

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

2022 Legislative Session

Bill No. CB-069-2022

Chapter No. 45

Proposed and Presented by Council Member Franklin

Introduced by Council Members Franklin, Hawkins, Harrison, Streeter, and Turner

Co-Sponsors _____

Date of Introduction September 20, 2022

ZONING BILL

1 AN ORDINANCE concerning

2 M-X-T Zone Transition

3 For the purpose of enabling properties that were in the M-X-T Zone prior to the effective date of
4 the new zoning ordinance to elect to conform to the requirement of the C-G-O Zone.

5 BY adding:

6 Section 27-1705,

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 (2019 Edition; 2021 Supplement).

12 **WHEREAS** the County Council of Prince George's County, Maryland, sitting as the
13 District Council for that part of the Maryland-Washington Regional District in Prince George's
14 County, Maryland, ("District Council") enacted Council Bill 13 2018 (CB-13-2018), a rewrite of
15 Prince George's County's Zoning Ordinance, which included transitional provisions affecting
16 properties zoned Mixed Use Transportation (M-X-T);

17 **WHEREAS** the District Council adopted a Countywide Map Amendment in 2021, which
18 implemented the new zones established by CB-13-2018;

19 **WHEREAS** the District Council's intent in enacting and adopting, respectively, CB-13-
20 2018 and the Countywide Map Amendment was to transition properties in the County to new

zones that were most comparable to their pre-existing zoning categories, as known as a “one to one transition;”

WHEREAS numerous properties not located in Plan 2035 Centers that were zoned M-X-T before April 1, 2022 were not transitioned to comparable new zones, including being transitioned to less intensive industrial and residential base zones;

WHEREAS the Commercial General Office (C-G-O) Zone is the base zone established by CB-13-2022 that is most comparable zone to the M-X-T zone due to the similar uses and regulations applicable to both zones;

WHEREAS enabling previously zoned M-X-T properties to utilize the uses and regulations of the C-G-O zone would satisfy the District Council's intent in CB-13-2018 of transitioning properties to a zone that is most comparable to their applicable zone under the previous zoning ordinance; now, therefore,

SECTION 1. BE IT ENACTED by the 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, that Section 27-1705 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same is hereby added:

SUBTITLE 27. ZONING.

PART 27-1. GENERAL PROVISIONS.

Sec. 27-1700. Transitional Provisions.

* * * * *

Sec. 27-1705. M-X-T Zone Transition

(a) At the time of site plan or Preliminary Plan of Subdivision, through a new plan or an amendment to an existing plan, a property that was zoned in the Mixed Use-Transportation Oriented (M-X-T) Zone on March 31, 2022 may elect to conform to the uses, regulations, and other requirements of the Commercial, General and Office (C-G-O) Zone for the property that is subject to that site plan or Preliminary Plan of Subdivision. Once this election is made, the property shall conform to the uses, regulations, and other requirements of the C-G-O Zone for development on that property rather than its current zone.

(b) For a property that was zoned in the M-X-T Zone on March 31, 2022 and is subject to an approved site plan or Preliminary Plan of Subdivision, such a property is entitled to

(1) the uses available to properties in the C-G-O Zone and

(2) conform to the regulations and other requirements applicable to the property on

March 31, 2022.

(c) This section does not preclude an applicant from applying for a zoning map amendment or requesting a zoning change by sectional map amendment for a property in accordance with the requirements of this Subtitle. Such a change in zoning would render Subsections (a) and (b), above, no longer applicable to such a property.

(d) The provisions of Section 27-1705(a) through (c) shall not apply to properties in the following zones:

(1) Residential Planned Development (RPD)

(2) Mixed-Use Planned Development (MUPD)

(3) Neighborhood Activity Center (NAC)

(4) Neighborhood Activity Center-Planned Development (NAC-PD)

(5) Town Activity Center, Edge (TAC-E)

(6) Town Activity Center, Core (TAC-C)

(7) Town Activity Center, Planned Development (TAC-PD)

(8) Local Transit-Oriented, Edge (LTO-E)

(9) Local Transit-Oriented, Core (LTO-C)

(10) Local Transit-Oriented, Planned Development (LTO-PD)

(11) Regional Transit-Oriented, Low Intensity, Edge (RTO-L-E)

(12) Regional Transit-Oriented, Low Intensity, Core (RTO-L-C)

(13) Regional Transit-Oriented, High Intensity, Edge (RTO-H-E)

(14) Regional Transit Oriented, High Intensity, Core (RTO-H-C)

(15) Regional Transit-Oriented, Planned Development (RTO-PD)

(16) Neighborhood Conservation Overlay Zone (NCOZ)

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

Adopted this 25th day of October, 2022.

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: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
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.

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