

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2018 Legislative Session**

Bill No. CB-91-2018
Chapter No. 57
Proposed and Presented by Council Member Taveras
Introduced by Council Members Taveras and Davis
Co-Sponsors _____
Date of Introduction September 25, 2018

ZONING BILL

1 AN ORDINANCE concerning

2 Nonconforming Buildings, Structures, and Uses

3 For the purpose of allowing certain alterations, enlargement, or extensions to certified
4 nonconforming buildings, structures, and uses under certain circumstances, without the
5 requirement of a special exception.

6 BY repealing and reenacting with amendments:

7 Section 27-242(b),

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

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code
12 (2015 Edition, 2017 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
15 District in Prince George's County, Maryland, that Section 27-242(b) of the Zoning Ordinance of
16 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
17 be and the same is repealed and reenacted with the following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 3. ADMINISTRATION.**

20 **DIVISION 6. NONCONFORMING BUILDINGS, STRUCTURES, AND USES.**

1 **Sec. 27-242. Alteration, extension, or enlargement.**

2 (a) **In general.**

3 (1) A nonconforming building or structure, or a certified nonconforming use (except
4 as provided for in this Section) may be altered, enlarged, or extended, provided that:

5 (A) The alteration, enlargement, or extension conforms to the building line
6 setback, yard, and height regulations of the zone in which the use is located; and

7 (B) A special exception has been approved by the District Council, in
8 accordance with Part 4 of this Subtitle.

9 (b) **Exceptions.**

10 * * * * *

11 (13) Military Installation Overlay Zone. In the Military Installation Overlay Zone,
12 alterations, extensions, or enlargements of uses, buildings, or structures considered
13 nonconforming pursuant to the provisions of Section 27-548.53 may be permitted to allow
14 modifications subject to Sections 27-255(c)(2) and 27-255(c)(3) of this Subtitle.

15 (14) Conveyance to a governmental agency for public use.

16 (A) In the event that a conveyance of land to a governmental agency for public
17 use pursuant to Section 24-107(c)(5) of this Code increases the nonconformity of an existing
18 nonconforming use, such use does not require a special exception for any alteration, extension,
19 or enlargement of the nonconforming use. Increases in nonconformity may include:

20 (i) A reduction in net lot area of the property which is the subject of the
21 nonconforming use;

22 (ii) An increase in density;

23 (iii) A reduction in green area;

24 (iv) An increase in lot coverage;

25 (v) A reduction of building setback from any new property line resulting
26 from the conveyance; and/or

27 (vi) A change that impacts any other design requirement or specification or
28 which creates or increases any nonconformity of the buildings, structures or use.

29 (B) Upon completion of the conveyance, the owner shall be required to submit a
30 revised nonconforming use site plan reflecting the changes which result from the conveyance,
31 which shall be recertified by the Planning Board’s authorized representative.

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

Adopted this 23rd day of October, 2018.

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: _____
Dannielle M. Glaros
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.