COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2020 Legislative Session

Bill No. _____ CB-10-2020 _____

Chapter No. _____ 11 _____

Proposed and Presented by _____ Council Member Glaros _____

Introduced by ___ Council Members Glaros, Turner, Streeter, Davis, Hawkins, Harrison ___

_____ and Franklin _____

Date of Introduction _____ June 9, 2020 _____

ZONING BILL

1   AN ORDINANCE concerning

2   Zones and Zoning Maps – Conveyances of Property by the State of Maryland for the University

3   of Maryland

4   For the purpose of amending the Zoning Ordinance provision limiting the zoning classification

5   applicable to conveyances of land by the University of Maryland or the State of Maryland.

6   BY repealing and reenacting with amendments:

7   Section 27-113.04,

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, 2019 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 27-113.04 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17   be and the same is hereby repealed and reenacted with the following amendments:

18   **SUBTITLE 27. ZONING.**

19   **PART 2. GENERAL.**

20   **DIVISION 3. ZONES AND ZONING MAPS.**

21

1 **Sec. 27-113.04. Property conveyed by the State for the University of Maryland.**

2   (a) This section applies to property owned by the State for University of Maryland as

3 conveyed by the State to a private person. It does not apply to property rezoned within twenty-

4 four (24)months of State conveyance to a private person, as provided in Section 27-113, [or]

5 property conveyed from the University of Maryland (or the State of Maryland as title owner for

6 the University of Maryland) which is zoned R-55, lies adjacent to an existing residential

7 subdivision, and is restricted in the conveyance to thirty (30) or fewer lots [or] ; property

8 conveyed from the University of Maryland (or the State of Maryland as title owner for the

9 University of Maryland) which is located within an approved Development District Overlay

10 Zone or Transit District Overlay Zone, is zoned M-U-I or M-X-T at the time of the conveyances,

11 and which will continue to be so zoned after the conveyance; or land conveyed from the

12 University of Maryland (or the State of Maryland as title owner for the University of Maryland)

13 consisting of land zoned either R-10 and R-55 or R-10, R-55, and R-18 wholly or partly within

14 one half mile of a [purple line station] Purple Line Light Rail Station at the time of conveyance

15 (or within two (2) years prior to) the conveyance.

16   (b) For property to be conveyed to a private purchaser by the State for the University of

17 Maryland, the purchaser or State of Maryland may file a Zoning Map Amendment application

18 (as described in Part 3, Division 2) directly with the District Council, at any time before the

19 recording of the deed of conveyance. If no application is filed, then the property shall be placed

20 in the R-O-S Zone, as provided in Section 27-113.

21   (c) Applications filed under this Section shall be processed as follows:

22   (1) Applicants shall comply with all pre-application informational mailing

23 requirements in Part 3, Division 1.

24   (2) Before an application is filed with the District Council, the applicant shall submit to

25 (and have accepted by) the Technical Staff all application materials, together with the filing fee,

26 for a Zoning Map Amendment.

27   (3) Within seventy (70) days of the date of filing, the Technical Staff shall file with the

28 Clerk of the Council a report on the application, with findings and conclusions, recommending

29 approval, approval with conditions, disapproval, or remand for further review to the Technical

30 Staff or, if further evidence is required, to the Zoning Hearing Examiner.

31   (4) The Technical Staff may recommend and the District Council may approve an

1 | amendment under this Section only on the following findings:

2 | (A) The proposed amendment is found to be in general conformance with the

3 | applicable Master Plan map, or the General Plan map, or with the principles and

4 | recommendations in the text of the applicable Master Plan or the General Plan. In making this

5 | finding, staff and Council may consider the Master Plan adopted for the University of Maryland.

6 | (B) Development proposed by the applicant or permitted in the proposed zoning

7 | classification is found not incompatible, as to land uses, visual or noise or environmental effects,

8 | or traffic to be generated, with adjoining properties or others in the neighborhood, as they are

9 | currently (at application time) zoned or used.

10 | (5) Within ninety (90) days of the date of filing, the District Council shall review the

11 | application in a public hearing, where exhibits (but not sworn testimony) may be introduced into

12 | the record. For hearings under this Section only, but not for other Zoning Map Amendment

13 | applications, the applicant shall post the subject property at least thirty (30) days prior to the

14 | hearing before the District Council, giving notice as required in Part 3, Division 1, for Examiner

15 | hearings.

16 | (6) The District Council may approve the rezoning, with or without conditions; may

17 | approve a less intense zone, with or without conditions; may deny the application; or may

18 | remand it to the Technical Staff or, if further evidence is required, to the Zoning Hearing

19 | Examiner.

1   SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect on the

2 date of its adoption.

Adopted this <u>14th</u> day of <u>July</u>, 2020.

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
Council Chair

ATTEST:

_____

Donna J. Brown
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.