

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2013 Legislative Session

Bill No. _____ CB-24-2013
 Chapter No. _____ 28
 Proposed and Presented by _____ Council Members Olson and Harrison
 Introduced by _____ Council Members Olson, Harrison and Lehman
 Co-Sponsors _____
 Date of Introduction _____ June 18, 2013

ZONING BILL

1 AN ORDINANCE concerning
 2 Development District Overlay Zone – Site Plan Approval
 3 For the purpose of clarifying the method for determining uses within certain Development
 4 District Overlay Zones, and providing certain applicability requirements.
 5 BY repealing and reenacting with amendments:

6 Sections 27-548.22 and 27-548.25,
 7 The Zoning Ordinance of Prince George's County, Maryland,
 8 being also
 9 SUBTITLE 27. ZONING.
 10 The Prince George's County Code
 11 (2011 Edition).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 14 District in Prince George's County, Maryland, that Sections 27-548.22 and 27-548.25 of the
 15 Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
 16 George's County Code, be and the same are hereby repealed and reenacted with the following
 17 amendments:

SUBTITLE 27. ZONING.

PART 10. OVERLAY ZONES.

DIVISION 3. D-D-O (DEVELOPMENT DISTRICT OVERLAY) ZONE.

Sec. 27-548.22. Uses.

(a) The uses allowed on property in a Development District Overlay Zone shall be the same as those allowed in the underlying zone in which the property is classified, except as modified by Development District Standards approved by the District Council.

(b) Development District Standards may limit land uses or general use types allowed in the underlying zone where the uses are incompatible with, or detrimental to, the goals of the Development District and purposes of the D-D-O Zone. Development District Standards may not allow uses prohibited in the underlying zone, with the exception of Development District Standards of the Prince George's County Gateway Arts District D-D-O Zone, where the uses are compatible with the goals of the Prince George's County Gateway Arts District and purposes of the D-D-O Zone.

(c) A table of uses shall be incorporated within each Development District Overlay Zone clearly showing all uses in the underlying zone that will be permitted, prohibited, or otherwise restricted pursuant to Section 27-548.25 of this Division.

Sec. 27-548.25. Site Plan Approval.

(a) Prior to issuance of any grading permit for undeveloped property or any building permit in a Development District, a Detailed Site Plan for individual development shall be approved by the Planning Board in accordance with Part 3, Division 9. Site plan submittal requirements for the Development District shall be stated in the Development District Standards. The applicability section of the Development District Standards may exempt from site plan review or limit the review of specific types of development or areas of the Development District.

(b) In approving the Detailed Site Plan, the Planning Board shall find that the site plan meets applicable Development District Standards.

(c) If the applicant so requests, the Planning Board may apply development standards which differ from the Development District Standards, most recently approved or amended by the District Council, unless the Sectional Map Amendment text specifically provides otherwise. The Planning Board shall find that the alternate 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.

(d) Special Exception procedures shall [not] apply to uses within a Development District as provided herein. Uses which would normally require a Special Exception in the underlying

1 zone shall be permitted uses only if the Development District Standards so provide [,] within a
2 table of uses, and such uses shall instead be subject to site plan review by the Planning Board.
3 Development District Standards may restrict or prohibit any such uses. The Planning Board
4 shall find in its approval of the site plan that the use complies with all applicable Development
5 District Standards, meets the general Special Exception standards in Section 27-317 (a)(1), (4),
6 (5), and (6), and conforms to the recommendations in the Master Plan, Master Plan Amendment,
7 or Sector Plan.

8 (e) If a use would normally require a variance or departure, separate application shall not
9 be required, but the Planning Board shall find in its approval of the site plan that the variance or
10 departure conforms to all applicable Development District Standards.
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1 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Ordinance shall not
2 apply to Development District Overlay Zones approved prior to January 1, 2010 , nor to any
3 existing Development District Overlay (D-D-O) Zone approved after January 1, 2010, for which
4 a table of uses was incorporated at the time of the approval of the D-D-O-Z.

5 SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect on the
6 date it becomes law.

Adopted this 24th day of July , 2013.

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:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.