I	COUNTY COUNCI	L OF PRINCE GEORGE'S COUNTY, MARYLAND
	SITT	TING AS THE DISTRICT COUNCIL
		2012 Legislative Session
	Bill No	CB-79-2012
	Proposed and Presented by	Council Members Franklin, Davis, and Harrison
	Introduced by	
		ZONING BILL
1	AN ORDINANCE concerning	
2	Trar	sit-Oriented Commercial Development
3	For the purpose of amending th	e development approval requirements to enhance opportunities
4	for commercial development in	close proximity to transit stations in Prince George's County.
5	BY repealing and reenacting w	ith amendments:
6	Sectio	ons 27-269 and 27-477,
7	The Z	Coning Ordinance of Prince George's County, Maryland,
8	being	also
9	SUBT	TITLE 27. ZONING.
10	The F	Prince George's County Code
11	(2011	Edition).
12	BY adding:	
13	Sectio	on 27-541.03,
14	The Z	Coning Ordinance of Prince George's County, Maryland,
15	Being	g also
16	SUBT	FITLE 27. ZONING.
17	The P	Prince George's County Code
18	(2011	Edition).
19	SECTION 1. BE IT ENA	CTED by the County Council of Prince George's County,
20	Maryland, sitting as the Distric	t Council for that part of the Maryland-Washington Regional

District in Prince George's County, Maryland, that Sections 27-269 and 27-477 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Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments: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 3. ADMINISTRATION. DIVISION 9. SITE PLANS.

## Subdivision 1. Conceptual Site Plans and Detailed Site Plans, In General. Sec. 27-269. Applicability.

(a) The provisions of this Division shall apply to:

(1) All Conceptual Site Plans and Detailed Site Plans required by this Subtitle;

(2) All site plan requirements which specifically reference this Division;

(3) All site plans required as a condition of approval of any Zoning Map Amendment application, Special Exception application, subdivision plat, or other zoning case. The reasons for requiring the review of the site plan shall be considered as criteria for approval of the site plan. The conditional approval shall state as clearly as possible the reasons for requiring the site plan and the specific parts of the proposed development to be reviewed, which may include any of the design guidelines contained in Sections 27-274 and 27-283. The order of approvals for these types of Detailed Site Plans may be established by the authority requiring the site plan at the time the site plan requirement is imposed.

(b) The Planning Board shall make available to the public a list of all types of development for which this Subtitle requires Conceptual or Detailed Site Plans.

(c) Notwithstanding any other provision of the Zoning Ordinance, the requirements of this Part for Conceptual Site Plan and Detailed Site Plan approval shall not apply to developments located entirely within a 1/2 mile radius of a Washington Metropolitan Area Transit Authority or Maryland Transportation Authority (MTA) transit station if the development is located entirely within a (i) commercial zone, (ii) industrial zone, or (iii) a mixed use zone, planned community zone or comprehensive design zone (solely including M-X-T, M-X-C, M-U-TC, M-U-I, E-I-A, R-P-C, L-A-C, M-A-C, V-L, V-M, and U-C (1-4) zones), or in combination thereof, provided that the development is also located entirely within an area with an approved Master Plan or Sectional Map Amendment.

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## SUBTITLE 27. ZONING. PART 8. COMPREHENSIVE DESIGN ZONES. DIVISION 1. GENERAL.

## Sec. 27-477. Applicability.

(a) It is not generally intended that the Comprehensive Design Zones will be utilized in areas that are shown for permanent low-density residential development (less than one (1) dwelling unit per gross acre) recommended in Master Plans. The R-L (Residential Low Development), V-L (Village-Low), and V-M (Village-Medium) Zones may be utilized in areas recommended for the R-A Zone intended for staged future development. Areas appropriate for the R-L (Residential Low Development) Zone are those which provide for an alternative low-density residential development technique, provided the area is included within the boundaries of a Master Plan approved by the District Council after April 1, 1991. In all other areas, the preceding sentence shall not apply.

(b) It is not generally intended that areas zoned O-S (Open Space), R-A (Residential-Agricultural), or R-E (Residential Estate), through the Sectional Map Amendment process, should be considered for Comprehensive Design Zones, where these zones were imposed for staging reasons. The preceding sentence does not apply to the application of the R-L (Residential Low Development), V-L (Village-Low), and V-M (Village-Medium) Zones in the R-A and R-E Zones.

(c) If a property zoned O-S, R-A, R-E, or R-R in a Sectional Map Amendment is then rezoned to a Comprehensive Design Zone, it may still be developed and used under O-S, R-A, R-E, or R-R regulations. Upon approval of a Preliminary Plat of Subdivision for the entire property in accordance with the prior O-S, R-A, R-E, or R-R zoning, the Comprehensive Design Zone and any approved Basic Plan, Comprehensive Design Plan, or Specific Design Plan shall be null and void.

(d) Upon conveyance of any property to a public agency for recreational purposes, for which there exists an approved Basic Plan, Comprehensive Design Plan, or Specific Design Plan, any such Basic Plan, Comprehensive Design Plan, or Specific Design Plan (including any conditions attached to such Plans), shall be null and void and of no further force or effect. All subsequent development of any such property (including issuance of permits) for recreational purposes (which may include an arena (stadium)), regardless of ownership, shall not be subject

1	to approval of any Basic Plan or Comprehensive Design Plan, but shall be subject to approval of
2	a Specific Design Plan in accordance with Section 27-532.02.
3	(e) Notwithstanding any other provision of the Zoning Ordinance, the requirements of this
4	Part for a Basic Plan, Comprehensive Design Plan, and Specific Design Plan approval shall not
5	apply to developments located entirely within a 1/2 mile radius of a Washington Metropolitan
6	Area Transit Authority or Maryland Transportation Authority (MTA) transit station if the
7	development is located entirely within a mixed use zone, planned community zone or
8	comprehensive design zone (solely including M-X-T, M-X-C, M-U-TC, M-U-I, E-I-A, R-P-C,
9	L-A-C, M-A-C, V-L, V-M, and U-C (1-4) zones), or in combination thereof, provided that the
10	development is also located entirely within an area with an approved Master Plan or Sectional
11	Map Amendment.
12	SECTION 2. BE IT FURTHER ENACTED by the County Council of Prince George's
13	County, Maryland, sitting as the District Council for that part of the Maryland-Washington
14	Regional District in Prince George's County, Maryland, that Section 27-541.03 of the Zoning
15	Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
16	County Code, be and the same is hereby added:
17	SUBTITLE 27. ZONING.
18	PART 10. MIXED USE ZONES.
19	DIVISION 1. GENERAL.
20	Sec. 27-541.03. Exemptions from Site Plan Approval for Specific Commercial
21	Development.
22	Notwithstanding any other provision of the Zoning Ordinance, the requirements of this Part
23	for Conceptual Site Plan and Detailed Site Plan approval shall not apply to developments located
24	entirely within a 1/2 mile radius of a Washington Metropolitan Area Transit Authority or
25	Maryland Transportation Authority (MTA) transit station if the development is located entirely
26	within a mixed use zone, planned community zone or comprehensive design zone (solely
27	including M-X-T, M-X-C, M-U-TC, M-U-I, E-I-A, R-P-C, L-A-C, M-A-C, V-L, V-M, and U-C
28	(1-4) zones), or in combination thereof, provided that the development is also located entirely
29	within an area with an approved Master Plan or Sectional Map Amendment.
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1	SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five		
2	(45) calendar days after its adoption.		
	Adopted this day of, 2012.		
	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: Andrea C. Harrison Chair		
	ATTEST:		
	Redis C. Floyd   Clerk of the Council   KEY: <u>Underscoring</u> indicates language added to existing law.   [Brackets] indicate language deleted from existing law.   Asterisks *** indicate intervening existing Code provisions that remain unchanged.		