

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2019 Legislative Session

Bill No. CB-19-2019

Chapter No. 11

Proposed and Presented by Council Member Davis

Introduced by Council Members Davis, Harrison, Turner, Streeter, Glaros, Franklin,
Taveras, Anderson-Walker and Hawkins

Date of Introduction May 14, 2019

ZONING BILL

1 AN ORDINANCE concerning

2 M-X-T Zone

3 For the purpose of amending the regulations of the M-X-T (Mixed Use-Transportation Oriented)
4 Zone through site plan development review processes.

5 BY repealing and reenacting with amendments:

6 Sections 27-276, 27-544, 27-546, and 27-548,

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 (2015 Edition, 2018 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 27-276, 27-544, 27-546, and 27-548
15 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the
16 Prince George's County Code, be and the same are hereby repealed and reenacted with the
17 following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 3. ADMINISTRATION.**

20 **DIVISION 9. SITE PLANS.**

SUBDIVISION 2. REQUIREMENTS FOR CONCEPTUAL SITE PLANS.

Sec. 27-276. - Planning Board procedures.

* * * * *

(b) Required findings.

(1) The Planning Board may approve a Conceptual Site Plan if it finds that the Plan represents a most reasonable alternative for satisfying the site design guidelines without requiring unreasonable costs and without detracting substantially from the utility of the proposed development for its intended use. If it cannot make this finding, the Planning Board may disapprove the Plan.

(2) The Planning Board may approve a Conceptual Site Plan for a Mixed-Use Planned Community in the E-I-A or M-X-T Zone if it finds that the property and the Plan satisfy all criteria for M-X-T Zone approval in Part 3, Division 2; the Plan and proposed development meet the purposes and applicable requirements of the M-X-T Zone; the Plan meets all requirements stated in the definition of the use; and the Plan shows a reasonable alternative for satisfying, in a high-quality, well-integrated mixed-use community, all applicable site design guidelines.

(3) The Planning Board may approve a Conceptual Site Plan for a Regional Urban Community in the M-X-T Zone if it finds that proposed development meet the purposes and applicable requirements of the M-X-T Zone and the Plan meets all requirements stated in the definition of the use and Section 27-544 of this Code. For a property subject to the provisions of Section 27-544(f)(2)(I), the Planning Board or the District Council shall find that any guidelines established for a major employment use or center will not adversely affect the surrounding residential community. In making this finding, the Planning Board or District Council shall consider noise, height of the building, setbacks from surrounding properties, street frontages and sufficiency of green area.

(4) The plan shall demonstrate the preservation and/or restoration of the regulated environmental features in a natural state to the fullest extent possible in accordance with the requirement of Subtitle 24-130(b)(5).

* * * * *

PART 10. MIXED USED ZONES.

DIVISION 2. SPECIFIC MIXED USE ZONES.

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

* * * * *

Sec. 27-544. Regulations.

(c) For property placed in the M-X-T Zone through a Sectional Map Amendment or through a Zoning Map Amendment intended to implement land use recommendations for mixed-use development recommended by a Master Plan or Sector Plan that is approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation:

(1) For property not subject to Section 27-544(f)(2)(I), the design guidelines or standards intended to implement the development concept recommended by the Master Plan, Sector Plan, or the Sectional Map Amendment Zoning Change, and a referenced exhibit of record for the property shall provide guidance for the development regulations to be incorporated into the Conceptual Site Plan.

* * * * *

(f) Regional Urban Community Regulations.

(1) A Regional Urban Community shall conform to the definitions, regulations, and requirements set forth in Sections 27-107.01, 27-276, and 27-508 of the Zoning Ordinance.

(2) In addition to the definition, regulations, and other requirements set forth in Sections 27-107.01, 27-276, and 27-508 of this Code, the following regulations shall apply to a Regional Urban Community in the M-X-T Zone:

(A) [The maximum percentage of attached dwelling units, which includes but is not limited to townhouses, two over twos and triplexes, shall be fifty percent (50%) of the total units in the project;] The maximum number and type of dwelling units shall be determined at the time of the Conceptual Site Plan approval.

(B) For Regional Urban Community developments in the M-X-T Zone, the woodland conservation and afforestation thresholds shall be fifteen percent (15%) with no requirement for on-site mitigation. A fee-in-lieu of \$0.30 per square foot shall be required.

(C) Innovative stormwater management techniques may be used upon a finding that the techniques meet the purpose of the M-X-T Zone as set forth in Section 27-541(a)(2), including but not limited to the utilization of stream channel and floodplain enhancement and

1 restoration. Stream restoration may be utilized to meet channel protection and water quality
2 volumes.

3 (D) No setback shall be required from the 100-year floodplain to the lot line.
4 There shall be a twenty-five (25) foot setback from the building to the 100-year floodplain for
5 residences as a building restriction line as set forth in Section 24-129.

6 (E) The maximum number of townhouse dwelling units per building group
7 shall be ten (10). No more than thirty percent (30%) of the building groups shall contain nine
8 (9) to ten (10) dwelling units. All other townhouse building groups shall contain no more than
9 eight (8) dwelling units.

10 (F) The number of parking spaces required in the core area of the Regional
11 Urban Community are to be calculated by the applicant and submitted for Planning Board
12 approval at the time of Detailed Site Plan approval. The applicant shall submit the
13 methodology, assumptions, and data used in performing the calculations with the Detailed
14 Site Plan. The number of parking spaces within the core area of the Regional Urban
15 Community shall be calculated based on the procedures described in Sections 27-574(b) and
16 (c).

17 (G) End units on townhouse building groups shall be a minimum of twenty
18 (20) feet in width and the minimum building width of a contiguous attached townhouse
19 building group shall be sixteen (16) feet per unit. A variety of townhouse sizes shall be
20 provided, with a minimum gross living space of a townhouse unit shall be 1,500 square feet
21 except that ten percent (10%) of the townhouse units may be reduced to 1,200 square feet.

22 (H) The minimum front setback from any public or private right-of-way may
23 be reduced to seven (7) feet. In the core area, the public maintenance shall be one foot from
24 back-of-curb to one foot to back-of-curb.

25 (I) In the event that a major employment use or center is identified after the
26 adoption of the applicable Sector Plan, the Conceptual Site Plan may be amended to provide
27 appropriate guidelines for such development to be applied at Detailed Site Plan to integrate the
28 use into the surrounding development pattern. Such guidelines may include architecture,
29 streetscape amenities, buffers and landscaping. Such guidelines shall be flexible to
30 accommodate the requirements of the proposed employment use or center.

31 * * * * *

1 **Sec. 27-546. Site Plans.**

2 * * * * *

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

5 (1) The proposed development is in conformance with the purposes and other
6 provisions of this Division;

7 (2) For property placed in the M-X-T Zone through a Sectional Map
8 Amendment approved after October 1, 2006, the proposed development is in conformance
9 with the design guidelines or standards intended to implement the development concept
10 recommended by the Master Plan, Sector Plan, or Sectional Map Amendment Zoning Change
11 or include a major employment use or center which is consistent with the economic
12 development strategies of the Sector Plan or General Plan;

13 * * * * *

14 **Sec. 27-548. Regulations.**

15 * * * * *

16 (j) As noted in Section 27-544(b), which references property placed in the M-X-T Zone
17 through a Sectional Map Amendment approved after October 1, 2006, and for which a
18 comprehensive land use planning study was conducted by Technical Staff prior to initiation,
19 regulations for Conceptual or Detailed Site Plans (such as, but not limited to density, setbacks,
20 buffers, screening, landscaping, height, recreational requirements, ingress/egress, and internal
21 circulation) should be based on the design guidelines or standards intended to implement the
22 development concept recommended by the Master Plan, Sector Plan, or the Sectional Map
23 Amendment Zoning Change and any referenced exhibit of record for the property. This
24 regulation also applies to property readopted in the M-X-T Zone through a Sectional Map
25 Amendment approved after October 1, 2006 and for which a comprehensive land use planning
26 study was conducted by Technical Staff prior to initiation of a concurrent Master Plan or Sector
27 Plan (see Section 27-226(f)(3) of the Zoning Ordinance). Notwithstanding any other provision
28 of this Code, this regulation shall not apply to property subject to the provisions of Section 27-
29 544(f)(2)(I), above.

30 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect on the
31 date of its adoption.

Adopted this 18th day of June, 2019.

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: _____
Todd M. Turner
Chair

ATTEST:

Donna J. Brown
Acting 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.