

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2023 Legislative Session

Bill No. CB-003-2023

Chapter No. 11

Proposed and Presented by Council Members Dernoga, Ivey, Burroughs, Blegay, Oriadha, Olson

Introduced by Council Members Dernoga, Ivey, Burroughs, Blegay, Oriadha and Olson

Co-Sponsors _____

Date of Introduction January 31, 2023

ZONING BILL

1 AN ORDINANCE concerning

2 Application-Specific Review Procedures and Standards—Detailed Site Plans and Special
3 Exceptions

4 For the purpose of amending the decision standards for approval of detailed site plan and special
5 exception applications to include master plan consistency as a required standard for site plan
6 approval.

7 BY repealing and reenacting with amendments:

8 Sections 27-3604 and 27-3605,
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 (2019 Edition; 2022 Supplement).

14 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
15 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
16 District in Prince George's County, Maryland, that Sections 27-3604 and 27-3605 of the Zoning
17 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
18 County Code, be and the same are hereby repealed and reenacted with the following
19 amendments:

20 **SUBTITLE 27. ZONING.**

PART 3. ADMINISTRATION.

**SECTION 27-3600. APPLICATION-SPECIFIC REVIEW PROCEDURES AND
DECISION STANDARDS.**

Sec. 27-3604. Special Exception.

* * * * *

(e) Required Findings

(1) A special exception may only be approved if:

(A) The proposed use and site plan are in harmony with the purpose of this Subtitle;

(B) The proposed use is in conformance with all the applicable requirements and regulations of this Subtitle;

(C) The proposed use [will not substantially impair the integrity of any validly approved] shall be consistent with the General Plan and shall conform with the relevant goals, policies, and strategies of the applicable Area Master Plan, Sector Plan, or Functional Master Plan for the subject property and its surrounding area [or, in the absence of an Area Master Plan, Sector Plan, or Functional Master Plan, the General Plan];

(D) The proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area;

(E) The proposed use will not be detrimental to the use or development of adjacent properties or the general neighborhood; and

(F) The proposed site plan is in conformance with an approved Type 2 Tree Conservation Plan; and

(G) The proposed site plan demonstrates the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirements of Subtitle 24: Subdivision Regulations.

(2) In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay (CBCAO) Zone, a special exception shall not be granted:

(A) Where the existing lot coverage in the CBCAO exceeds that allowed by this Subtitle, or

(B) Where granting the special exception would result in a net increase in the existing lot coverage in the CBCAO.

1 **Sec. 27-3605. Detailed Site Plan.**

2 * * * * *

3 **(e) Detailed Site Plan Decision Standards**

4 A detailed site plan may only be approved upon a finding that all of the following
5 standards are met:

6 (1) The proposed development represents a reasonable alternative for satisfying the
7 applicable standards of this Subtitle, without requiring unreasonable costs and without detracting
8 substantially from the utility of the proposed development for its intended use;

9 (2) The proposed development complies with all conditions of approval in any
10 development approvals and permits to which the detailed site plan is subject;

11 (3) The proposed development demonstrates the preservation and/or restoration of the
12 regulated environmental features in a natural state, to the fullest extent possible, in accordance
13 with the requirements of Section 24-4303(D)(5) of Subtitle 24: Subdivision Regulations;

14 (4) Proposed development located within a Planned Development (PD) zone shall be
15 in conformance with the PD Basic Plan and PD Conditions of Approval that apply to that
16 development;

17 (5) The proposed development conforms to an approved Tree Conservation Plan, if
18 applicable;

19 (6) The development in the detailed site plan (minor and major) shall be consistent
20 with the General Plan and shall conform to the relevant goals, policies, and strategies of the Area
21 Master Plan or Sector Plan, applicable Functional Master Plans, and the Growth Policy Map as it
22 relates to centers in the 2014 General Plan, *Plan Prince George's 2035*, for the subject property
23 and its surrounding area (unless the subject property has been rezoned pursuant to a Zoning Map
24 Amendment subsequent to the adoption of the relevant Area Master Plan, Sector Plan, or
25 Functional Master Plan);

26 (7) The development proposed in a detailed site plan for infrastructure complies with
27 applicable regulations of PART 27-6: Development Standards, prevents offsite property damage,
28 and prevents environmental degradation to safeguard the public's health, safety, welfare, and
29 economic well-being for grading, reforestation, woodland conservation, drainage, erosion, and
30 pollution discharge; and

31 [(7)] (8) Places of worship located on a lot between one (1) and two (2) acres in size

1 shall also meet the following standards:

2 (A) The minimum setback for all buildings shall be twenty-five (25) feet from
3 each lot line;

4 (B) When possible, there should be no parking or loading spaces located in the
5 front yard; and

6 (C) The maximum allowable lot coverage for the zone in which the use is
7 proposed shall not be increased.

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

Adopted this 7th day of March, 2023.

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:

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.