

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2015 Legislative Session**

Bill No. CB-23-2015

Chapter No. 23

Proposed and Presented by Council Member Franklin

Introduced by Council Member Franklin

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

Date of Introduction June 23, 2015

**ZONING BILL**

1 AN ORDINANCE concerning  
2 Mixed Use Transportation Oriented (M-X-T) Zone and Comprehensive Design Zones  
3 For the purpose of amending the provisions of the M-X-T Zone and the Comprehensive Design  
4 Zones to be consistent with the findings for adequate public facilities in Subtitle 24.

5 BY repealing and reenacting with amendments:

6 Sections 27-528 and 27-546,  
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; 2014 Supplement).

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 27-528 and 27-546 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16 County Code, be and the same are hereby repealed and reenacted with the following  
17 amendments:

**SUBTITLE 27. ZONING.**

**PART 8. COMPREHENSIVE DESIGN ZONES.**

**DIVISION 4. COMPREHENSIVE DESIGN PLANS AND SPECIFIC DESIGN PLANS**

**SUBDIVISION 2. SPECIFIC DESIGN PLANS.**

**Sec. 27-528. Planning Board Action.**

(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:

\* \* \* \* \*

(2) The development will be adequately served within a reasonable period of time with existing or programmed public facilities either shown in the appropriate Capital Improvement Program, [or] provided as part of the private development or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, participation by the developer in a road club.

\* \* \* \* \*

**PART 10. MIXED USE ZONES.**

**DIVISION 2. SPECIFIC MIXED USE ZONES.**

**SUBDIVISION 1. M-X-T ZONE (MIXED USE-TRANSPORTATION ORIENTED)**

**Sec. 27-546. Site plans.**

\* \* \* \* \*

(b) In addition to the information required by Part 3, Division 9, for Conceptual Site Plans, the following information shall be included on Plans in the M-X-T Zone:

\* \* \* \* \*

(8) Property placed in the M-X-T Zone by a Sectional Map Amendment shall provide supporting evidence which shows whether the proposed development will exceed the capacity of transportation facilities that are existing, are under construction, for which one hundred percent (100%) of construction funds are allocated within the adopted County Capital Improvement Program or within the current State Consolidated Transportation Program, will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are incorporated in a specific public facilities financing and implementation program.

(c) In addition to the information required by Part 3, Division 9, for Detailed Site Plans, the following information shall be included on Plans in the M-X-T Zone:

\* \* \* \* \*

(4) Supporting evidence which shows that the proposed development will be adequately served within a reasonable period of time with existing or programmed public

1 facilities shown in the adopted County Capital Improvement Program or within the current State  
2 Consolidated Transportation Program, will be provided by the applicant (either wholly or, where  
3 authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations, through  
4 participation in a road club), or are incorporated in a specific public facilities financing and  
5 implementation program, if more than six (6) years have elapsed since a finding of adequacy was  
6 made at the time of rezoning through a Zoning Map Amendment, Conceptual Site Plan approval,  
7 or preliminary [plat] plan approval, whichever occurred last.

8 (d) In addition to the findings required for the Planning Board to approve either the  
9 Conceptual or Detailed Site Plan (Part 3, Division 9), the Planning Board shall also find that:

10 \* \* \* \* \*

11 (9) On a Conceptual Site Plan for property placed in the M-X-T Zone by a Sectional Map  
12 Amendment, transportation facilities that are existing; that are under construction; or for which  
13 one hundred percent (100%) of construction funds are allocated within the adopted County  
14 Capital Improvement Program, or the current State Consolidated Transportation Program, [or]  
15 will be provided by the applicant (either wholly or, where authorized pursuant to Section 24-  
16 124(a)(8) of the County Subdivision Regulations, through participation in a road club), or are  
17 incorporated in an approved public facilities financing and implementation program, will be  
18 adequate to carry anticipated traffic for the proposed development. The finding by the Council  
19 of adequate transportation facilities at the time of Conceptual Site Plan approval shall not prevent  
20 the Planning Board from later amending this finding during its review of subdivision plats.

21 (10) On the Detailed Site Plan, if more than six (6) years have elapsed since a finding of  
22 adequacy was made at the time of rezoning through a Zoning Map Amendment, Conceptual Site  
23 Plan approval, or preliminary plat approval, whichever occurred last, the development will be  
24 adequately served within a reasonable period of time with existing or programmed public  
25 facilities shown in the adopted County Capital Improvement Program, within the current State  
26 Consolidated Transportation Program, or to be provided by the applicant (either wholly or,  
27 where authorized pursuant to Section 24-124(a)(8) of the County Subdivision Regulations,  
28 through participation in a road club).

1 (11) On a property or parcel zoned E-I-A or M-X-T and containing a minimum of two  
2 hundred fifty (250) acres, a Mixed-Use Planned Community including a combination of  
3 residential, employment, commercial and institutional uses may be approved in accordance with  
4 the provisions set forth in this Section and Section 27-548.

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

Adopted this 21<sup>st</sup> day of July, 2015.

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: \_\_\_\_\_  
Mell Franklin  
Chairman

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.