January 1, 2011, which are
25 screened to block visibility from public rights-of-way and/or residential zones may retain such
26 existing screening.

27 (B) In addition to the landscaping requirements found in Section 4.2 of the
28 Landscape Manual, new screening installed to meet the requirements of this provision shall
29 consist of a solid, sight-tight (opaque) wall or fence at least six (6) feet high or an evergreen screen
30 consisting of trees at least eight (8) feet in height planted in a ten (10) foot wide landscape strip.
31 Trees within an evergreen screen shall be planted eight (8) feet on center in a staggered pattern

1 and have a minimum diameter of four (4) feet when planted to achieve a sight-tight screen. Any
2 fence or wall may be constructed as a panelized metal wall system applied to a minimum 2X4
3 frame with 4X4 support posts, provided that the panelized metal is a minimum 29 gauge steel or
4 similar material with a corrosive resistant coating, such as a baked on enamel finish, brown or
5 green in color. The fence or wall may not be constructed of slatted chain link, or unsupported
6 and/or untreated corrugated metal, fiberglass or sheet metal.

7 (C) Any new fences or walls constructed after January 1, 2011, shall be
8 located behind a planted landscape strip as prescribed in the Landscape Manual. The Board of
9 Appeals shall be authorized to grant variances from the requirements of Section 27-465(a) to allow
10 fences or walls greater than six (6) feet in height within any front, side or rear yard. All existing
11 fences or walls that have been legally erected pursuant to a previously approved variance may be
12 relocated to accommodate additional screening or landscaping required by this Section without the
13 need for an additional variance.

14 (D) For purposes of the screening required by this provision, the term public
15 right-of-way shall include dedicated rights-of-way and a proposed widening of such rights-of-way
16 shown on the applicable General Plan, Master Plan or Functional Master Plan, but does not
17 include future roadways or roadway relocations which have not been dedicated.

18 (E) Screening installed pursuant to the requirements of the Landscape
19 Manual or an approved site plan on adjacent property in a residential zone shall satisfy the
20 requirements of this section.

21 (F) The provisions of this Subsection shall not apply to publicly owned
22 residential property.

23 (2) Any new fencing installed after January 1, 2011, along the property boundaries
24 not visible from an existing public right-of-way or a residential zone shall be enclosed by a black,
25 vinyl-clad, chain-link fence or other material not prohibited by (d)(1) above.

26 (3) Ingress and egress driveways aprons shall have a minimum width of thirty (30)
27 feet and shall be paved with concrete and meet DPW&T commercial driveway standards.
28 Drive aisles for internal circulation shall have a minimum width of twenty-two (22) feet
29 and shall be paved with concrete, asphalt, or asphalt millings surface.

30 (4) Paved surfaces shall be maintained in good repair.

31 (5) The applicant shall identify the dust-control measures to be used on the site.

1 (6) The applicant shall provide evidence that the disposal of all fluids and other
 2 materials will be accomplished in a manner that complies with all County, State, and Federal
 3 regulations.

4 (7) All lighting shall be directed away from adjoining properties.

5 (8) If an amplified public address system is utilized for the auction’s sales
 6 activities, the use of such system shall be limited to the hours of 9 am to 6 pm a maximum
 7 of three days per week.

8 (e) A new private vehicle auction permitted in the C-M Zone shall:

9 (1) meet the requirements of Subsection (d), above;

10 (2) be located on a parcel or parcels with a total area not less than ten (10) acres;

11 (3) have direct access to, at minimum, a commercial street with a right-of-way
 12 width of seventy (70) feet and pavement width of forty-six (46) feet; and

13 (4) have no direct access provided to or from public streets with a right-of-way of
 14 less than seventy (70) feet.

15 (5) All areas used for vehicle sales, display, parking, or storage shall be on a
 16 paved concrete, asphalt, or asphalt milling surface.

17 (6) The parking, loading, and vehicle storage and display areas associated with an
 18 automobile auction shall be considered an environmental “hot spot” with regard to the stormwater
 19 management facilities required, and as such shall provide on-site water quality treatment in
 20 addition to an approved prevention plan as required by the County Stormwater Ordinance.

21 (7) If an amplified public address system is utilized for the auction’s sales
 22 activities, the sales activities shall be located five hundred (500) feet from any land within a
 23 residential zone. If this condition cannot be met, all sales shall be conducted within a wholly
 24 enclosed building.

25 (f) Any expansion, enlargement or extension of the use within the property boundaries that
 26 existed upon enactment of the Ordinance may only be permitted with approval of a Detailed Site
 27 Plan as follows:

28 (1) A Detailed Site Plan shall be approved for any new vehicle auction use or the
 29 expansion, enlargement or extension of an existing vehicle auction use. The DSP shall be
 30 approved in accordance with Part 3, Division 9, of this Subtitle, to ensure compliance with the
 31 provisions of this Section. In addition to the submittal requirements of Part 3, Division 9, the site

1 plan shall identify:

- 2 (A) All storage, vehicle display, vehicle loading and unloading, and auction
- 3 sales areas;
- 4 (B) Internal circulation;
- 5 (C) Stormwater management facilities including those for water quality;
- 6 (D) Proposed hours of operation;
- 7 (E) Dust control measures to be used.

8 (2) In addition to the above requirements, the application shall be accompanied by:

- 9 (A) A Traffic Impact Analysis which identifies the volume of traffic
- 10 expected to be generated by the operation and the streets to be used between the site and the
- 11 nearest intersection;
- 12 (B) A Lighting Plan showing a photometric diagram and details of all light
- 13 fixtures and full cut-off optics.

14 (3) The Planning Board shall find that the proposed hours of operation, site design
15 and anticipated traffic levels will not be detrimental to the use or development of adjacent
16 properties and the general neighborhood.

17 (4) All information required as part of the DSP application shall be referred to the
18 Traffic and Stormwater Management Divisions of the Prince George’s County Department of
19 Public Works and Transportation, the Maryland State Highway Administration, the Prince
20 George’s County Department of Environmental Resources and the Maryland Department of the
21 Environment for review and comment.

22 **SUBTITLE 27. ZONING.**

23 **PART 7. INDUSTRIAL ZONES.**

24 **DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

25 **Sec. 27-475.06.06. Private Automobile and Other Motor Vehicle Auctions.**

26 (a) The purposes of this Section are:

- 27 (1) To prevent or control detrimental effects upon neighboring properties, and
- 28 existing and proposed land uses in the general area, including noise, dust and traffic;
- 29 (2) To prevent or control detrimental effects upon the subject property, including
- 30 excessive crowding of vehicles, discarded vehicle parts and other debris, and environmental
- 31 contamination from fluids or chemical residues; and

1 (3) To prevent or control untreated stormwater runoff, which may include residues
 2 from exhaust fumes, brake pads, gasoline and motor oil, to ensure that harmful materials do not
 3 enter the Chesapeake Bay and its tributaries.

4 (b) Any private automobile and other vehicle auction operating in the I-1 Zone prior to
 5 January 1, 2011, shall meet the requirements of Section 27-475.06.06 (c) and (d) without requiring
 6 a Detailed Site Plan.

7 (c) All private vehicle auctions in the I-1 operating as of January 1, 2011, and all new
 8 private vehicle auctions in the I-1 and I-2 Zones shall meet the following requirements:

9 (1) All parking and car carrier loading/unloading shall be performed on site and
 10 shall be located separately from the customer parking areas.

11 (2) Parking and loading areas shall not be used for the sale, display, or storage of
 12 vehicles, performing vehicle services, or any other purpose unrelated to parking and loading.

13 (3) Junked, salvaged, or wrecked vehicles may not be sold or stored on the
 14 property, unless associated with an auction that regularly deals in the disposal of vehicles that have
 15 been declared total losses by insurance companies.

16 (4) The following is prohibited on all private automobile and other motor vehicle
 17 auction properties:

18 (A) Retail sales (other than by auction) of vehicles, vehicle parts, or boats;

19 (B) Outdoor storage or display of vehicle parts;

20 (C) Vehicle dismantling and demolition;

21 (D) The stacking of vehicles and/or use of a vehicle rack system;

22 (E) The parking, storage, or display of vehicles within public rights-of-way
 23 or internal driveways.

24 (5) No vehicle may be displayed or stored on the site for more than ninety
 25 consecutive (90) days, unless required by a law enforcement agency or the Maryland Department
 26 of Motor Vehicles, or where required for any other litigation purposes, to store the vehicle for a
 27 longer period of time.

28 (6) All auction activities, including sales, loading/unloading of vehicles, and
 29 vehicle transport shall be conducted between the hours of 7:00 a.m. and 10:00 p.m. seven (7) days
 30 a week.

31 (7) The site must be kept clear of all trash, litter, and other debris. Exterior trash

1 receptacles shall be provided in all areas open to the public including those for parking, auction
 2 activities, and offices and be routinely emptied. Trash and debris within the public right-of-way
 3 resulting from an auction shall be immediately removed by the auction operator.

4 (8) The auction operator shall maintain records of bills of sale and make those
 5 records available to County inspectors upon request within thirty (30) days of the sale during
 6 normal business hours to ensure that vehicles abandoned off site can be traced back to the auction
 7 house and/or the purchaser.

8 (d) New private vehicle auctions are required to meet the provisions of this Section. Private
 9 vehicle auctions operating in the I-1 Zone prior to January 1, 2011, shall meet the provisions of
 10 this Section within two years.

11 (1) Private vehicle auctions shall be screened to block visibility from public rights-
 12 of-way and residential zones in accordance with the following:

13 (A) Private vehicle auctions operating as of January 1, 2011, which are
 14 screened to block visibility from public rights-of-way and/or residential zones may retain such
 15 existing screening.

16 (B) In addition to the landscaping requirements found in Section 4.2 of the
 17 Landscape Manual, new screening installed to meet the requirements of this provision shall
 18 consist of a solid, sight-tight (opaque) wall or fence at least six (6) feet high or an evergreen screen
 19 consisting of trees at least eight (8) feet in height planted in a ten (10) foot wide landscape strip.
 20 Trees within an evergreen screen shall be planted eight (8) feet on center in a staggered pattern
 21 and have a minimum diameter of four (4) feet when planted to achieve a sight- tight screen. Any
 22 fence or wall may be constructed as a panelized metal wall system applied to a minimum 2X4
 23 frame with 4X4 support posts, provided that the panelized metal is a minimum 29 gauge steel or
 24 similar material with a corrosive resistant coating, such as a baked on enamel finish, brown or
 25 green in color. The fence or wall may not be constructed of slatted chain link, or unsupported
 26 and/or untreated corrugated metal, fiberglass or sheet metal.

27 (C) Any new fences or walls constructed after January 1, 2011, shall be
 28 located behind a planted landscape strip as prescribed in the Landscape Manual. The Board of
 29 Appeals shall be authorized to grant variances from the requirements of Section 27-465(a) to allow
 30 fences or walls greater than six (6) feet in height within any front, side or rear yard. All existing
 31 fences or walls that have been legally erected pursuant to a previously approved variance may be

1 relocated to accommodate additional screening or landscaping required by this Section without the
2 need for an additional variance.

3 (D) For purposes of the screening required by this provision, the term public
4 right-of-way shall include dedicated rights-of-way and a proposed widening of such rights-of way
5 shown on the applicable General Plan, Master Plan or Functional Master Plan, but does not
6 include future roadways or roadway relocations which have not been dedicated.

7 (E) Screening installed pursuant to the requirements of the Landscape
8 Manual or an approved site plan on adjacent property in a residential zone shall satisfy the
9 requirements of this section.

10 (F) The provisions of this Subsection shall not apply to publicly owned
11 residential property.

12 (2) Any new fencing installed after January 1, 2011, along the property boundaries
13 not visible from an existing public right-of-way or a residential zone shall be enclosed by a
14 black, vinyl-clad, chain-link fence or other material not prohibited by (d)(1) above.

15 (3) Ingress and egress driveways aprons shall have a minimum width of thirty (30)
16 feet and shall be paved with concrete and meet DPW&T commercial driveway standards. Drive
17 aisles for internal circulation shall have a minimum width of twenty-two (22) feet and shall be
18 paved with either concrete, asphalt, or asphalt millings surface.

19 (4) Paved surfaces shall be maintained in good repair.

20 (5) The applicant shall identify the dust-control measures to be used on the site.

21 (6) The applicant shall provide evidence that the disposal of all fluids and other
22 materials will be accomplished in a manner that complies with all County, State, and Federal
23 regulations.

24 (7) All lighting shall be directed away from adjoining properties.

25
26 (8) If an amplified public address system is utilized for the auction's sales
27 activities, the use of such system shall be limited to the hours of 9 am to 6 pm for a
28 maximum of three days per week.

29 (e) A new private vehicle auction permitted in the I-2 Zone shall not be subject to the
30 prescriptions of (e) (1), below. A new private vehicle auction permitted in the I-1 Zone shall:

1 (1) be located on a parcel or parcels with a total area not less than ten (10)
 2 acres;

3 (2) have direct access to, at minimum, a commercial street with a right-of-way
 4 width of seventy (70) feet and pavement width of forty-six (46) feet; and

5 (3) have no direct access provided to or from public streets with a right-of-way of
 6 less than seventy (70) feet.

7 (4) All areas used for vehicle sales, display, parking, or storage shall be on a
 8 paved concrete or asphalt surface.

9 (5) The parking, loading, and vehicle storage and display areas associated with an
 10 automobile auction shall be considered an environmental “hot spot” with regard to the stormwater
 11 management facilities required, and as such shall provide on-site water quality treatment in
 12 addition to an approved prevention plan as required by the County Stormwater Ordinance.

13 (6) If an amplified public address system is utilized for the auction’s sales
 14 activities, the sales activities shall be located five hundred (500) feet from any land within a
 15 residential zone. If this condition cannot be met, all sales shall be conducted within a wholly
 16 enclosed building.

17 (f) Site Plan

18 (1) A Detailed Site Plan shall be approved for any new vehicle auction use or the
 19 expansion, enlargement or extension of an existing vehicle auction use. The DSP shall be
 20 approved in accordance with Part 3, Division 9, of this Subtitle, to ensure compliance with the
 21 provisions of this Section. In addition to the submittal requirements of Part 3, Division 9, the site
 22 plan shall identify:

23 (A) All storage, vehicle display, vehicle loading and unloading, and auction
 24 sales areas;

25 (B) Internal circulation;

26 (C) Stormwater management facilities including those for water quality;

27 (D) Proposed hours of operation;

28 (E) Dust control measures to be used.

29 (2) In addition to the above requirements, the application shall be accompanied by:

30 (A) A Traffic Impact Analysis which identifies the volume of traffic
 31 expected to be generated by the operation and the streets to be used between the site and the

1 nearest intersection:

2 (B) A Lighting Plan showing a photometric diagram and details of all light
3 fixtures and full cut-off optics.

4 (3) The Planning Board shall find that the proposed hours of operation, site design
5 and anticipated traffic levels will not be detrimental to the use or development of adjacent
6 properties and the general neighborhood.

7 (4) All information required as part of the DSP application shall be referred to the
8 Traffic and Stormwater Management Divisions of the Prince George’s County Department of
9 Public Works and Transportation, the Maryland State Highway Administration, the Prince
10 George’s County Department of Environmental Resources and the Maryland Department of the
11 Environment for review and comment.

12 **SUBTITLE 27. ZONING.**

13 **PART 12. SIGNS.**

14 **DIVISION 3. DESIGN STANDARDS.**

15 **SUBDIVISION 5. SIGNS FOR SPECIFIC USES.**

16 **Sec. 27-630.02. Private Automobile and Other Motor Vehicle Auctions.**

17 (a) No signs permitted by Part 12 of this Subtitle for a private automobile or other motor
18 vehicle auction shall be placed on the exterior of any fence visible from the public right-of-way,
19 nor shall any flags, banners, pennants, or similar items be mounted, suspended or otherwise
20 displayed for advertising visible from the public-right-of-way.

21 (b) Any sign permitted under Part 12 of this Subtitle shall contain the date and time of the
22 auction with a contact phone number for further information.

23

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

Adopted this 26th day of October, 2010.

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
Chair

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.