

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2024 Legislative Session**

Bill No. CB-015-2024

Chapter No. 18

Proposed and Presented by Council Member Dernoga

Introduced by Council Members Dernoga, Ivey, Blegay, Olson and Oriadha

Co-Sponsors _____

Date of Introduction June 18, 2024

ZONING BILL

1 AN ORDINANCE concerning

2 The Zoning Ordinance of Prince George’s County—Omnibus Bill

3 For the purpose of reconciling certain terms, procedures, and other language of the new Zoning
4 Ordinance, being Chapter 27, 2019 Laws of Prince George's County; revising certain procedures and
5 regulations; and adding clarification language to further effectuate successful implementation of the
6 County’s new, modern, streamlined Zoning Ordinance.

7 BY repealing and reenacting with amendments:

8 Sections 27-1401, 27-1406, 27-1601, 27-1602, 27-1603, 27-1604, 27-1605,
9 27-1607, 27-1701, 27-1702, 27-1703, 27-1704, 27-1901, 27-1903, 27-1905,
10 27-11001, 27-2400, 27-2500, 27-3200, 27-3302, 27-3303, 27-3304, 27-3305,
11 27-3306, 27-3307, 27-3308, 27-3402, 27-3404, 27-3406, 27-3407, 27-3408,
12 27-3409, 27-3412, 27-3414, 27-3415, 27-3501, 27-3502, 27-3503, 27-3601,
13 27-3602, 27-3604, 27-3605, 27-3611, 27-3613, 27-3614, 27-3615, 27-3617,
14 27-3618, 27-3619, 27-4106, 27-4201, 27-4202, 27-4203, 27-4204, 27-4205,
15 27-4301, 27-4302, 27-4303, 27-4304, 27-4402, 27-5101, 27-5102, 27-5201,
16 27-5202, 27-5203, 27-5402, 27-6206, 27-6302, 27-6305, 27-6306, 27-6307,
17 27-6310, 27-6404, 27-6406, 27-6603, 27-6610, 27-6706, 27-6709, 27-61102,
18 27-61201, 27-61202, 27-61203, 27-61502, 27-61504, 27-61505, 27-61506,
19 27-61603, 27-7101, 27-7102, 27-7103, 27-7104, 27-7105, 27-7106, 27-7107,
20 27-7201, 27-7403, 27-8101, 27-8202, 27-8204, and 27-8301,

21 The Zoning Ordinance of Prince George's County, Maryland,
22 being also

SUBTITLE 27. ZONING.

The Prince George's County Code
(2023 Edition).

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 Sections 27-1401, 27-1406, 27-1601, 27-1602, 27-1603, 27-1604, 27-1605, 27-1607, 27-1701, 27-1702, 27-1703, 27-1704, 27-1901, 27-1903, 27-1905, 27-11001, 27-2400, 27-2500, 27-3200, 27-3302, 27-3303, 27-3304, 27-3305, 27-3306, 27-3307, 27-3308, 27-3402, 27-3404, 27-3406, 27-3407, 27-3408, 27-3409, 27-3412, 27-3414, 27-3415, 27-3501, 27-3502, 27-3503, 27-3601, 27-3602, 27-3604, 27-3605, 27-3611, 27-3613, 27-3614, 27-3615, 27-3617, 27-3618, 27-3619, 27-4106, 27-4201, 27-4202, 27-4203, 27-4204, 27-4205, 27-4301, 27-4302, 27-4303, 27-4304, 27-4402, 27-5101, 27-5102, 27-5201, 27-5202, 27-5203, 27-5402, 27-6206, 27-6302, 27-6305, 27-6306, 27-6307, 27-6310, 27-6404, 27-6406, 27-6603, 27-6610, 27-6706, 27-6709, 27-61102, 27-61201, 27-61202, 27-61203, 27-61502, 27-61504, 27-61505, 27-61506, 27-61603, 27-7101, 27-7102, 27-7103, 27-7104, 27-7105, 27-7106, 27-7107, 27-7201, 27-7403, 27-8101, 27-8202, 27-8204, and 27-8301 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, are repealed and reenacted with the following amendments:

SUBTITLE 27. ZONING.

PART 27-1 GENERAL PROVISIONS

SECTION 27-1400 APPLICABILITY AND JURISDICTION

27-1401.

This Ordinance took effect on April 1, 2022, and repealed and replaced Subtitle 27. Zoning, Prince George's County Code, 2019 Edition and all amendments to Subtitle 27 approved on or before March 31, 2022. This Ordinance applies to the development of any land in the Maryland-Washington Regional District in Prince George's County, Maryland, unless expressly exempted by Section 27-1405 or by another specific Section, Subsection, or paragraph of this Ordinance.

* * * * *

27-1406.

All Federal, State, and local governments (including municipalities), and public and private utilities are required to submit proposed projects for a Mandatory Referral review and approval in accordance with [Sections] §§ 20-301 through 20-305 of the Land Use Article. Such Mandatory Referral review shall follow the Planning Board's Adopted Uniform Standards for Mandatory Referral Review.

* * * * *

SUBTITLE 27. ZONING.

PART 27-1 GENERAL PROVISIONS
SECTION 27-1600 OFFICIAL ZONING MAP

27-1601. Establishment

* * * * *

(b) In accordance with prescriptions of State law applicable to the zoning classifications of land in that portion of the Maryland-Washington Regional District within Prince George’s County, the Clerk of the Council shall maintain and be the custodian of the [official zoning maps] Official Zoning Map of Prince George’s County. With respect to any electronic map or layer within the County’s Geographic Information System (“GIS”), however, it is the intent of this Subtitle to delegate such duty to the Maryland-National Capital Park and Planning Commission (“M-NCPPC”), for the purpose of maintaining an accurate, publicly available electronic version of the Official Zoning Map and to record the same onto permanent media in furtherance of protecting the digital integrity of the document. In the event that minor drafting or other clerical errors or omissions are identified within the GIS mapping system, then the Planning Director may correct such minor errors or omissions, provided that the Director issues a written statement of justification to the Clerk of the Council and District Council as to the subject correction prior to making said change. The Planning Director shall not make any substantive amendments or changes to the electronic maps without specific authority conferred by the District Council or pursuant to express authority set forth in this Subtitle.

* * * * *

27-1602. Zone Classification of Annexed Land

(a) Any lands annexed into the Regional District shall immediately be placed in the RR Zone until a zoning map amendment (ZMA) for the land is adopted by the District Council.

(b) Within six (6) months of the effective date of the annexation, the Planning Board shall conduct an evaluation of the annexed land, surrounding land uses, and zoning patterns and an analysis of conformance to the applicable Area Master Plan or Sector Plan, as appropriate, and shall recommend a zone classification for the annexed land to the District Council.

(c) The District Council shall take action on the Planning Board’s recommendation on a zone classification for the annexed land [as promptly as reasonably possible in consideration of the interests of the landowner(s), affected parties, and citizens of the County] in accordance with the procedures set forth in §§ 20-601 through 20-607 of the Land Use Article of the Maryland Code.

27-1603. Property Conveyed by the United States of America or by the State of Maryland.

(a) Property conveyed in fee simple by the United States of America or the State of Maryland shall [immediately be placed in the Reserved Open Space (ROS) Zone until the District Council approves a Zoning Map Amendment for the property.] be subject to a zoning review by the District Council. The

1 District Council may find that either the existing zoning is appropriate and no zoning change is necessary,
 2 or the existing zoning is inappropriate. If the District Council finds that the zoning is inappropriate, the
 3 District Council shall promptly schedule a review in accordance with Subsections (b) and (c) below.

4 (b) The review shall be conducted at a public hearing advertised in accordance with the notice
 5 requirements for a District Council hearing on a zoning map amendment as specified in Section 27-3407,
 6 Scheduling of Hearings and Public Notice. The Technical Staff shall prepare an impact study that sets
 7 forth the effects of the proposed development or redevelopment on the general neighborhood. In
 8 determining the proper zoning for the subject property, the District Council shall consider:

9 (1) The relationship of the proposed development or redevelopment to the General Plan,
 10 applicable Area Master Plan or Sector Plan, Functional Area Master Plans, or other plan or policy
 11 document approved by the Council; and

12 (2) The impact of any existing or proposed development or redevelopment on the area
 13 affected.

14 (c) Once the District Council has made a decision in its review of the property, that decision shall
 15 be final and may not be reviewed again under the procedures described in Subsections (a) and (b) above.

16 (d) This Section does not apply to property conveyed by[:] the Maryland-National Capital Park
 17 and Planning Commission[or by the State for the University of Maryland, where an application for
 18 another zone is filed before recording of the deed of conveyance].

19 [(c) Property conveyed by the State or the United States shall be placed in the zoning classification
 20 which applied before State or Federal ownership, if (and only if) the property was rezoned by Zoning
 21 Map Amendment approved within twenty-four (24) months of the conveyance.]

22 **27-1604. [Conveyance of Public Land in the ROS Zone to Another Public Entity] Property**
 23 **Conveyed by the State for the University of Maryland**

24 [(a) Upon notification by a public entity of intent to acquire land classified in the ROS Zone which
 25 is owned by another public entity, the land shall immediately revert to its zoning classification prior to its
 26 designation to the ROS Zone.

27 (b) The public entity receiving notification of an intent to acquire land classified in the ROS Zone
 28 shall notify the Planning Board. The Planning Board shall note the reverted zoning category on the
 29 Zoning Map, and transmit notification of such notation to the Clerk of the District Council. For the
 30 purposes of this Section, an amendment of the zoning map shall not be subject to the requirements of
 31 Section 27-3601, Zoning Map Amendment (ZMA).

32 (c) If the land is not conveyed to a public entity, the zoning classification shall immediately revert
 33 to the ROS Zone, and the Planning Board shall note the reversion on the Zoning Map in accordance with
 34 Subsection (b), above.]

1 **(a)** This section applies to property owned by the State for University of Maryland as conveyed by
 2 the State to a private person. It does not apply to property rezoned within twenty-four (24) months of
 3 State conveyance to a private person as provided in Section 27-1603, Property Conveyed by the United
 4 States of America or by the State of Maryland; property conveyed from the University of Maryland (or
 5 the State of Maryland as title owner for the University of Maryland) which is zoned RSF-65, lies adjacent
 6 to an existing residential subdivision, and is restricted in the conveyance to thirty (30) or fewer lots; land
 7 conveyed from the University of Maryland (or the State of Maryland as title owner for the University of
 8 Maryland) between April 1, 2022 and April 1, 2026 consisting of land zoned NAC at the time of
 9 conveyance; or land conveyed from the University of Maryland (or the State of Maryland as title owner
 10 for the University of Maryland) consisting of land either RMF-48 and RSF-65 or RMF-48, RSF-65, or
 11 RMF-20 wholly or partly within one half mile of a Purple Line Light Rail Station at the time of
 12 conveyance (or within two (2) years prior to the conveyance).

13 **(b)** For property to be conveyed to a private purchaser by the State for the University of Maryland,
 14 the purchaser or State of Maryland may file a Zoning Map Amendment application (as described in
 15 Section 27-3601, Zoning Map Amendment (ZMA)) directly with the District Council, at any time before
 16 the recording of the deed of conveyance. If no application is filed, then the property shall be placed in the
 17 ROS Zone.

18 **(c)** Applications filed under this section shall be processed as follows:

19 **(1)** Applicants shall comply with all Pre-Application Informational Mailing requirements in
 20 Section 27-3407, Scheduling of Hearings and Public Notice.

21 **(2)** Before an application is filed with the District Council, the applicant shall submit to (and
 22 have accepted by) the Technical Staff all application materials, together with the filing fee, for a Zoning
 23 Map Amendment.

24 **(3)** At least sixty (60) days prior to the date of the District Council public hearing notification
 25 shall be provided giving notice as required in Section 27-3407, Scheduling of Hearings and Public Notice,
 26 for District Council hearings to:

27 **(A)** any municipality lying, wholly or in part, within, or within one (1) mile of, the
 28 boundaries of the land subject to the application; and

29 **(B)** any governed special taxing districts lying, wholly or in part, within, or within one
 30 (1) mile of, the boundaries of the land subject to the application.

31 **(4)** Within seventy (70) days of the date of filing, the Technical Staff shall file with the Clerk
 32 of the Council a report on the application, with findings and conclusions, recommending approval,
 33 approval with conditions, disapproval, or remand for further review to the Technical Staff or, if further
 34 evidence is required, to the Zoning Hearing Examiner.

1 (5) The Technical Staff may recommend, and the District Council may approve an
 2 amendment under this Section only on the following findings:

3 (A) The proposed amendment is found to be in general conformance with the applicable
 4 Area Master Plan or Sector Plan Map, or the General Plan Map, or with the principles and
 5 recommendations in the text of the applicable Area Master Plan or Sector Plan or the General Plan. In
 6 making this finding, staff and Council may consider the Area Master Plan or Sector Plan adopted for the
 7 University of Maryland.

8 (B) Development proposed by the applicant or permitted in the proposed zoning
 9 classification is found not incompatible, as to land uses, visual or noise or environmental effects, or traffic
 10 to be generated, with adjoining properties or others in the neighborhood, as they are currently (at
 11 application time) zoned or used.

12 (6) Within ninety (90) days of the date of filing, the District Council shall review the
 13 application in a public hearing, where exhibits (but not sworn testimony) may be introduced into the
 14 record. For hearings under this section only, but not for other Zoning Map Amendment applications, the
 15 applicant shall post the subject property at least thirty (30) days prior to the hearing before the District
 16 Council, giving notice as required in Section 27-3407, Scheduling of Hearing and Hearing and Public
 17 Notice, for Zoning Hearing Examiner.

18 (7) The District Council may approve the rezoning, with or without conditions; may approve
 19 a less intense zone, with or without conditions; may deny the application; or may remand it to the
 20 Technical Staff or, if further evidence is required, to the Zoning Hearing Examiner.

21 (A) A two-thirds majority vote of the full Council shall be required to approve any
 22 portion of the amendment that is contrary to the recommendation of a municipality concerning land
 23 within its boundaries, or the recommendation of a governed special taxing district concerning land within
 24 its district.

25 **27-1605. [Land Conveyed by the Prince George's County Housing Authority, the Revenue**
 26 **Authority of Prince George's County, or the Redevelopment Authority of Prince George's County]**
 27 **RESERVED**

28 [(a) No less than six (6) months prior to the development or redevelopment of any land that is
 29 owned by the Prince George's County Housing Authority, the Revenue Authority of Prince George's
 30 County, or the Redevelopment Authority of Prince George's County, the zoning of the land shall be
 31 reviewed by the District Council. The District Council may find that either the existing zoning is
 32 appropriate and no zoning change is necessary or the existing zoning is inappropriate. If the District
 33 Council finds that the zoning is inappropriate, the District Council shall promptly schedule a review in
 34 accordance with Subsection (b).

1 (b) The review shall be conducted at a public hearing advertised in accordance with Section 27-
2 3407, Scheduling of Hearings and Public Notice. The Technical Staff shall prepare an impact study that
3 sets forth the effects of the proposed development or redevelopment on the general neighborhood. In
4 determining the proper zoning for the subject property the District Council shall consider:

5 (1) The relationship of the proposed development or redevelopment to the General Plan,
6 Area Master Plan or Sector Plan, Functional Area Master Plan, or other plan or policy document approved
7 by the Council; and

8 (2) The impact of the proposed development or redevelopment on the area affected.

9 (c) Once the District Council has made a decision in its review of the property, that decision shall
10 be final and may not be reviewed again under the procedures described in Subsections (a) and (b).]

11 * * * * *

12 **27-1607. [Property conveyed by the State for the University of Maryland] RESERVED**

13 [(a) This section applies to property owned by the State for University of Maryland as conveyed by
14 the State to a private person. It does not apply to property rezoned within twenty-four (24) months of
15 State conveyance to a private person, as provided in Section 27-1604, Conveyance of Public Land in the
16 ROS Zone to Another Public Entity or property conveyed from the University of Maryland (or the State
17 of Maryland as title owner for the University of Maryland) which is zoned RSF-65, lies adjacent to an
18 existing residential subdivision, and is restricted in the conveyance to thirty (30) or fewer lots; or land
19 conveyed from the University or Maryland (or the State of Maryland as title owner for the University of
20 Maryland) consisting of land zoned either RMF-48 and RSF-65 or RMF-48, RSF-65, or RMF-20 wholly
21 or partly within one half mile of a Purple Line Light Rail Station at the time of conveyance (or within two
22 (2) years prior to the conveyance).

23 (b) For property to be conveyed to a private purchaser by the State for the University of Maryland,
24 the purchaser or State of Maryland may file a Zoning Map Amendment application (as described in
25 Section 27-3601, Zoning Map Amendment (ZMA)) directly with the District Council, at any time before
26 the recording of the deed of conveyance. If no application is filed, then the property shall be placed in the
27 ROS Zone, as provided in Section 27-1604, Conveyance of Public Land in the ROS Zone to Another
28 Public Entity.

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

30 (1) Applicants shall comply with all pre-application informational mailing requirements in
31 Section 27-3407, Scheduling of Hearings and Public Notice.

32 (2) Before an application is filed with the District Council, the applicant shall submit to (and
33 have accepted by) the Technical Staff all application materials, together with the filing fee, for a Zoning
34 Map Amendment.

1 (3) Within seventy (70) days of the date of filing, the Technical Staff shall file with the Clerk
2 of the Council a report on the application, with findings and conclusions, recommending approval,
3 approval with conditions, disapproval, or remand for further review to the Technical Staff or, if further
4 evidence is required, to the Zoning Hearing Examiner.

5 (4) The Technical Staff may recommend and the District Council may approve an
6 amendment under this Section only on the following findings:

7 (A) The proposed amendment is found to be in general conformance with the applicable
8 Area Master Plan or Sector Plan map, or the General Plan map, or with the principles and
9 recommendations in the text of the applicable Area Master Plan or Sector Plan or the General Plan. In
10 making this finding, staff and Council may consider the Area Master Plan or Sector Plan adopted for the
11 University of Maryland.

12 (B) Development proposed by the applicant or permitted in the proposed zoning
13 classification is found not incompatible, as to land uses, visual or noise or environmental effects, or traffic
14 to be generated, with adjoining properties or others in the neighborhood, as they are currently (at
15 application time) zoned or used.

16 (5) Within ninety (90) days of the date of filing, the District Council shall review the
17 application in a public hearing, where exhibits (but not sworn testimony) may be introduced into the
18 record. For hearings under this Section only, but not for other Zoning Map Amendment applications, the
19 applicant shall post the subject property at least thirty (30) days prior to the hearing before the District
20 Council, giving notice as required in Section 27-3407, Scheduling of Hearings and Public Notice, for
21 Zoning Hearing Examiner.

22 (6) The District Council may approve the rezoning, with or without conditions; may approve
23 a less intense zone, with or without conditions; may deny the application; or may remand it to the
24 Technical Staff or, if further evidence is required, to the Zoning Hearing Examiner.]

25 * * * * *

26 **SUBTITLE 27. ZONING.**

27 **PART 27-1 GENERAL PROVISIONS**

28 **SECTION 27-1700 TRANSITIONAL PROVISIONS**

29 **27-1701. [Effective Date] Purpose and Intent**

30 [This Ordinance shall become effective on April 1, 2022, and repeals and replaces Subtitle 27. Zoning,
31 Prince George’s County Code, 2019 Edition, as amended from time to time.] Notwithstanding the
32 provisions set forth within this Part, the District Council finds that there is a need to apply certain
33 procedures, regulations, zones, uses, and/or other aspects embodied within the prior Zoning Ordinance
34 (being also Subtitle 27, Prince George’s County Code, 2019 Edition) for the purpose of allowing the

1 owners of properties with development and/or development applications of any type approved and/or
 2 constructed under the prior Zoning Ordinance or Subdivision Regulations, including development
 3 applications approved pursuant to the provisions of Section 27-1900, Development Pursuant to Prior
 4 Ordinance, to proceed to utilize the prior Zoning Ordinance and Subdivision Regulations as
 5 “grandfathered” developments. In addition, until April 1, 2032, and in some cases until April 1, 2042 or
 6 later, the owners of properties subject to this Section 27-1700 shall be entitled to obtain approvals for uses
 7 permitted in the zones under which their properties were subject on March 31, 2022 (with some
 8 exceptions as specified below) and to make revisions or amendments as further provided herein.

9 **27-1702. Violations Continue**

10 Any violation of the prior Zoning Ordinance continues to be a violation under this Zoning Ordinance and
 11 is subject to PART 27-8: Enforcement, unless the development complies with the express terms of this
 12 Ordinance. This Section shall not relieve any person of liability for any fines or penalties owing or
 13 claimed to be owing under the prior Zoning Ordinance.

14 **27-1703. Applications Pending Prior to the Effective Date of this Ordinance**

15 Notwithstanding any other provision set forth below, all development applications, including permit
 16 applications, pending prior to the effective date of this Ordinance are subject to Sections 27-1706 and 27-
 17 1905. [If the development has vested rights under Maryland law, then it may proceed under the
 18 following:]

19 (a) Any development application, including a permit application or an application for zoning
 20 classification, that is filed and accepted [prior to the effective date of this Ordinance may] before April 1,
 21 2022, but still pending final action as of that date, shall be reviewed and decided in accordance with the
 22 Zoning Ordinance and Subdivision Regulations in existence at the time of the submission and acceptance
 23 of [said] the application. An application for zoning classification decided after the effective date of this
 24 Ordinance must result in a zone set forth within this Ordinance. If the application expires prior to being
 25 approved, future development shall be subject to the requirements of this Ordinance unless it is refiled in
 26 accordance with Section 27-1903.

27 (b) [Development applications submitted and accepted as complete before April 1, 2022 shall
 28 be processed in good faith and shall comply with the time frames for review, approval, and completion as
 29 is established in the Zoning Ordinance and Subdivision Regulations in existence at the time of the
 30 submission and acceptance of the application. If the application fails to comply with the required time
 31 frames, it shall expire and future development shall be subject to the requirements of this Ordinance.]

32 [(c)] If the development application is approved, the development approval or permit shall
 33 remain valid for the period of time specified in the Zoning Ordinance and Subdivision Regulations under
 34 which the application was reviewed and approved. Extensions of time available under the prior Zoning

1 Ordinance and Subdivision Regulations remain available. If the approval is for a Conceptual Site Plan
 2 (CSP), special permit, Comprehensive Sketch Plan, or [Conceptual] Comprehensive Design Plan (CDP),
 3 the approved CSP, special permit, Comprehensive Sketch Plan, or CDP shall remain valid for twenty (20)
 4 years from [the effective date of this Ordinance, and shall not be subject to the indefinite time period of
 5 validity under the Zoning Ordinance under which it was approved] April 1, 2022 or the date of its
 6 approval, whichever is later, and any applications for subdivision or any zoning approval submitted under
 7 the CSP, special permit, Comprehensive Sketch Plan, or CDP during this time period shall be reviewed
 8 under the Zoning Ordinance and Subdivision Regulations under which the CSP, special permit,
 9 Comprehensive Sketch Plan, or CDP were approved.

10 [(d)](c) Until and unless the period of time under which the development approval or permit
 11 remains valid expires, the project may proceed to the next steps in the approval process (including any
 12 subdivision steps that may be necessary) and continue to be reviewed and decided under the prior Zoning
 13 Ordinance and prior Subdivision Regulations[under which it was approved].

14 [(e)](d) [Once] Notwithstanding the requirements of Part 27-7: Nonconforming Buildings,
 15 Structures, Uses, Lots, and Signs, once constructed, pursuant to a development application or permit
 16 approved under the prior Zoning Ordinance or Subdivision Regulations, all buildings, uses, structures, or
 17 site features will be legal and conforming, are “grandfathered,” and are subject to the provisions of
 18 Section 27-1707. [not nonconforming and shall be exempt from the provisions of this Ordinance until
 19 they are required or elect to file a site plan or other development application (not to include any
 20 application for a change in occupancy or change in ownership). In order to maintain its not
 21 nonconforming status, properties and uses which were formerly in a Commercial Zone, Industrial Zone,
 22 the M-X-T Zone, or the M-U-I Zone, as of April 1, 2022 shall adhere to the procedures set forth in
 23 Section 27-3618, Certification of Nonconforming Use.]

24 [(f)](e) An applicant may elect at any stage of the development review process to have the
 25 proposed development reviewed under this Ordinance. If the applicant desires to utilize an approval under
 26 the prior Zoning Ordinance, any new application under this Ordinance shall conform with all prior
 27 applicable conditions of approval. If no approval under the prior Zoning Ordinance is proposed to be
 28 utilized, any future applications shall only but subject to the requirements of this Zoning Ordinance.

29 [(g)](f) Notwithstanding Sections 27-1703(a) through [(f)](e), above, any pending Conceptual
 30 Site Plan (CSP) or Detailed Site Plan (DSP) application incorporating a request to change the boundary of
 31 an approved Transit District Overlay Zone (TDOZ) or Development District Overlay Zone (DDOZ) or
 32 change the underlying zones in a TDOZ or DDOZ must result in a zone set forth within this Ordinance.
 33 Any pending CSP or DSP application seeking only to change the list of allowed uses, building height

1 restrictions, and/or parking standards may continue to be processed and is not subject to the tolling
2 procedures specified in Part 19 of the prior Zoning Ordinance.

3 [(h)](g) Any ongoing Functional Master Plan, Area Master Plan, or Sector Plan, and any ongoing
4 Sectional Map Amendment, initiated under the prior Zoning Ordinance may proceed to be prepared,
5 adopted, and approved under the Zoning Ordinance regulations under which such plan(s) and Sectional
6 Map Amendment(s) were initiated.

7 **27-1704. Projects Which Received Development or Permit Approval [Prior to the Effective Date of**
8 **this] Under the Provisions of the Prior Zoning Ordinance**

9 Notwithstanding any other provision set forth below, all development applications, including permit
10 applications, pending prior to the effective date of this Ordinance are subject to Section 27-1706. [If the
11 development has vested rights under Maryland law, then it may proceed under the following:]

12 (a) Except for a zoning map amendment (ZMA) of any type, development approvals or
13 permits of any type approved under [this Subtitle or Subtitle 24 of this Code] the prior Zoning Ordinance
14 or prior Subdivision Regulations prior to April 1, 2022 remain valid for the period of time specified in the
15 prior Zoning Ordinance or prior Subdivision Regulations[under which the project was approved].
16 Extensions of time which were available in the prior Zoning Ordinance or prior Subdivision Regulations
17 [under which it was approved] shall remain available. If the approval is for a CSP, special permit,
18 Comprehensive Sketch Plan, or CDP, it shall remain valid for twenty years from April 1, 2022 or the date
19 of its approval, whichever is later, [and shall not be subject to the indefinite time period of validity under
20 the Zoning Ordinance under which it was approved,] except for a CSP as to a Waterfront Entertainment
21 Complex use or CSP-03006 (PGCPB 05-205) and amendments thereto, which shall remain valid
22 indefinitely. Further, approvals for a CSP, special permit, Comprehensive Sketch Plan, or CDP, may not
23 be amended to increase the land area subject to such approval. In addition, a Basic Plan approved prior to
24 the effective date of this Ordinance is grandfathered and can be amended. [In addition, the text of this
25 Subsection shall control over any other provision of this Section.]

26 (b) [Until and u]Unless the period of time under which the development approval or permit
27 remains valid expires, [except for a subdivision approval for the development of multifamily dwelling
28 units on an area consisting of less than six (6) acres of land and adjacent on three sides to property with a
29 future land use designation of Residential, Medium Density Land Uses within an applicable area master
30 plan or sector plan approved prior to 2007, which shall not be entitled to proceed to the next steps in the
31 approval process (including any zoning steps that may be necessary) under the prior Subdivision
32 Regulations and Zoning Ordinance,] the project may proceed to the next steps in the approval process
33 (including any subdivision steps that may be necessary) and continue to be reviewed and decided under
34 the prior Zoning Ordinance and prior Subdivision Regulations[under which it was approved]. For

1 purposes of this Subsection, a property which has obtained approval of a stormwater management concept
 2 plan and a grading permit in accordance with Subtitle 32 of this Code, for which no development
 3 approval pursuant to the prior Zoning Ordinance or prior Subdivision Regulations is required, may
 4 proceed to obtain a building permit under the Zoning Ordinance in effect at the time the Subtitle 32
 5 approvals were obtained. The Planning Director shall report to the County Council, at intervals no less
 6 than quarterly, a report of all development activity within the County.

7 (1) This Subsection shall not apply to a subdivision approval for the development of
 8 multifamily dwelling units on an area consisting of less than six (6) acres of land and adjacent on two
 9 sides to property with a future land use designation of Residential, Medium Density Land Uses within an
 10 applicable area master plan or sector plan approved prior to 2007, which shall not be entitled to proceed
 11 to the next steps in the approval process (including any zoning steps that may be necessary) under the
 12 prior Subdivision Regulations and Zoning Ordinance.

13 (c) If the development approval or permit expires or is revoked (i.e., for failure to comply
 14 with the terms and conditions of approval), any subsequent development of the land shall be subject to the
 15 procedures and standards of this Ordinance, unless it is refiled in accordance with Section 27-1903. [The
 16 Planning Director shall report to the County Council, at intervals no less than quarterly, a report of all
 17 development activity within the County.]

18 (d) [Once constructed, the buildings, uses, structures, or site features will be legal and not
 19 nonconforming and shall be exempt from the provisions of this Ordinance until they are required or elect
 20 to file a site plan or other development application under this Ordinance (not to include any application
 21 for a change in occupancy or a change in ownership). This provision shall expressly subject to the
 22 provisions of Subsection (e) of this Section. No illegal building, use, structure, or site features as of April
 23 1, 2022 will be deemed not nonconforming. Legal nonconforming uses certified under the prior Zoning
 24 Ordinance will continue to maintain their certified legal nonconforming status. No illegal use, structure,
 25 sign, or other feature as of the effective date of the Zoning Ordinance is nonconforming and may not be
 26 certified or considered to be nonconforming. In order to maintain its not nonconforming status, properties
 27 and uses which were formerly in a Commercial Zone, Industrial Zone, the M-X-T Zone, or the M-U-I
 28 Zone as of April 1, 2022 may have a discontinuance of day-to-day operation for a period of less than three
 29 (3) years. Properties and uses in all other zones as of April 1, 2022 shall adhere to the procedures set forth
 30 in Section 27-3618, Certification of Nonconforming Use. Special exception uses approved pursuant to the
 31 requirements of the prior Zoning Ordinance and before the effective date of this Subtitle shall be subject
 32 to the following:

33 (1) If the use is also a special exception in this Ordinance, then the use may continue in
 34 effect as a special exception, and all applicable requirements, standards, and conditions of approval for

1 that special exception shall still apply. Such uses may be modified subject to the provisions of this
2 Ordinance.

3 (2) If the use is prohibited in this Ordinance, then the use may continue as a
4 nonconforming use subject to the provisions of PART 27-7, Nonconforming Buildings, Structures, Uses,
5 Lots, and Signs.

6 (3) If the use is permitted in accordance with this Ordinance without approval of a
7 special exception, the previously approved special exception shall continue in full force and effect,
8 including all associated conditions of approval.] Development approvals or permits of any type approved
9 under the prior Zoning Ordinance or prior Subdivision Regulations or otherwise subject to this Section
10 are “grandfathered” and all buildings, uses, structures, or site features are deemed legal and conforming,
11 and subject to the provisions of Section 27-1707. Notwithstanding the provisions in this Section, if the
12 development approval is for a CSP, special permit, Comprehensive Sketch Plan, or CDP, development
13 approvals shall have access to and utilization of the prior Zoning Ordinance and prior Subdivision
14 Regulations for all purposes until April 1, 2042 pursuant to Subsection (a) above (unless a longer or an
15 indefinite validity is applicable pursuant to Subsection (a) above) or until the property is rezoned pursuant
16 to a Zoning Map Amendment (Section 27-3601) or Planned Development Zoning Map Amendment
17 (Section 27-3602), whichever occurs first. All other development approvals shall have access to and
18 utilization of the prior Zoning Ordinance and prior Subdivision Regulations for all purposes until April 1,
19 2032 or until the property is rezoned pursuant to a Zoning Map Amendment (Section 27-3601) or Planned
20 Development Zoning Map Amendment (Section 27-3602), whichever occurs first.

21 (e) Subsequent revisions or amendments to development approvals or permits
22 “grandfathered” under the provisions of this Section as authorized herein shall be reviewed and decided
23 under the prior Zoning Ordinance (until April 1, 2032 or April 1, 2042, unless a longer or an indefinite
24 validity is applicable in accordance with Subsection (a), above). [under which the original development
25 approval or permit was approved,] unless the applicant elects to have the proposed revision or amendment
26 reviewed under Subsection (f), below[this Ordinance]. Notwithstanding the requirements of Sections 27-
27 289 and 27-325 of the prior Zoning Ordinance (2019 Edition, 2021 Supp.), revisions or amendments to
28 such “grandfathered” development approvals or permits may construct one or more electric vehicle
29 charging stations subject to the review and approval of the DPIE Director. Following the expiration of the
30 grandfather period, subsequent revisions or amendments to development approvals or permits shall be
31 subject to the provisions of Section 27-1707.

32 (f) An applicant may elect at any stage of the development review process to have the
33 proposed development, or any portion thereof, reviewed under this Ordinance.

1 **(1)** If the applicant desires to utilize an approval under the prior Zoning Ordinance
 2 and/or the prior Subdivision Regulations applicable to a single lot or parcel, any new application under
 3 this Ordinance shall conform with all prior applicable conditions of approval. If no approval under the
 4 prior Zoning Ordinance and/or the prior Subdivision Regulations is proposed to be utilized, any future
 5 applications shall only be subject to the requirements of this Ordinance.

6 **(2)** If the applicant desires to utilize an approval under the prior Zoning Ordinance
 7 and/or the prior Subdivision Regulations applicable to lot(s) or parcel(s) in a project or development with
 8 multiple lots or parcels, any buildings, structures, uses, or site features approved or constructed pursuant
 9 to the prior approval shall be “grandfathered” and deemed legal and conforming, and all conditions of the
 10 prior approval(s) shall continue to be applicable to the proposed new development.

11 **(g)** [With the exception of a Basic Plan, a property which has been rezoned through a zoning
 12 map amendment processed prior to the effective date of this Ordinance – but which does not also have a
 13 subsequent entitlement application filed and accepted for processing prior to the effective date of this
 14 Ordinance – must wait and develop pursuant to the applicable regulations of its newly assigned zone
 15 approved through the Countywide Sectional Map Amendment process.

16 **(h)** Property in the LCD Zone may proceed to develop in accordance with the standards and
 17 procedures of the Zoning Ordinance in existence prior to the effective date of this Ordinance, subject to
 18 the terms and conditions of the development approvals which it has received.

19 **(i)** **(h)** Property in the LMXC Zone may proceed to develop in accordance with the
 20 standards and procedures of the Zoning Ordinance in existence prior to the effective date of this
 21 Ordinance, subject to the terms and conditions of the development approvals which it has received.

22 **(j)** **(i)** Property in the LMUTC Zone may proceed to develop in accordance with the
 23 guidelines and standards of the specific Mixed-Use Town Center Development Plan in which the property
 24 is located. Except as modified by Section 27-4205(e) of this Ordinance, the procedures of the Zoning
 25 Ordinance in existence prior to the effective date of this Ordinance, including procedures relating to
 26 variance approvals and secondary amendments, shall also apply to property in the LMUTC Zone as
 27 appropriate.

28 **(k)** **(j)** If a building permit authorized by an approved special exception was issued prior to
 29 October 16, 1975, existing development may continue and new development may proceed in accordance
 30 with that special exception approval, regardless of whether there is an approved application in the record.
 31 A graphic illustration of the actual development pursuant to the approval is considered the application.

32 **(l)** **(k)** Property which was in the M-X-T Zone may proceed to develop in accordance with
 33 the standards and procedures of the prior Zoning Ordinance and this Section, subject to the terms and
 34 conditions of the development approvals it has received.

1 ~~[(m)]~~ **(l)** Notwithstanding the provisions specified within this [s]Section, no tobacco shop,
 2 electronic cigarette shop, or retail tobacco business that sells tobacco or electronic cigarette products for
 3 offsite use may be approved if it is located within a five-mile radius of another tobacco shop, electronic
 4 cigarette shop, or retail tobacco business that also sells tobacco or electronic cigarette products for offsite
 5 use.

6 ~~[(n)]~~ **(m)** Any assemblage of properties abutting the inside of the Capital Beltway (I-95/I-
 7 495) that were rezoned from the M-X-T Zone to the IE (Industrial, Employment) Zone pursuant to the
 8 Countywide Sectional Map Amendment (CMA) may elect to develop under the provisions of this
 9 Ordinance for development in the CGO (Commercial, General and Office) Zone.

10 ~~[(o)]~~ **(n)** [Unless otherwise provided in this Subtitle, any use allowed on any property by the
 11 zoning classification that was in effect on March 31, 2022, may be permitted until April 1, 2032, or until
 12 the property is rezoned pursuant to a Zoning Map Amendment (section 27-3601) or Planned Development
 13 Zoning Map Amendment (section 27-3602), whichever occurs first.] Notwithstanding any other provision
 14 in this Ordinance to the contrary, the following shall apply to large projects as hereinafter defined:

15 **(1)** Projects zoned M-X-T (Mixed Use – Transportation Oriented) under the prior
 16 Zoning Ordinance which were developed and constructed with at least 500,000 gross square feet of
 17 commercial floor area improvements on or before March 31, 2022 (and which have entitlements
 18 authorizing additional commercial and/or residential uses); or

19 **(2)** Projects zoned M-X-T (Mixed Use – Transportation Oriented) under the prior
 20 Zoning Ordinance with an approved Conceptual Site Plan (s), Preliminary Plan(s) of Subdivision,
 21 Detailed Site Plan(s), and/or Final Record Plat(s), and which consist of more than four hundred (400)
 22 residentially-zoned lots or dwelling units or more than one hundred and fifty (150) gross acres of land
 23 designated for nonresidential uses, or both, which was/were valid on or before March 31, 2022.

24 Such projects may, during the entire validity period of the project’s Conceptual Site Plan(s),
 25 continue to complete the development and/or make revisions or amendments thereto, which may include
 26 site modifications, expansions, building reconstruction (but not to include reconstruction of the entire
 27 project) and changes in occupancy or ownership. During the period while the Conceptual Site Plan(s)
 28 remains valid, the project shall also have access to the use table of the M-X-T (Mixed Use –
 29 Transportation Oriented) Zone of the prior Zoning Ordinance for any purpose including use and
 30 occupancy permits for new tenants of any type. Revisions or amendments may include revisions or
 31 amendments to the approved Conceptual Site Plan(s), Preliminary Plan(s) of Subdivision, and/or Detailed
 32 Site Plan(s).

33 Upon expiration of the Conceptual Site Plan(s), all buildings, structures, and site elements either
 34 constructed or approved for construction pursuant to approved Detailed Site Plan(s) shall remain legal and

1 conforming and shall not be subject to the provisions of Part 27-7: Nonconforming Buildings, Structures,
2 Uses, Lots, and Signs, of the current Zoning Ordinance. The approved Detailed Site Plan(s) shall
3 constitute the approved development plans for that portion of the project, and the buildings, structures,
4 and site elements shall not be required to conform to the development regulations of the current Zoning
5 Ordinance and/or the current Subdivision Regulations. Only the land areas within a project as defined
6 under Subsections (1) and (2) above, and which are proposed for future development, shall be required to
7 conform to the provisions of the current Zoning Ordinance and/or the current Subdivision Regulations.

8 * * * * *

9 **27-1707. [Reserved.] Grandfathered Buildings, Structures, Site Features, and Uses.**

10 **[Editor's Note:**

11 Pursuant to the Council's adoption of CB-014-2023, effective March 20, 2023, Section 27-1707. Projects
12 Which are Developed and Constructed Pursuant to the Prior Ordinance was repealed.]

13 Notwithstanding any other provision of this Ordinance to the contrary, at the time that any
14 development ceases to be protected by all grandfathering provisions contained herein:

15 (a) A legal nonconforming building, structure, site feature, or use in existence under the prior
16 Zoning Ordinance on March 31, 2022, which is not in conformance with the requirements of the zone in
17 which it is located under this Ordinance on April 1, 2022, remains a legal nonconforming building,
18 structure, site feature, or use, and shall be subject to the requirements of this Section.

19 (b) A legal conforming building, structure, site feature, or use in existence under the prior Zoning
20 Ordinance on March 31, 2022, which is not in conformance with the requirements of the zone in which it
21 is located under this Ordinance on April 1, 2022, or a building or structure constructed pursuant to
22 development applications approved under Sections 27-1703, 27-1704, or 27-1900 of this Ordinance
23 which is not in conformance with the requirements of the zone in which it is located at the time the
24 building or structure is entitled to issuance of a use and occupancy permit, shall be a legal conforming
25 building, structure, site feature, or use under this Ordinance until and unless the District Council approves
26 a new zone for the property after the expiration of any grandfathering provisions provided in Sections 27-
27 1704(a) and (d) (as applicable) that would create a new nonconforming use.

28 (1) Such legal conforming buildings, structures, and site features:

29 (A) May be repaired or maintained;

30 (B) May be altered, extended, or enlarged by the greater of ten percent (10%) of the
31 gross square footage or 30,000 gross square feet without approval of a detailed site plan, provided the
32 alteration, extension, or enlargement conforms to the building line setback or build-to line, yard, and
33 height regulations of the zone in which the building, structure, or use was located prior to April 1, 2022;
34 and

1 (C) May be restored or reconstructed if unintentionally destroyed by fire or other
2 calamity if a building permit for such restoration or reconstruction is issued within two (2) calendar years
3 from the date of destruction, and construction pursuant to the permit has begun within six (6) calendar
4 months after the date of issuance (or lawful extension of the permit and proceeds to completion in a
5 timely manner.

6 (2) Such legal conforming uses:

7 (A) May not be discontinued for a period exceeding three (3) years unless either:

8 (i) The building or structure in which the use is being conducted is being restored
9 or reconstructed pursuant to Section 27-7102(c)(1)(C);

10 (ii) The Planning Board determines upon written request that the conditions of
11 nonoperation were beyond the control of the person who was in control of the property during the period
12 of nonoperation; or

13 (iii) The discontinuation is for the sole purpose of correcting Code violations.

14 (B) Shall remain subject to all conditions applicable to such use under the prior Zoning
15 Ordinance including any conditions of approval associated with an approved Special Exception.

16 (c) Any alteration, extension, or enlargement which exceeds ten percent (10%) of the gross square
17 footage or 30,000 square feet, whichever is greater, shall require approval of a detailed site plan. The
18 detailed site plan shall include regulations pertaining to the height of structures, lot size and coverage,
19 frontage, setbacks, density, and any other requirements related to the property or project applicable to the
20 development. In no event may an alteration, extension, or enlargement:

21 (A) Increase the gross floor area of an existing development by more than one hundred
22 percent (100%); or

23 (B) Allow the demolition and reconstruction of more than fifty percent (50%) of an existing
24 development.

25 Upon approval of the detailed site plan, the regulations shown on the approved site plan shall
26 constitute the regulations of the property or project and shall guide any future modifications or revisions.
27 The detailed site plan shall be approved in accordance with Section 27-3605(e)(8).

28 * * * * *

29 **SUBTITLE 27.ZONING.**

30 **PART 27-1 GENERAL PROVISIONS**

31 **SECTION 27-1900 DEVELOPMENT PURSUANT TO PRIOR ORDINANCE**

32 **27-1901. Abrogation**

1 The provisions of this Section shall be abrogated, and of no further force and effect after [two (2)] three
2 (3) years after the effective date of this Ordinance, absent further extension by legislative act of the
3 District Council, subject to Section 27-1905 of this Subtitle.

4 * * * * *

5 **27-1903. Applicability**

6 (a) Development [proposals] applications for property within the LCD, LMXC, and LMUTC
7 zones are ineligible for application of the prior Zoning Ordinance under this Section 27-1900. All
8 development proposed in the zones set forth in this Section shall develop in accordance with the
9 requirements of this Ordinance, unless subject to the Transitional Provisions set forth in Section 27-1700,
10 Transitional Provisions, of this Subtitle.

11 (b) Except as otherwise provided in this Section, development applications of any type for
12 properties in all other zones of the County may utilize the prior Zoning Ordinance for development of the
13 subject property.

14 (c) Notwithstanding procedures specified in Sections 27-548.09.01 and 27-548.26 of the prior
15 Zoning Ordinance, development [proposals] applications within a Transit District Overlay Zone (TDOZ)
16 or Development District Overlay Zone (DDOZ) may not include requests to change the boundary of the
17 approved TDOZ or DDOZ or change the underlying zones.

18 [(c) Except as otherwise provided in this Section, proposals or permit applications of any type for
19 properties in all other zones of the County may utilize the prior Zoning Ordinance or Subdivision
20 Regulations for development of the subject property.]

21 (d) Except as otherwise provided in Subsection (e), no development application for construction of
22 a building or structure intended to serve as a gas station principal use shall be accepted. [Notwithstanding
23 the abrogation provisions in Section 27-1901, if an application that elects to utilize the prior ordinance for
24 development of uses other than a gas station principal use is filed and accepted within 2 years from the
25 effective date of this ordinance, the development project shall be reviewed in accordance with the Zoning
26 Ordinance and Subdivision Regulations in existence at the time of the acceptance of a development
27 application.]

28 (e) For applications electing to utilize the prior Ordinance for development of a gas station
29 principal use:

30 (1) Existing gas station principal uses may elect to utilize the prior Ordinance for any
31 modification, alteration, or expansion, including the complete demolition and reconstruction on site, until
32 April 1, 2024.

33 (2) For new gas station principal uses to be located on a site where a prior gas station did not
34 exist on April 1, 2022, if the application is filed and accepted within 1 year from the effective date of this

1 Ordinance, the development project shall be reviewed in accordance with the prior Zoning Ordinance and
2 Subdivision Regulations.

3 (f) Once approved, development applications, not subject to Section 27-1905 of this Subtitle, that
4 utilize the prior Zoning Ordinance shall be considered “grandfathered” and subject to the provisions set
5 forth in Section 27-1704 of this Subtitle.

6 * * * * *

7 **27-1905. Prohibited laws under the Prior Zoning Ordinance.**

8 Notwithstanding any other provision of this Ordinance, unless a development has vested rights under
9 Maryland law, then any development application, including a permit application, filed under 27-1703, 27-
10 1704, 27-1903, or 27-1904 shall be strictly prohibited and ineligible for processing using the prior Zoning
11 Ordinance as stated in Section[.] 27-1706 of this Subtitle.

12 * * * * *

13 **SUBTITLE 27. ZONING.**

14 **PART 27-1 GENERAL PROVISIONS**

15 **SECTION 27-11000 REGULATIONS APPLICABLE IN ALL ZONES**

16 **27-11001. Prohibited Uses.**

17 (a) The following uses are prohibited in all zones:

18 (1) The display or sale of drug paraphernalia.

19 (A) "Drug Paraphernalia" means all equipment, products, and materials of any kind
20 which are used in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding,
21 converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing,
22 containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a
23 controlled dangerous substance in violation of [Subheading Health-Controlled Dangerous Substances,
24 Article 27,] Title 5 of the Criminal Law Article of the Annotated Code of Maryland. "Drug
25 Paraphernalia" includes:

26 * * * * *

27 (B) In determining whether an object is drug paraphernalia, a court or other
28 authority shall consider, in addition to all other logically relevant factors, the following:

29 (i) Statements by an owner or by anyone in control of the object concerning its
30 use;

31 (ii) Prior convictions (if any) of an owner or anyone in control of the object,
32 under any State or Federal law relating to any controlled dangerous substance;

1 (iii) The proximity of the object, in time and space, to a direct violation of
2 [Subheading Health-Controlled Dangerous Substances, Article 27,] Title 5 of the Criminal Law Article of
3 the Annotated Code of Maryland;

4 (iv) The proximity of the object to controlled dangerous substances;

5 (v) The existence of any residue of controlled dangerous substances on the
6 object;

7 (vi) Direct or circumstantial evidence of the intent of an owner, or of anyone in
8 control of the object, to deliver it to persons whom he knows, or should reasonably know, intend to use
9 the object to facilitate a violation of [Subheading Health-Controlled Dangerous Substances, Article 27,]
10 Title 5 of the Criminal Law Article of the Annotated Code of Maryland. The innocence of an owner, or of
11 anyone in control of the object, as to a direct violation of that [Subheading] Title shall not prevent a
12 finding that the object is used as drug paraphernalia;

13 (vii) Instructions, oral or written, provided with the object concerning its use;

14 (viii) Descriptive materials accompanying the object which explain or depict its
15 use;

16 (ix) National and local advertising concerning its use;

17 (x) The manner in which the object is displayed for sale;

18 (xi) Whether the owner, or anyone in control of the object, is a legitimate supplier
19 of similar or related items to the community, such as a licensed distributor or dealer of tobacco products;

20 (xii) Direct or circumstantial evidence of the ratio of sales of the object to the total
21 sales of the business enterprise;

22 (xiii) The existence and scope of legitimate uses for the object in the community; or

23 (xiv) Expert testimony concerning its use.

24 (C) The definitions contained in [Article 27, Section 277] § 5-101, Title 5, Controlled
25 Dangerous Substances, Prescriptions, and Other Substances in the Criminal Law Article, Annotated Code
26 of Maryland, are a part of this Section to the same extent as if they were fully described in the Section.

27 * * * * *

28 **SUBTITLE 27. ZONING.**

29 **PART 27-2 INTERPRETATION AND DEFINITIONS**

30 **SECTION 27-2400 PRINCIPAL USE CLASSIFICATION**

31 * * * * *

32 **(d) Descriptions of Residential Principal Use Categories**

33 **(1) Household Living Uses**

The Household Living Uses category includes use types that provide for the residential occupancy of a dwelling unit by a single family. Tenancy is generally arranged on a month-to-month or longer basis. Use types include but are not limited to: single-family detached dwellings; two-family dwellings; three-family dwellings; multifamily dwellings; townhouse dwellings, live-work dwellings; artist residential studios; and mobile homes [dwellings]. This use category does not include residential use types that generally involve some level of managed personal care for a larger number of residents (e.g., assisted living facilities or boarding houses), which are categorized in the Group Living Uses category.

* * * * *

(e) Descriptions of Public, Civic, and Institutional Principal Use Categories

* * * * *

(3) Educational Uses

The Education Uses category includes use types such as private schools (including charter schools and academies) at the elementary, middle, or high school level that provide State-mandated basic education or a comparable equivalent. This use category also includes colleges, universities, and other institutions of higher learning such as vocational or trade schools that offer courses of general or specialized study leading to a degree or certification, driving schools, and water-dependent research facilities (operated by government or an educational institution).

* * * * *

(f) Descriptions of Commercial Principal Use Categories

* * * * *

(4) Eating or Drinking Establishment Uses

The Eating or Drinking Establishment Uses category consists of establishments primarily engaged in the preparation and serving of food or beverages for on- or off-premises consumption. Use types include but are not limited to: small-scale alcohol production facilities; restaurants; quick-service restaurants; catering establishments; establishments primarily engaged in selling food or beverages for on-site consumption that also provide live entertainment on a limited basis; and similar uses.

* * * * *

SUBTITLE 27. ZONING.

PART 27-2 INTERPRETATION AND DEFINITIONS

SECTION 27-2500 DEFINITIONS

* * * * *

Adaptive reuse

The [adaptation] use of a building designated as a Historic Site by the Historic Preservation Commission for a use not allowed within the existing zone in order to encourage the preservation of buildings

1 important to Prince George’s County heritage or which have distinctive architectural and environmental
2 characteristics.

3 **Adaptive reuse of a surplus public school**

4 The use of a former public school building for a use not allowed within the existing zone and not
5 prohibited in all zones in order to encourage infill development and minimize the impact of new
6 development.

7 * * * * *

8 **Agritourism**

9 An agricultural enterprise that is intended to attract visitors and provide supplemental income for the
10 owner of a working farm, and that is:

- 11 (A) Offered to the public or invited groups;
- 12 (B) Related to agriculture or natural resources; and
- 13 (C) Incidental to the primary operation on the site.

14 Agritourism uses include, but are not limited to: equine activities, fishing, hunting, wildlife study, holiday
15 and seasonal [attractions] attractions, corn mazes, harvest festivals, barn dances, hayrides, roadside
16 stands, farmer's markets, u-pick or pick-your-own operations, rent-a-tree operations, farm tours, wine
17 tasting, educational classes related to agricultural products or skills, and accessory recreational activities
18 provided for guests. Agritourism includes activities such as, but not limited to, picnics, equine facilities,
19 party facilities, retreats, weddings, and farm or ranch stays. Agritourism does not include a recreational
20 campground.

21 * * * * *

22 **Alcohol production facility, small-scale**

23 A production facility or establishment for the brewing of [ales,] beers, meads, or similar beverages on-
24 site, and serves those beverages on-site or for off-site consumption. These facilities may not brew more
25 than [22,500] 45,000 barrels of beverages (in total) annually, in accordance with State law for micro-
26 brewery licensure.

27 * * * * *

28 **Area Master Plan**

29 [A planning document that serves as a guide for future development. An Area Master Plan includes the
30 entirety of one or more planning areas. It combines policy statements, goals, strategies, standards, maps,
31 and data relative to the past, present, and future trends of a particular area (such as population, housing,
32 economic, social patterns, land use, water resources, transportation facilities, and other public facility
33 conditions and trends).] A comprehensive plan for the physical development of the entirety of one or
34 more planning areas, showing in detail elements such as the type, density, and intensity of land uses;

1 pedestrian, bicycle, and vehicular traffic features; public facilities; and the relationship between the
2 various uses to transportation, other public facilities and services, and amenities within the master plan
3 area, and where appropriate, to other areas. Any reference to a Sector Plan in this Ordinance shall equally
4 apply to an Area Master Plan. [For transitional purposes, t]The term Area Master Plan shall include any
5 transit district development plan approved prior to the effective date of this Zoning Ordinance.

6 * * * * *

7 **Commercial vehicle repair and maintenance**

8 Establishments, excluding vehicle paint finishing shops, that repair, install, or maintain the mechanical
9 components or the bodies of large trucks, mass transit vehicles, large construction or agricultural equipment,
10 or commercial boats. Includes paint booths, mixing areas, and spraying or similar means of application of
11 automobile paint that are customarily incidental to commercial vehicle repair and maintenance operations.

12 * * * * *

13 **[Congregate living facility**

14 A residential facility for nine (9) to twenty (20) elderly or physically disabled residents, within which
15 sheltered care services are provided, which may include, but need not be limited to, living and sleeping
16 facilities, meal preparation, laundry services, housekeeping, personal observation and direction in the
17 activities of daily living, transportation for routine social and medical appointments, and the availability
18 of a responsible adult for companionship or nonclinical counseling. The term shall not include an "adult
19 day care center," "hospital," "nursing or care home," "family," or "group residential facility," as defined
20 elsewhere in this Subtitle.]

21 * * * * *

22 **Consolidated storage**

23 A building or group of buildings divided into separate self-contained units or areas of 500 square feet or
24 less that are offered for rent for self-service storage of household and personal property and not for use in
25 connection with the operation of a business. The storage units or areas are designed to allow private
26 access by the tenant for storing and removing personal property. The rental of trucks or trailers is a
27 separate principal use and not considered accessory to this use.

28 * * * * *

29 **Driving school**

30 An educational facility providing classroom and practical instruction in the operation of motor vehicles.

31 * * * * *

32 **Dwelling, single-family attached**

33 [A] One to three attached buildings that are used as single-family dwellings, which [is]are attached by
34 means of a solid, common wall [to one or more other dwellings].

* * * * *

Dwelling, townhouse

A building containing four or more dwelling units that are attached horizontally through, and entirely separated by, common walls, with each dwelling unit occupying space from the lowest floor to the roof of the building[, and located on a separate townhouse lot].

* * * * *

[Elderly housing]

[For purposes of this Subtitle, elderly housing is defined as housing for older persons as provided in Title 42 USC, Section 3607B and the regulations issued thereunder, and intended for and solely occupied by persons sixty-two (62) years of age and older.]

* * * * *

Eleemosynary or philanthropic institution

Any facility operated by a private, nonprofit organization offering religious, social, physical, recreational, emergency, or benevolent services, and which is not already specifically allowed in the various zones. The organization shall not carry on a business on the premises. The term shall not include an “adult day care center[,]” [“congregate living facility,”] or “group residential facility.”

* * * * *

Farm-based alcohol production

An alcohol production facility located on a [licensed] farm and using agricultural products produced on the [licensed] farm. Farm breweries, distilleries, rectifiers, or wineries are licensed and regulated by the State of Maryland and Federal Law. Accessory uses may include retail sales of beverages produced on-site as allowed by State licensing laws.

* * * * *

Farm supply sales and farm machinery/implement sales, rental, or repair

An establishment for the sale of plant seeds and bulbs, animal feed, fertilizer, herbicides and soil conditioners, fungicides and insecticides, and similar products to farmers; or for the sale, rental, and/or repair of equipment normally or routinely used on farms or gardens, and related parts, tools and accessories—but not of non-farm equipment or materials.

* * * * *

Fixed-Guideway Transit

Transit service provided in rights-of-way dedicated for that service. Commuter rail, heavy rail (such as Metrorail), light rail, and bus rapid transit in dedicated rights-of-way, are considered fixed-guideway transit. Bus services provided in a painted lane or lane shared with traffic are not considered fixed-guideway transit.

* * * * *

Food [and] or beverage distribution at wholesale

A facility for the storing or distribution of treated or prepared food or beverage products at wholesale, but not including the slaughtering of small or large livestock or confined animal feeding operations (food processing), or for the placing of soft drinks, juice, water, milk, alcoholic beverages, or other liquids into bottles or cans for shipment (beverage bottling).

* * * * *

Food market

A food market is an establishment that offers specialty food, beverages (including alcoholic beverages), or sundry products at retail, such as meat, seafood, produce, artisanal goods, baked goods, pasta, cheese, confections, coffee, tea, soft drinks and other specialty food products.[, and] A food market may also offer additional food and non-food commodities related or complementary to the specialty food products[.] provided that the sales area of tobacco products is not more than thirty-two (32) square feet or five percent (5%), whichever is less, of the gross floor area of the overall retail sales area. A food market may sell beer, alcohol, and wine for consumption off the premises with the appropriate State of Maryland beverage licenses. The term “food market” includes the terms “food or beverage store” and “liquor store” from the prior Zoning Ordinance excepting full-service grocery stores, which are classified as “grocery store” in this Ordinance, and food markets associated with gas stations, which are part of the definition of “gas station” in this Ordinance.

* * * * *

Greenway

A linear park that links various parts of the community with facilities such as bicycle paths and footpaths.

* * * * *

Home occupation

Any occupation or enterprise for gain or profit carried on in a dwelling unit and which meets the criteria of Section 27-5203(b)(6), Home Occupation. The following uses are permitted as a home occupation accessory to, incidental to, and secondary to a dwelling unit, subject to restrictions in the definitions of those uses, and with additional restrictions as indicated:

- (A) Instruction that involves a single instructor and not more than 5 students at any one time;
- (B) General clerical work (such as typing, envelope or flyer preparation or mailing, bookkeeping, and the like), with no more than 2 nonresident employees on the premises at any time;
- (C) Retail businesses involving only door-to-door, home party, or mail- order sales, with temporary storage of merchandise permitted prior to delivery;

- (D) The practice of electrolysis (the destruction of hair roots with an electric current);
- (E) The practice of taxidermy;
- (F) Nail salons, beauty parlors and barber shops of 2 or fewer chairs;
- (G) Catering businesses limited to food preparation for off-premises delivery, with no more than 1 nonresident employee and 1 customer on the premises at any time. The business shall be on property of at least 10 contiguous acres and may be in the dwelling unit or in an accessory building subordinate to the dwelling in size and use;
- (H) Cottage food preparation;
- (I) The creation, production, and storage within the dwelling unit and accessory buildings, for sale at another location, of tangible objects of art or craft items, works in progress, and supplies and materials;
- (J) The practice of acupuncture;
- (K) Pet grooming services and dog daycare facilities; and
- (L) Offices for accountants, architects, attorneys, clergymen, engineers, medical practitioners, and similar professions.

The following uses are not permitted as a home occupation accessory to a dwelling unit:

- (A) Fortunetelling;
- (B) Nursing or care homes, adult day care centers, [congregate living facilities,] group residential facilities, or hospitals;
- (C) Tourist homes;
- (D) Nail salons, beauty parlors, or barber shops of more than 2 chairs;
- (E) Businesses, trades, offices, or enterprises which use more than 2 commercial vehicles, alter the residential appearance of the dwelling, or adversely impact the residential character of the neighborhood; and
- (F) Wholesale dealers' display, storage or repair of vehicles.

* * * * *

Kennel

An establishment where a person engages in boarding, breeding, buying, grooming, letting for hire, training (for a fee), or selling dogs or cats, for which a license is required pursuant to Subtitle 3 of the County Code. This term does not include a pet grooming establishment [or a dog day care facility]. The number of animals permitted in the kennel shall be addressed as part of the special exception approval.

* * * * *

Landscape Manual

1 The document that promulgates the standards and criteria for developing landscaped, buffered, and screened
2 areas in Prince George's County, and which is adopted and revised and amended from time to time by the
3 District Council.

4 * * * * *

5 **Lot line, front**

6 The line running along the “front of the lot” and separating it from the “street.” In this Subtitle, the “front
7 lot line” is also called the “front street line.” In a “through lot,” all lines abutting the “streets” are “front
8 street lines.” On a “corner lot” the shortest lot line that abuts a "street” is the front lot line. If the "lot
9 lines" abutting "streets" are of equal length, the "lot" fronts on the "street" having the longest frontages
10 within the same "block."

11 * * * * *

12 **Major plan amendment**

13 An amendment to an approved Functional Master Plan, Area Master Plan, or Sector Plan that exceeds the
14 scope of a minor plan amendment, but which does not necessitate the preparation and approval of a new
15 plan.

16 * * * * *

17 **Minor plan amendment**

18 An amendment to an approved Functional Master Plan, Area Master Plan, or Sector Plan limited by, and
19 prepared, adopted, and approved through the minor plan amendment approval process in Section 27-
20 3502(i) of this Ordinance.

21 * * * * *

22 **Nonconforming building or structure**

23 [Any “building” or “structure” which is not in conformance with a requirement of the zone in which it is
24 located (as it applies to the “building” or “structure”), provided that:

- 25 (A) The requirement was adopted after the “building” or “structure” was lawfully erected; or
- 26 (B) The “building” or “structure” was erected after the requirement was adopted and the District
27 Council has validated a building, use and occupancy, or sign permit issued for it in error.
- 28 (C) Any building used exclusively for residential purposes, containing not more than three (3)
29 dwelling units, and which was constructed prior to November 29, 1949, shall not be deemed a
30 nonconforming building or structure.]

31 Any building or structure which is not in conformance with a requirement of the zone in which it is
32 located (as it applies to the building or structure), provided that:

- 33 (A) The requirement was adopted after the building or structure was lawfully erected; or

1 (B) The building or structure was erected after the requirement was adopted and the District
2 Council has validated a building, use and occupancy, or sign permit issued for it in error.

3 **Nonconforming use**

4 [(A) The “use” of any “building,” “structure,” or land which is not in conformance with a
5 requirement of the zone in which is it located (as it specifically applies to the “use”), provided that:

6 (i) The requirement was adopted after the “use” was lawfully established; or

7 (ii) The “use” was established after the requirement was adopted and the District Council has
8 validated a building, use and occupancy, or sign permit issued for it in error.

9 (B) The term shall include any “building,” “structure,” or land used in connection with a
10 “nonconforming use,” regardless of whether the “building,” “structure,” or land conforms to the physical
11 requirements of the zone in which it is located.]

12 The use of any building, structure, or land which is not in conformance with the requirement of the zone
13 in which it is located (as it specifically applies to the use) provided that:

14 (A) The requirement was adopted after the use was lawfully established; or

15 (B) The use was established after the requirement was adopted and the District Council has
16 validated a use and occupancy permit issued for it in error.

17 **Nonprofit recreational use**

18 Indoor or outdoor facilities for recreation activities operated by a bona fide nonprofit group or
19 organization.

20 * * * * *

21 **Park [or greenway]**

22 [A park consists of l]Land used for recreation, exercise, sports, education, rehabilitation, or similar
23 activities, or a land area intended to enhance the enjoyment of natural features or natural beauty, including
24 dog parks and excluding commercially operated amusement parks. [A greenway is a linear park that links
25 various parts of the community with facilities such as bicycle paths and footpaths.]

26 * * * * *

27 **Parking facility**

28 The use of an [An] off-street, hard-surfaced, area—or a structure composed of one or more levels or
29 floors—[that is used] exclusively for the temporary storage of motor vehicles. A structured parking
30 facility may be completely below grade or partially or totally above grade, with levels either being open
31 to the sides (deck) or enclosed (garage).

32 * * * * *

33 **Personal vehicle repair and maintenance**

1 Establishments, excluding vehicle paint finishing shops, that repair, install, or maintain the mechanical
2 components or the bodies of autos, small trucks or vans, motorcycles, motor homes, or recreational vehicles
3 including recreational boats or that wash, clean, or otherwise protect the exterior or interior surfaces of
4 these vehicles. Includes paint booths, mixing areas, and spraying or similar means of application of
5 automobile paint customarily incidental to personal vehicle repair and maintenance operations.

6 * * * * *

7 **Sector plan**

8 A comprehensive plan for the physical development of part of one or more planning areas, showing in
9 detail [planning features] elements such as the type, density, and intensity of land uses; pedestrian,
10 bicycle, and vehicular traffic features; public facilities; and the relationship between the various uses to
11 transportation, other public facilities and services, and amenities within the sector plan area, and where
12 appropriate, to other areas. Any reference to an Area Master Plan in this Ordinance shall equally apply to
13 a Sector Plan.

14 * * * * *

15 **Site elements or site features**

16 The external elements between and around structures that give shape to patterns of activity, circulation,
17 and form. Site design includes landforms, driveways, parking areas, roads, sidewalks, trails, paths,
18 plantings, walls or fences, water features, recreation areas and facilities, lighting, public art, or other
19 external elements but not including signs.

20 * * * * *

21 **Vehicle paint finishing shop**

22 Uses where the primary function is to [that] apply paint to the exterior or interior surfaces of vehicles by
23 spraying, dipping, flow-coating, or other similar means.

24 * * * * *

25 **Vehicle repair and service station**

26 A facility where the business of general vehicle repair and service is conducted, not including vehicle
27 salvaging or the storage of dismantled vehicles, wrecks, or junk.]

28 **Vehicle sales and rentals, commercial**

29 Uses that provide for the sale or rental of large trucks, mass transit vehicles, large construction or
30 agricultural equipment, or other similar vehicles. Includes vehicle and trailer rental display as accessory to
31 vehicle rental operations.

32 **Vehicle sales and rentals, personal**

1 Uses that provide for the storage and display for sale of any vehicle, which may also include the rental of
 2 vehicles. This use does not include commercial vehicles. Vehicle and trailer rental display is permitted as
 3 accessory to vehicle rental operations.

4 * * * * *

5 **Vehicle towing [or] and wrecker [storage yard] service**

6 “An establishment operated for the purpose of towing vehicles from one location to another and which
 7 may include temporary storage on-site of wrecked or inoperable motor vehicles. If an establishment
 8 regularly stores inoperable vehicles for more than 90 days, stacks vehicles, or portions of the vehicles are
 9 dismantled or removed for sale, it is considered a junkyard or vehicle salvage yard.

10 * * * * *

11 **SUBTITLE 27. ZONING.**

12 **PART 27-3 ADMINISTRATION**

13 **SECTION 27-3200 SUMMARY TABLE OF DEVELOPMENT REVIEW RESPONSIBILITIES**

14 * * * * *

15 Table 27-3200: Summary Table of Development Review Responsibilities, identifies the types of
 16 development applications authorized by this Ordinance.

Table 27-3200: Summary of Development Review Responsibilities								
D = Decision R = Recommendation C = Comment A = Appeal E= Election I = Initiation (If Other Than Applicant) < > = Public Hearing Required (10)								
Procedure	Review and Decision-Making Bodies							
	District Council	Planning Board	Board of Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipalities
Comprehensive Plans								
Comprehensive Plans and Amendments (General Plan, Functional Master Plans, Area Master Plans, and Sector Plans), and Major Plan Amendments	I <D> (1)	I <R> (1)			R		R (3)	
Minor Plan Amendments	I <D> (1)	I <R> (1)			R		R (3)	
Sectional Map Amendment (SMA)	I <D>	<R>			R		C (3)	R
Amendments and Planned Developments								
Legislative Amendment	I <D>	C		C				
Zoning Map Amendment (ZMA)	<D> (2)	<R> (2)		<R>	R		C (3)	R
Planned Development (PD) Zoning Map Amendment	<D>	<R>		<R>	R		C (3)	R
Chesapeake Bay Critical Area Overlay Zoning Map Amendment	I <D>	I <R> (8)		<R> (8)	R		C (3)	R
Special Exceptions								
Special Exception	<A> / <E>			<D>	R		C (3)	
Minor Change to Approved Special Exception				D (4)	D (4)			D (5)

Table 27-3200: Summary of Development Review Responsibilities								
D = Decision R = Recommendation C = Comment A = Appeal E= Election I = Initiation (If Other Than Applicant) < > = Public Hearing Required (10)								
Procedure	Review and Decision-Making Bodies							
	District Council	Planning Board	Board of Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipalities
Site Plans								
Detailed Site Plan	<A> / <E>	<D>			R		C (3)	
Minor Amendment to Approved Detailed Site Plan					D			
Expedited Transit-Oriented Development Site Plan	<A> / <E>	<D>			R		C (3)	
Permits and Certifications								
Sign Permit		R (7)	<A>		R	D		
Temporary Use Permit		R (7), (9)	<A>		R (9)	D		
Use and Occupancy Permit		R (7)	<A>		R	D		
Zoning Certification					D			
Grading Permit		R (7)	<A>		R	D		
Building Permit		R (7)	<A>		R	D		
Relief Procedures								
Variance	<D> (6)	<D> (6)	<D>	<D> (6)	R		C (3)	D (5)
Departure								
Minor Departure		<A>			D			D (5)
Major Departure	<A> / <E>	<D>		<D> (6)	R		C (3)	D (5)
Alternative Compliance	<D> (6)	<D> (6)		<D> (6)	D			D (5)
Validation of Permit Issued in Error	<D> (2)			<R>		R	C (3)	
Administrative Appeals			<A>			D		
Enforcement Procedures								
Zoning Enforcement, Generally			<A>			I		
Revocation or Modification of Approved Special Exception				<D>	R	I		
Other Procedures								
Authorization of Permit Within Proposed Right-of-Way (ROW)	<D> (2)			<R>			C (3)	
Certification of Nonconforming Use (Administrative)	<A> / <E>			<R> (11)	D			
Certification of Nonconforming Use	<A> / <E>			<R>	D			
Revocation of Certification of Nonconforming Use	<A>	<D>						

Table 27-3200: Summary of Development Review Responsibilities								
D = Decision R = Recommendation C = Comment A = Appeal E= Election I = Initiation (If Other Than Applicant) < > = Public Hearing Required (10)								
Procedure	Review and Decision-Making Bodies							
	District Council	Planning Board	Board of Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipalities
<p>NOTES:</p> <ul style="list-style-type: none"> • At least one joint public hearing may be required by the District Council and the Planning Board. • The District Council or Planning Board elects whether to conduct a[n evidentiary] hearing or oral argument for each application. • The Historic Preservation Commission makes a recommendation or comment only if the subject land or an abutting parcel contains a historic <u>site, resource, or [historic site] district</u> identified on the <i>Approved Historic Sites and Districts Plan</i>. • Depending on the minor change proposed, the ZHE or the Planning Director is authorized to approve the minor change. • A municipality is only authorized to make a decision on the identified development application when it has been expressly authorized to do so in this Ordinance by the District Council, in accordance with State and County law. • The Planning Director forwards a recommendation on a variance, <u>major departure, or alternative compliance</u> request to the review board who is reviewing the parent application for which the request for variance, <u>major departure, or alternative compliance</u> is made. Such requests accompany the parent application. The review board considers the request for variance, <u>major departure, or alternative compliance</u> concurrent with the decision on the parent application. • The Planning Director is the Planning Board’s authorized representative for recommendations on sign, temporary use, grading, use and occupancy, and building permits. • The Zoning Hearing Examiner would only make a recommendation and hold a public hearing on an applicant-driven Chesapeake Bay Critical Area Overlay (CBCAO) Zoning Map Amendment application. The Planning Board may choose whether or not to hold a public hearing on an applicant-driven CBCAO Zoning Map Amendment, and shall hold a public hearing for any other CBCAO Zoning Map Amendment. • Temporary use permits shall be referred to the Planning Board or its authorized representative for its comments and recommendations, if any, for any property in the Safety Zones of the Military Installation Overlay (MIO) Zone; properties subject to Subtitle 25 of the County Code of Ordinances; and properties within the Chesapeake Bay Critical Area Overlay (CBCAO) Zone. • Public hearing, evidentiary hearing, or oral argument hearing. • The ZHE holds an evidentiary hearing only when an appeal of the Planning Director’s decision has been filed or the District Council elected to review the application on its own motion. 								

* * * * *

SUBTITLE 27. ZONING.

PART 27-3 ADMINISTRATION

SECTION 27-3300 ADVISORY AND DECISION-MAKING BODIES

* * * * *

27-3303. Board of Appeals (BOA)

(a) Powers and Duties

The BOA shall have the following powers and duties under this Ordinance:

- (1) To review and decide variances (Section 27-3613), except variances associated with other entitlement applications, and variances for lot area, setback, and similar requirements that are delegated to a municipality:

1 (2) To hear and decide appeals where it is alleged that, in the administration of this Subtitle,
2 there is error in the refusal of a building or use and occupancy permit, or in any other decision of the
3 [Department of Permitting, Inspections, and Enforcement] DPIE Director, the Planning Board, or any
4 other person or body authorized to administer this Subtitle;

5 (3) To reverse, affirm, or modify any decision upon which the appeal is made;

6 (4) To review and decide security exemption plans for fences and walls (Section 27-6610,
7 Security Exemption Plan), except where such security exemption plans have been delegated to a
8 municipality;

9 (5) To hear and decide appeals for the following:

- 10 (A) Sign permits (Section 27-3606);
- 11 (B) Temporary use permits (Section 27-3607);
- 12 (C) Use and occupancy permits (Section 27-3608);
- 13 (D) Grading permits (Section 27-3610);
- 14 (E) Building permits (Section 27-3611); and
- 15 (F) Zoning enforcement (PART 27-8).

16 (6) To compel the attendance of witnesses at hearings;

17 (7) To administer oaths to witnesses;

18 (8) To hold an entire hearing or a portion of a hearing virtually and provide for virtual
19 participation. Notice and procedures for the hearing shall be in accordance with the District Council Rules
20 of Procedure[.];

21 * * * * *

22 **27-3304. Zoning Hearing Examiner (ZHE)**

23 **(a) Office of the Zoning Hearing Examiner**

24 (1) The District Council shall appoint one or more hearing examiners, as appropriate, to
25 conduct evidentiary hearings and make recommendations or decisions in zoning cases as established in
26 this Section.

27 (2) The ZHE shall:

- 28 (A) Be an attorney admitted to practice before the highest Court in Maryland;
- 29 (B) Possess judicial temperament;
- 30 (C) Have at least five years of experience in administrative litigation; and
- 31 (D) Demonstrate a knowledge of administrative and zoning law practice and procedure

32 by competitive written examination.

33 (3) After being appointed, the ZHE shall be considered within the classified service of the
34 County's Personnel Law and subject to the regulations of the system.

1 (4) A Chief ZHE shall be designated by the District Council to administer the Office of
2 Zoning Hearing Examiner.

3 (b) Powers and Duties

4 The ZHE shall have the following powers and duties under this Ordinance:

- 5 (1) To review and make recommendations on the following:
 - 6 (A) Zoning map amendments (ZMA) (Section 27-3601);
 - 7 (B) Planned Development (PD) zoning map amendments (Section 27-3602);
 - 8 (C) Chesapeake Bay Critical Area Overlay (CBCAO) zoning map amendments

9 (Section 27-3603);

- 10 (D) Validations of permits issued in error (Section 27-3615);
- 11 (E) Authorizations of permits within proposed rights-of-way (Section 27-3617); and
- 12 (F) Certification of nonconforming use (administrative) (Section 27-3618); and
- 13 (G) Any other case for which the District Council directs that a hearing be held by the

14 Zoning Hearing Examiner.

- 15 (2) To review and decide:
 - 16 (A) Special exceptions (Section 27-3604);
 - 17 (B) Minor changes to approved special exceptions (Section 27-3604(i));
 - 18 (C) Variances and major departures associated with a special exception;
 - 19 (D) Alternative compliance to landscaping associated with a special exception (see
 - 20 Landscape Manual);
 - 21 (E) Petitions for revocation or modification of Special Exceptions, and the
 - 22 accompanying revocation of use and occupancy permits (Section 27-3604(j)); [and]
 - 23 (F) Zoning enforcement hearings (Section 27-8204(e))[:]; and
 - 24 (G) Requests for alternative parking plans when the ZHE makes the decision on the
 - 25 application (Section 27-3614(b)(5)).

26 * * * * *

27 27-3305. Planning Director

28 (a) Powers and Duties

29 The Planning Director shall have the following powers and duties under this Ordinance:

- 30 (1) To review and make recommendations to the District Council, Planning Board, BOA,
- 31 ZHE, and/or DPIE on the following:
 - 32 (A) Comprehensive plans and amendments (Section 27-3502);
 - 33 (B) Sectional map amendments (Section 27-3503);
 - 34 (C) Zoning map amendments (ZMA) (Section 27-3600);

- (D) Planned Development (PD) zoning map amendments (Section 27-3602);
- (E) Chesapeake Bay Critical Area Overlay (CBCAO) zoning map amendments (Section 27-3603);
- (F) Special exceptions (Section 27-3604);
- (G) Detailed site plans (Section 27-3605(d));
- (H) Sign permits (Section 27-3606);
- (I) Use and occupancy permits (Section 27-3608);
- (J) Grading permits (Section 27-3610);
- (K) Building permits (Section 27-3611);
- (L) Variances associated with a parent application (Section 27-3613);
- (M) Major departures (Section 27-3614(e));
- (N) Development applications in the LMUTC Zone; and
- (O) Expedited transit-oriented development site plan applications (Section 27-3619).

(2) To review and decide the following:

- (A) Zoning certifications (Section 27-3609);
- (B) Interpretation (text, uses, and Zoning Map) (Section 27-3612);
- (C) Minor departures (Section 27-3614(e));
- (D) Certification of nonconforming uses (Section 27-3618);
- (E) Minor changes to approved special exceptions (Section 27-3604(i));
- (F) Minor amendments to approved detailed site plans (Section 27-3605(d)(11)(B));
- (G) Alternative compliance to landscaping associated with a permit (see Landscape Manual); [and]

(H) To review and decide security exemption plans for exterior lighting (Section 27-6709, Security Exemption Plan)[.].:

(I) Determine the amount of required parking spaces for uses not expressly listed in Table 27-6305(a), Minimum Number of Off-Street Parking Spaces, in accordance with Section 27-6305(b), Unlisted Uses.

* * * * *

27-3306. Department of Permitting, Inspections and Enforcement Director (DPIE Director)

(a) Powers and Duties

In accordance with State law, the DPIE Director shall have the following powers and duties under this Ordinance:

(1) To review and make recommendations to the appropriate decision-making body or official on the following:

- (A) Revocation or modification of approved special exception (Section 27-3604); and
- (B) Validations of permits issued in error (Section 27-3615).

(2) To review and decide the following:

- (A) Sign permits (Section 27-3606);
- (B) Temporary use permits (Section 27-3607);
- (C) Use and occupancy permits (Section 27-3608);
- (D) Grading permits (Section 27-3610); [and]
- (E) Building permits (Section 27-3611)[.]; and

(3) To enforce all provisions of this Ordinance in accordance with PART 27-8: Enforcement.

(4) To receive complaints from persons who allege that violations of this Ordinance have occurred, to properly investigate such complaints, and to initiate action to prevent, enjoin, abate, or remove such violations, in accordance with PART 27-8: Enforcement, and State law.

(b) Permit Referral

(1) Every application for a grading, building, or use and occupancy permit shall be referred by the DPIE Director to the Planning Director or Planning Board for comments or recommendations, if any, with respect to:

(A) The requirements of this Subtitle, Subtitle 24, Subtitle 25, the Regional District Act, and any conditions placed on the property in a zoning or subdivision matter; and

(B) Conformance with any approved [D]detailed [S]site [P]plan, Chesapeake Bay Critical Area Conservation Plan, or any other site or development plan applicable to development of the property.

(2) No permit shall be recommended for approval by the Planning Board until after the expiration of the specified appeal period from a Planning Board decision concerning the subject property of the permit, unless the right of appeal has been waived; nor shall any permit be recommended for approval during the pendency of any appeal to, or review by, the District Council.

(3) This subsection shall not apply to:

(A) Temporary use permits issued in accordance with Section 27-3607, Temporary Use Permit, except in cases of property in the Safety Zones of the MIO Zone, properties subject to Subtitle 25, and properties within the Chesapeake Bay Critical Area; and

(B) Permits of a minor nature as specified in Section 27-3611(f), Permits of a Minor Nature. This exception shall not apply to any property which is located within a historic district or listed in the Approved Historic Sites and Districts Plan [on the Functional Master Plan for historic preservation] as a historic site, resource, or district, properties subject to Subtitle 25, or properties within the Chesapeake Bay Critical Area.

1 (4) Any comments or recommendations of the Planning Director or Planning Board to the
2 [Director of the Department of Permitting, Inspections, and Enforcement] DPIE Director regarding
3 applications for grading, building, or use and occupancy permits are advisory only and shall not be a
4 prerequisite for the issuance of grading, building, or use and occupancy permits.

5 **27-3307. Historic Preservation Commission**

6 (a) **Powers and Duties**

7 The Historic Preservation Commission shall have the following powers and duties under this
8 Ordinance:

9 (1) To review and comment on Area Master Plans and Sector Plans, if the plan contains
10 either a proposed historic site, [or] resource, or district, or an historic site, [or] resource, or district that is
11 already identified on the Approved Historic Sites and Districts Plan; and

12 (2) To review and comment on detailed site plan applications and any development
13 application reviewed or decided by the District Council, Planning Board, Planning Director, or ZHE if the
14 development application includes land which contains or abuts an historic site, [or] resource, or district
15 identified on the Approved Historic Sites and Districts Plan, as soon as feasible after the application is
16 submitted and determined complete.

17 * * * * *

18 **27-3308. Municipalities**

19 (a) **Powers and Duties**

20 In accordance with State and County law, and only where expressly authorized by the District
21 Council, municipalities may have the following powers and duties under this Ordinance:

22 (1) To review and make recommendations to the appropriate advisory or decision-making
23 body or official on the following, only when land subject to the proposed amendment(s) is located within
24 the boundaries of the affected municipal corporation:

- 25 (A) Sectional map amendments (Section 27-3503);
- 26 (B) Zoning map amendments (ZMA) (Section 27-3601);
- 27 (C) Planned Development (PD) zoning map amendments (Section 27-3602); and
- 28 (D) Chesapeake Bay Critical Area Overlay (CBCAO) zoning map amendments
29 (Section 27-3603).

30 (2) To review and decide the following (when delegated to the municipal corporation in
31 accordance with Section 27-3308(b) below):

- 32 (A) Minor changes to approved special exceptions (Section 27-3604(i));
- 33 (B) Variances for lot area, setback, and similar requirements that are delegated to the
34 municipality (Section 27-3613);

- (C) Minor departures (Section 27-3614(c));
- (D) Major departures (Section 27-3614(e)); [and]
- (E) Alternative compliance with landscaping (see Landscape Manual)[.];
- (F) Security exemption plans for fences and walls (Section 27-6610); and
- (G) Security exemption plans for exterior lighting (Section 27-6709).

(b) Delegated Authority to Municipalities

(1) An incorporated municipality may enact an ordinance which sets forth procedural regulations governing any or all of the following:

(A) Departures (minor and major) of numerical design and landscaping standards in the municipality for:

(i) Parking and loading standards (Section 27-6206(k)), Block Design; Table 27-6206(m)(1): Minimum Stacking Spaces for Drive-Through facilities and Related Uses; Section 27-6304(i), Large Vehicular Use Areas (300 or More Spaces); Section 27-6305, Off-Street Parking Space Standards; Section 27-6306, Dimensional Standards for Parking Spaces and Aisles; and Section 27-6310, Loading Area Standards);

(ii) Alternative compliance from landscaping requirements (Landscape Manual); and

(iii) Sign design standards (Section 27-61505, Standards for Specific Sign Types; Section 27-61506, Standards for Special Purpose Signs; and Section 27-61507, Standards for Temporary Signs).

(B) Certification, revocation, and revision of nonconforming uses (Section 27-3618 and PART 27-7);

(C) Variances for lot area, setback, and similar requirements; [and]

(D) Minor changes to approved special exceptions[.];

(E) Security exemption plans for fences and walls (Section 27-6610); and

(F) Security exemption plans for exterior lighting (Section 27-6709).

* * * * *

SUBTITLE 27. ZONING.

PART 27-3 ADMINISTRATION

SECTION 27-3400 STANDARD REVIEW PROCEDURES

* * * * *

27-3402. Pre-Application Neighborhood Meeting

* * * * *

(c) Procedure

1 If a pre-application neighborhood meeting is conducted, it shall comply with the following
2 requirements:

3 **(1) Meeting Location and Time**

4 The meeting shall be held at or after 6:00 p.m. on a weekday or between 10 a.m. and 4 p.m. on
5 a weekend, at a location that is convenient and generally accessible to neighbors residing in proximity to
6 the land subject to the proposed application, or may be held virtually, as necessary.

7 **(2) Notification**

8 **(A) Informational Mailing**

9 **(i)** The applicant shall mail notice of the meeting at least 30 days before the
10 meeting.

11 **(ii)** Notice shall be mailed to:

12 **(aa)** The Planning Director;

13 **(bb)** All persons to whom mailed notice of a public hearing on the
14 application is required by Section 27-3407, Scheduling of Hearings and Public Notice;

15 **(cc)** Any municipality in which the land subject to the application is
16 located, and every municipality located within one mile of the land subject to the application, and any
17 municipal planning department;

18 **(dd)** All civic associations registered in accordance with Section 27-
19 3402(d), Civic Association or Resident Registration; and

20 **(ee)** All adjacent landowners (including owners whose land lies directly
21 across a street, alley, or stream from the land subject to the application being reviewed).

22 **(iii)** As to residents, an applicant complies with this Section by providing the
23 [Commission] Planning Department with an electronic version of the informational mailing more than
24 thirty (30) days before the [Commission] Planning Department accepts an application. The applicant may
25 also notify any person or entity registered in accordance with Subsection (d)(2)(B) of this Section. The
26 [Commission] Planning Department shall be responsible for emailing informational mailings to residents
27 on the email registry.

28 **(iv)** A civic association entitled to an informational mailing may waive the
29 requirement, and an applicant’s filing of a signed waiver constitutes its compliance with the mailing
30 requirement, for the entity signing.

31 * * * * *

32 **(d) Civic Association or Resident Registration**

1 (1) Any civic association that maintains a registration with the Planning Director in
2 accordance with this Subsection is entitled to informational mailings and e-mails, for all pre-application
3 neighborhood meetings within the association’s defined geographical area.

4 (2) (A) To register to obtain notice of pre-application neighborhood meetings, a civic
5 association shall provide the following to the Planning Director: its name; the names, street addresses, and
6 e-mail addresses of all its officers; the number of members (individuals or households); the geographical
7 area it represents and is interested in, by a description acceptable to the Planning Director; the name,
8 street address, e-mail address, and daytime telephone number of the individual, the association designee,
9 who is to receive informational mailings in the initial registration period; and the initial registration's
10 effective dates, which may run from date of first registration to December 31 of the following year. To
11 continue to receive notice of applications, an association shall re-register every two years.

12 (B) The [Commission] Planning Director shall establish and maintain an email registry
13 so that any County resident may receive the same informational mailings as a civic association. To obtain
14 a registration, a resident shall provide the following information to the [Commission] Planning Director:
15 name; street address; email address; daytime telephone number; and up to two (2) adjoining Council
16 Districts about which they want to receive informational mailings. The [Commission] Planning Director
17 may delete registrations for which an email address ceases to function.

18 (3) Associations may represent overlapping geographical areas. However, for the purpose of
19 obtaining informational mailings, an association may not represent an area extending beyond two
20 adjoining Council Districts. In addition, the officers of an association must retain their primary residence
21 within the association’s delineated area of interest. The Planning Director may decline registration of any
22 association which purports to represent an area of unreasonable description or otherwise does not meet
23 the requirements of this Section.

24 (4) The Planning Director may decline registration of any association which purports to
25 represent an area of unreasonable description or otherwise does not meet the requirements of this
26 Subsection.

27 (5) A watershed protection group that is registered as a Section 501(c)(3) environmental
28 organization may designate an area consisting of the watershed whose protection is the purpose of the
29 organization if the officers of the organization maintain their primary residence within the watershed.

30 * * * * *
31 **27-3404. Determination of Completeness**

32 * * * * *
33 (d) **Application Complete**

1 (1) If the development application is determined complete or if the applicant has requested
2 that the application be processed in accordance with Section 27-3404(b)(2) above, it shall be reviewed in
3 accordance with the procedures and standards of this Subsection, this Division, and this Ordinance.

4 (2) Applications reviewed and decided by the District Council, Planning Board, Planning
5 Director, BOA, or ZHE, shall be referred to the Historic Preservation Commission at this stage for
6 comment, if the development application includes land which contains or abuts an historic site, resource,
7 or district [or historic site] identified on the Adopted and Approved Historic Sites and Districts Plan, as
8 soon as feasible after the application is submitted and determined complete.

9 (3) The Historic Preservation Commission shall submit its comments for the record within 30
10 days prior to the first hearing on the application by an advisory board or official or, if no review by an
11 advisory board or official is required, by the decision-making body or official. Failure of the Historic
12 Preservation Commission to submit comments within this time period shall constitute no objection to the
13 application.

14 (4) Any established time frame for review of the application starts on the date it is
15 determined complete, or the date it is requested to be processed in accordance with Section 27-3404(b)(2)
16 above.

17 * * * * *

18 **27-3406. Staff Review and Action**

19 * * * * *

20 (c) **Application Subject to Staff Recommendation**

21 (1) **Technical Staff Report**

22 Except for variances decided by the BOA (Section 27-3613, Variance) and appeals to the BOA
23 (Section 27-3616, Appeal to Board of Appeals), if an application is subject to a decision by the District
24 Council, Planning Board, or ZHE in accordance with Section 27-3200, Summary Table of Development
25 Review Responsibilities, the Planning Director shall, following completion of staff and agency review,
26 prepare a Technical Staff Report that:

27 (A) Analyzes whether the application complies with applicable review standards;

28 (B) Delineates the approximate area of the neighborhood, either on the Official Zoning
29 Map, an aerial photograph, or a sketch map, as appropriate;

30 (C) Describes land use and zoning in the neighborhood;

31 (D) Recommends action on the application, including any recommended conditions of
32 approval. Where staff may recommend a zone different than that requested, an analysis of the alternative
33 zone recommended shall be included; and

(E) For development applications subject to evidentiary hearings in Section[s 27-3412 and 27-3413] 27-3600 of this Code, summarizes any written communications relevant to the review standards applicable for the application type provided by those in opposition and by those in support, and received by the Planning Director at least one (1) week prior to the publication of the Technical Staff Report. Such summary shall include the Planning Director’s response to the objections and arguments made by those in opposition and by those in support, and shall be made part of the record. If there are objections and arguments made by multiple people or organizations in opposition, the Planning Director shall summarize each separate issue raised instead of addressing each individual person or organization. The summary should also comment on objections and arguments made by the opposition and by those in support that, while not relevant to the review standards applicable to the application type, would be pertinent to other approvals required in the development process.

* * * * *

27-3407. Scheduling of Hearings and Public Notice

* * * * *

(b) Public Notice

(1) Generally

Notification shall be provided for all required public hearings on applications in accordance with Table 27-3407(b): Required Public Notice, all other provisions of this Section, and the Maryland Land Use Article.

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
Comprehensive Plans			
Comprehensive Plans and Amendments (General Plan, Functional Master Plans, Area Master Plans, and Sector Plans)	30 days prior to the hearing(s), to:		
	<ul style="list-style-type: none"> All owners of land for which a change in zoning is proposed, if a sectional map amendment is included; (2) Any municipality lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the plan or amendment; and Any governed special taxing districts lying, wholly or in part, within, or within 1 mile of, the boundaries of the proposed land subject to the plan or amendment. 	30 days prior to the joint hearing(s)	No requirement

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
Minor Plan Amendments	30 days prior to the hearing(s), to: <ul style="list-style-type: none"> All owners of land for which a change in zoning is proposed, if a sectional map amendment is included; (2) Any municipality lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the plan or amendment; and Any governed special taxing districts lying, wholly or in part, within, or within 1 mile of, the boundaries of the proposed land subject to the plan or amendment. 	30 days prior to the joint hearing(s)	No requirement
Amendments and Planned Developments			
Sectional Map Amendment			
District Council	30 days prior to the District Council hearing, to: <ul style="list-style-type: none"> All owners of land for which a change in zoning is proposed. (2) [60 days prior to the District Council hearing, to: <ul style="list-style-type: none"> Any municipality lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the map amendment; and Any governed special taxing districts lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the map amendment.] 	30 days prior to the hearing	No requirement

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
Planning Board Hearing	<p>30 days prior to the hearing, to:</p> <ul style="list-style-type: none"> All owners of land for which a change in zoning is proposed; (2) Any municipality lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the map amendment; and Any governed special taxing districts lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the map amendment. <p><u>60 days prior to the hearing, to:</u></p> <ul style="list-style-type: none"> <u>Any municipality lying, wholly or in part, within the boundaries of the land subject to the map amendment; and</u> <u>Any governed special taxing districts lying, wholly or in part, within the boundaries of the land subject to the map amendment.</u> 	30 days prior to the hearing	No requirement
Zoning Map Amendment (ZMA) or Planned Development (PD) Zoning Map Amendment			
District Council	<p>30 days prior to the District Council hearing, to:</p> <ul style="list-style-type: none"> The applicant(s); and All persons of record. <p>[60 days prior to the District Council hearing, to:</p> <ul style="list-style-type: none"> Any municipality lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the application; and Any governed special taxing districts lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the application.] 	No requirement of District Council hearings	No requirement of District Council hearings

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
<p>Planning Board Hearing</p>	<p>30 days prior to the hearing, to:</p> <ul style="list-style-type: none"> • The applicant(s); • All owners of land abutting the land subject to the application; • All persons of record, and all other persons who requested (in writing) a copy of the Technical Staff Report; • Registered civic associations that identified the geographical area in which the site is located as part of their represented areas; • Any municipality lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the application; and • Any governed special taxing districts lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the application. 	<p>No requirement [for Zoning Map Amendment]</p> <p>30 days prior to the hearing for Planned Development (PD) Zoning Map Amendment]</p>	<p>[No requirement for Zoning Map Amendment]</p> <p>30 days prior to the hearing [for Planned Development (PD) Zoning Map Amendment]</p>

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
ZHE Hearing	<p>30 days prior to the hearing, to:</p> <ul style="list-style-type: none"> The applicant(s); All owners of land abutting the land subject to the application; All persons of record, and all other persons who requested (in writing) a copy of the Technical Staff Report; Registered civic associations that identified the geographical area in which the site is located as part of their represented areas; Any municipality lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the application; and Any governed special taxing districts lying, wholly or in part, within, or within 1 mile of, the boundaries of the land subject to the application. <p><u>60 days prior to the hearing, to:</u></p> <ul style="list-style-type: none"> <u>Any municipality lying, wholly or in part, within the boundaries of the land subject to the map amendment; and</u> <u>Any governed special taxing districts lying, wholly or in part, within the boundaries of the land subject to the map amendment.</u> 	<p>No requirement [for Zoning Map Amendment]</p> <p>30 days prior to the hearing for Planned Development (PD) Zoning Map Amendment]</p>	<p>[No requirement for Zoning Map Amendment]</p> <p>30 days prior to the hearing [for Planned Development (PD) Zoning Map Amendment]</p>
Chesapeake Bay Critical Area Overlay (CBCAO) Zoning Map Amendment			
District Council Hearing	<ul style="list-style-type: none"> 30 days prior to the hearing, to Persons of record. 	No requirement	No requirement

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
<p>Planning Board Hearing</p>	<p>30 days prior to the hearing, to:</p> <ul style="list-style-type: none"> All owners of land within the boundaries of the proposed overlay zones; All persons of record, and all other persons who requested (in writing) a copy of the Technical Staff Report; Registered civic associations that identified the geographical area in which the site is located as part of their represented areas; Any municipality lying, wholly or in part, within, or within 1 mile of, the boundaries of the proposed overlay zones; and Any governed special taxing districts lying, wholly or in part, within, or within 1 mile of, the boundaries of the proposed overlay zones. <p>60 days prior to the hearing, to:</p> <ul style="list-style-type: none"> All public agencies and municipalities with operational or planning responsibilities within the boundaries of the proposed overlay zones; and The Historic Preservation Commission, if any land within or [abuts] <u>abutting</u> the proposed overlay zones is an identified historic <u>site</u>, resource, <u>or district</u> [or historic site]. (3) 	<p>30 days prior to the hearing</p>	<p>30 days prior to the hearing for property owner-initiated requests</p> <p>No requirement for other CBCAO Zoning Map Amendments</p>
<p>ZHE Hearing (Only Held for Applicant-Requested CBCAO Zoning Map Amendments)</p>	<p>30 days prior to the hearing to persons of record</p>	<p>No requirement</p>	<p>30 days prior to the hearing</p>
Use Permits			

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
Special Exception	30 days prior to the hearing, to: <ul style="list-style-type: none"> • [p]Persons of record; • <u>Registered civic associations that identified the geographical area in which the site is located as part of their represented areas;</u> • <u>Owners of land adjoining, across the street from, or on the same block as the land subject to the application;</u> • <u>Owners of land within 500 feet of the land subject to the application; and</u> • <u>Every municipality located within one mile of the land subject to the application.</u> 	No requirement	30 days prior to the hearing
Minor Changes to Approved Special Exception	Application decision only, to: <ul style="list-style-type: none"> • Parties of record; • Clerk of the Council; and • Every municipality located within one mile of the land subject to the application. 	No requirement	14 days following determination of completeness; may be waived by Planning Director pursuant to Section 27-3604(i)(1)
Site Plans			
Detailed Site Plan			
Planning Board Hearing	30 days prior to the hearing, to: <ul style="list-style-type: none"> • Parties of record; • Registered civic associations that identified the geographical area in which the site is located as part of their represented areas; • Owners of land adjoining, across the street from, or on the same block as[, or within 500 feet of] the land subject to the application; [and] • <u>Owners of land within 500 feet of the land subject to the application; and</u> • Every municipality located within one mile of the land subject to the application. 	No requirement	30 days prior to the hearing
District Council Hearing	30 days prior to the hearing to persons of record	No requirement	No requirement

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
Expedited Transit-Oriented Development Site Plan			
Planning Board Hearing	30 days prior to the hearing, to: <ul style="list-style-type: none"> Parties of record; Registered civic associations that identified the geographical area in which the site is located as part of their represented areas; Owners of land adjoining, across the street from, <u>or</u> on the same block as[, or within 500 feet of] the land subject to the application; [and] <u>Owners of land within 500 feet of the land subject to the application; and</u> Every municipality located within one mile of the land subject to the application. 	No requirement	30 days prior to the hearing
District Council Hearing	7 days prior to the hearing to persons of record	No requirement	No requirement
Minor Amendment to an Approved Detailed Site Plan	No requirement	No requirement	15 days prior to date of Planning Director's decision
Relief Procedures			
Variance			
Planning Board Hearing	Notice shall be the same as that required for the companion (parent) application.	Notice shall be the same as that required for the companion (parent) application.	Notice shall be the same as that required for the companion (parent) application.
ZHE Hearing	Notice shall be the same as that required for the companion (parent) application.	Notice shall be the same as that required for the companion (parent) application.	Notice shall be the same as that required for the companion (parent) application.
BOA Hearing	15 days prior to the hearing, to: <ul style="list-style-type: none"> The applicant; Owners of all lands abutting or opposite the land subject to the application; (4) and Any municipality in whose boundaries the property is located. 	No requirement	15 days prior to the hearing
Departure			

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
Minor Departure	<p>Appeal only: 14 days prior to the appeal hearing, to:</p> <ul style="list-style-type: none"> Parties of record; Owners of land adjoining, across the street from, or on the same block as[, or within 500 feet of] the land subject to the application; [and] <u>Owners of land within 500 feet of the land subject to the application; and</u> Every municipality located within one mile of the land subject to the application. 	No requirement	15 days prior to date of Planning Director's decision
Major Departure	<p>14 days prior to the Planning Board hearing, to:</p> <ul style="list-style-type: none"> Parties of record; Owners of land adjoining, across the street from, <u>or</u> on the same block as[, or within 500 feet of] the land subject to the application; [and] <u>Owners of land within 500 feet of the land subject to the application; and</u> Every municipality located within one mile of the land subject to the application. <p>14 days prior to the District Council hearing, to:</p> <ul style="list-style-type: none"> Parties of record 	No requirement	<p>30 days prior to the hearing</p> <p>Except: when associated with a companion (parent) application, notice shall be the same as that required for the companion (parent) application.</p>

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
Validation of Permits Issued in Error	14 days prior to the hearing, to: <ul style="list-style-type: none"> Parties of record; Registered civic associations that identified the geographical area in which the site is located as part of their represented areas; Owners of land adjoining, across the street from, <u>or</u> on the same block as[, or within 500 feet of] the land subject to the application; [and] <u>Owners of land within 500 feet of the land subject to the application; and</u> Every municipality located within one mile of the land subject to the application. 	No requirement	30 days prior to the hearing
Appeal to BOA	15 days prior to the hearing, to: <ul style="list-style-type: none"> Appellant; Property owner and applicant, if different; Owners of all lands abutting or opposite the land subject to the application; (4) and Any municipality in whose boundaries the property is located. 	No requirement	No requirement
Election by District Council	14 days prior to the hearing, to parties of record	No requirement	No requirement
Other Procedures			
Authorization of Permit Within Proposed Right-of-Way	30 days prior to the ZHE hearing, to: <ul style="list-style-type: none"> The applicant 	30 days prior to the ZHE hearing	30 days prior to the ZHE hearing
Certificate of Nonconforming Use			
District Council	30 days prior to the hearing, to: <ul style="list-style-type: none"> The applicant; and Persons of record 	No requirement	No requirement
[Zoning Hearing Examiner] <u>ZHE</u>	30 days prior to the hearing, to: <ul style="list-style-type: none"> The applicant; and Persons of record 	No requirement	[Within 10 days after application determined complete.] <u>30 days prior to the hearing</u>

Table 27-3407(b): Required Public Notice			
Application Type	Required Timing and Specific Recipients (1)		
	Mail (5)	Legal Advertisement	Posting
Revocation or Modification of Approved Special Exception	<p>The DPIE Director petition of revocation of an approved special exception shall be sent to:</p> <ul style="list-style-type: none"> • The landowner(s) and applicant, if different; • Parties of record; • Registered civic associations that identified the geographical area in which the site is located as part of their represented areas; and • Every municipality located within one mile of the land subject to the application. <p>30 days prior to the ZHE hearing, to:</p> <ul style="list-style-type: none"> • Parties of record 	No requirement	30 days prior to the hearing
<p>NOTES:</p> <p>(1) Time periods are minimum time periods unless otherwise stated.</p> <p>(2) This mailed notice is for informational purposes only. The adoption or approval of the sectional map amendment or comprehensive plan shall not be invalidated by the failure to receive the mailed notice.</p> <p>(3) <i>On the Adopted and Approved Historic Sites and Districts Plan of Prince George's County, Maryland.</i></p> <p>(4) Measured at right angles to the intervening street or streets from the land subject to the application.</p> <p>(5) For cases appealed to the District Council or when the District Council elects to review a case, the Clerk of the Council shall only send notice to persons of record associated with the case.</p>			

(2) Contents

All notices required by this Section shall include:

- (A) The date, time, and place of the public hearing on the application;
- (B) The application number and the type of application being considered;
- (C) The description of the land, [subject to the application] to include the size and zoning of the property(ies);

(D) A summary of the applicant's request;

(E) A phone number and e-mail address, prominently displayed, to call or e-mail for additional information, along with the website address of the Planning Department, the BOA, the ZHE, and the District Council, as appropriate;

(F) If a public hearing is required, the word "Hearing" shall be prominently displayed;

and

(G) A statement, clearly displayed, that any member of the public is welcome to attend the public hearing and speak either in support or opposition to the public hearing.

(3) Registration to Receive Notice

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1 (A) Any civic or neighborhood organization or other organization in the County may
2 register with the Planning Director to receive notice of applications and public hearings. Such registration
3 shall be in accordance with the procedures of Section 27-3402(d).

4 (B) [To register to obtain notice of applications and public hearings, a civic or
5 neighborhood organization or other organization in the County shall provide the following to the Planning
6 Director: its name; the names, street addresses and e-mail addresses of all its officers; the number of
7 members (individuals or households); the geographical area it represents and is interested in, by a
8 description acceptable to the Planning Director; the name, street address, e-mail address, and daytime
9 telephone number of the individual, the association designee, who is to receive informational mailings in
10 the initial registration period; and the initial registration's effective dates, which may run from date of first
11 registration to December 31 of the following year. To continue to receive notice of applications, an
12 organization shall re-register every two years.

13 (C) The notice shall be transmitted by electronic mail or, if requested by the
14 organization, by mail.

15 * * * * *

16 (6) **Posted Notice**

17 Where required by Table 27-3407(b): Required Public Notice, the applicant shall [ensure
18 notice is posted] obtain and erect all posted notice as follows:

19 (A) **Number, Dimensions, and Orientation**

20 Posted notice signs shall be displayed as follows:

21 (i) If the site subject to the application has frontage on one or more improved
22 streets, there shall be one sign posted for each [1,000] 500 feet, or fraction thereof, of frontage on each
23 street. The sign(s) shall be posted on the site near the street right-of-way, and oriented to maximize their
24 visibility to motorists. When more than one sign is required to be posted along a street, the signs shall,
25 where practicable, be evenly spaced along the street.

26 (ii) The posted notice sign(s) shall be singled-sided if the site occupies frontage
27 on a cul-de-sac, at the end of a dead-end street, or on a one-way street. The sign(s) shall be oriented to
28 maximize their visibility to motorists.

29 (iii) The posted notice sign(s) shall be double-sided if the site occupies frontage
30 on a street that is visible to two-way traffic. These sign(s) shall be configured in a "V" shape, at a 45-
31 degree angle, and oriented to maximize their visibility to motorists.

32 (iv) If the site does not have frontage on an improved public street, then one sign
33 shall be placed on the land subject to the application. The sign shall be near the boundary of the site and

1 visible from adjoining land. Another sign shall be placed near to, and visible from, the improved portion
2 of the nearest, most-traveled street. This sign shall indicate it is not on the land subject to the application.

3 (v) If the placement of any sign on the land subject to the application is not
4 visible to motorists from adjoining streets, the Planning Director may require placement of additional
5 signs, as needed, to ensure that notice about the application and public hearing is accessible to the general
6 public.

7 (vi) Any posted notice signs shall have a minimum ground clearance of three feet
8 from the bottom of the sign.

9 (vii) Posted notice signs shall be a minimum of 44 inches by 28 inches in size, and
10 shall not exceed 72 inches in width or 48 inches in height.

11 * * * * *

12 **27-3408. Review and Recommendation by Advisory Board or Official**

13 If a development application is subject to a recommendation by an advisory board or official (either the
14 Planning Board or ZHE, in accordance with Section 27-3500, Legislative Amendments, Area Master
15 Plans, and Sectional Map Amendment Review Procedures and Decision Standards and Section 27-3600,
16 Application-Specific Review Procedures and Decision Standards, unless stated to the contrary in those
17 Sections), the advisory board or official shall review and act on the application in accordance with the
18 requirements in this Section.

19 **(a) General**

20 (1) The advisory board or official shall hold any required public hearing on the application,
21 as appropriate. At the hearing, the advisory board or official shall consider the application, relevant
22 support materials, the Technical Staff Report, and any public comments, and then recommend one of the
23 decisions authorized for the particular type of application, based on the decision standards applicable for
24 the application type, as set forth in Section 27-3500, Legislative Amendments, Area Master Plans, and
25 Sectional Map Amendment Review Procedures and Decision Standards, and Section 27-3600,
26 Application-Specific Review Procedures and Decision Standards.

27 (2) When recommending a decision for a development application subject to an evidentiary
28 hearing in Section[s 27-3412 or 27-3413] 27-3600 of this code, the advisory board or official shall
29 include a summary of the oral and written testimony submitted by those in opposition and by those in
30 support that is relevant to the review standards applicable for the application type. Such summary shall
31 respond to the objections and arguments made by those in opposition and by those in support, and shall be
32 made a part of the record. The summary should also comment on objections and arguments made by the
33 opposition and by those in support that, while not relevant to the review standards applicable to the
34 application type, would be pertinent to other approvals required in the development process.

* * * * *

27-3409. Review and Decision by Decision-Making Body or Official

If a development application is subject to a final decision by the District Council, the Planning Board, the BOA, or the ZHE (see Section 27-3200, Summary Table of Development Review Responsibilities), the decision-making body or official, unless stated otherwise in Section 27-3500, Legislative Amendments, Area Master Plans, and Sectional Map Amendment Review Procedures and Decision Standards, and Section 27-3600, Application-Specific Review Procedures and Decision Standards, shall review and make a final decision on the application in accordance with the requirements in this Section.

(a) General

(1) The decision-making body or official shall hold any required public hearing on the application. At the hearing, the decision-making body or official shall consider the application, relevant support materials, the Technical Staff Report, any recommendations by advisory boards or officials, and any public comments. The body or official shall then make one of the decisions authorized for the particular type of application, based on the review standards applicable for the application type, as set forth in Section 27-3500, Legislative Amendments, Area Master Plans, and Sectional Map Amendment Review Procedures and Decision Standards, and Section 27-3600, Application-Specific Review Procedures and Decision Standards Studies of any agency (or its staff) in the nature of land development plans, which have not been subjected to the requirements of the adoption and approval of an Area Master Plan or Sector Plan, shall not be used as the basis for approval or disapproval of zoning cases. However, the Planning Board may consider the recommendations of the applicable adopted Area Master Plan or Sector Plan prior to its approval by the District Council, when making a recommendation on a Planned Development (PD) Zoning Map amendment application. The Zoning Hearing Examiner, Planning Board, or District Council shall not be precluded from considering any factual or empirical evidence contained in any staff studies.

(2) When making a final decision on a development application subject to evidentiary hearing procedures in Section[s 27-3412 or 27-3413] 27-3600, the decision-making body or official shall include a summary of the oral and written testimony submitted by those in opposition and by those in support that is relevant to the review standards applicable for the application type. Such summary shall respond to the objections and arguments made by the opposition.

* * * * *

27-3412. Evidentiary Hearing (Planning Board and ZHE)

(a) Generally

1 **(1)** This Section applies where an evidentiary hearing is required in accordance with Section
 2 27-3600, Application-Specific Review Procedures and Decision Standards for the following types of
 3 development applications:

- 4 **(A)** Zoning map amendments (ZMA);
- 5 **(B)** Planned Development (PD) zoning map amendments;
- 6 **(C)** CBCAO zoning map amendments;
- 7 **(D)** Special exceptions;
- 8 **(E)** Detailed site plans;
- 9 **(F)** Variances;
- 10 **(G)** Major departures;
- 11 **(H)** Validations of permits issued in error;
- 12 **(I)** Authorizations within proposed rights-of-way; and
- 13 **(J)** Appeals.

14 **(b) Limitation of Time**

15 [The time for presenting cases by p] Parties shall generally be limited to one (1) hour for each side.
 16 For good cause, the Planning Board or Zoning Hearing Examiner, as appropriate, may grant additional
 17 time.

18 **(c) Order of Presentation**

19 **(1)** The order of [presenting evidentiary cases] presentation shall be as follows:

- 20 **(A)** Staff presentation (for Planning Board hearings);
- 21 **(B)** Applicant’s case;
- 22 **(C)** Opposition’s case;
- 23 **(D)** Rebuttal by applicant;
- 24 **(E)** Surrebuttal by opposition;
- 25 **(F)** Public agency comments and examination;
- 26 **(G)** Summation by opposition;
- 27 **(H)** Summation by applicant.

28 **(2)** In all cases (including cases remanded by the District Council), the order or presentation
 29 may be modified by the Planning Board or Zoning Hearing Examiner as the nature of the case warrants.

30 **(d) Participation of Planning Board or Zoning Hearing Examiner**

31 The Planning Board or [Zonning] Zoning Hearing Examiner, as appropriate, shall rule upon procedural
 32 matters, questions of law, evidence, motions, or objections, and may limit debate. The Planning Board or
 33 Zoning Hearing Examiner, as appropriate, may ask questions of any witness.

34 **(e) Witnesses**

1 (1) All persons who appear to testify [in a evidentiary case] shall be sworn. Reasonable
2 cross-examination of witnesses shall be permitted.

3 (2) All subpoenas shall be served in the manner provided by the Maryland Rules of Civil
4 Procedure for service in the Circuit Courts of this State. No person shall disobey or fail to answer the
5 subpoena. A witness may be excused from attendance if he can show that his placement under subpoena
6 was frivolous or oppressive.

7 **(f) Transcripts**

8 A complete transcript containing all record testimony (including exhibits by reference) shall be
9 prepared [in each evidentiary case, except for those special exceptions which may be finally decided by
10 the Zoning Hearing Examiner. A transcript shall be prepared in these cases when] if an appeal or a
11 request for oral argument is filed, or where the District Council elects to make the final decision.

12 **(g) Referral to Agencies**

13 Cases may be referred to any department or official who has processed or commented on an
14 application, for the purpose of clarifying, updating, or completing the record. Unless otherwise provided
15 in the referral, the agency or department shall respond within 30 calendar days or it shall be presumed to
16 have no comment on the application.

17 **(h) Correspondence and Communications**

18 All correspondence received and copies of correspondence sent by departments or officials
19 processing applications shall be included in the record. The substance of any relevant oral
20 communications held by staff with a public agency processing applications, regarding the merits of a
21 pending evidentiary case, shall be reduced to writing and included in the record of that case.

22 **(i) Persons of Record**

23 The Planning Board or Zoning Hearing Examiner, as appropriate, shall prepare a list of persons of
24 record, which shall be made a part of the record.

25 **(j) Zoning Map Amendment Testimony**

26 During an evidentiary public hearing on a pending Zoning Map Amendment, the Zoning Hearing
27 Examiner may take testimony for a less intense zone than what is requested by the applicant if:

28 (1) The zone has been recommended by the Planning Board;

29 (2) The Planning Board has not made a recommendation and the zone has been
30 recommended by the Technical Staff; or

31 (3) The application has been remanded pursuant to Section 27-3601(c)(8)(B).

32 **(k) Continued and Recessed Cases**

33 (1) The Planning Board or Zoning Hearing Examiner, as appropriate, may continue or recess
34 a case.

1 (2) A case may be continued for good cause after it has been advertised for hearing.

2 (3) After a hearing has begun, a case may be recessed for the receipt of additional evidence
3 and upon such conditions or limitations or subject to such additional requirements or hearings as due
4 process may require.

5 [(4)] If no new hearing date is set for a continued or recessed case at the time of continuance or
6 recess, all parties of record shall be sent written notice of a new date at least twenty (20) days prior to the
7 new hearing date.

8 [(5)] The Planning Board may request (in writing) that the record be held open for not more
9 than fourteen (14) days for the receipt of its recommendation on any given case.]

10 [(6)] (5) The People's Zoning Counsel, in any matter described in 27-3309(b)(1), or any
11 person of record may request the continuance of a hearing under this Subsection. For zoning map
12 amendments and special exceptions only, the Zoning Hearing Examiner may continue a hearing if a
13 required Technical Staff Report or Planning Board recommendation has not been filed within 30 days of
14 the scheduled hearing. If a continuance is granted for this reason, the ZHE may not hear the case for at
15 least 30 days after the Technical Staff Report is filed.

16 **(l) Case Taken Under Advisement**

17 (1) Once a case has been fully [presented] heard, the Planning Board or Zoning Hearing
18 Examiner, as appropriate, may take it under advisement to render a decision. Thereafter, no new evidence
19 may be entered into the record, except:

20 (A) If good cause is shown why the evidence was not previously presented into the record; or

21 (B) The evidence is presented pursuant to a remand of the District Council; and

22 (C) All persons of record are afforded the opportunity to present evidence in rebuttal.

23 (D) Notwithstanding the above subparagraphs (A) through (C), the Planning Board or Zoning
24 Hearing Examiner, as may be appropriate, may deny admission of additional evidence upon a finding that
25 its probative value is outweighed by any cumulative effect, undue prejudice, or delay in the proceedings.

26 **(m) Reconsideration of Zoning Hearing Examiner Decision**

27 (1) The [Planning Board's or] Zoning Hearing Examiner's decision[, as may be appropriate,]
28 may be reconsidered on request filed by either the applicant or other person of record within 30 days after
29 the date of notice of the final decision. If the [Planning Board or] Zoning Hearing Examiner[, as
30 appropriate,] does not grant the request for reconsideration within 30 days following receipt of the
31 request, the request is denied.

32 [(2)] The Zoning Hearing Examiner may only reconsider the decision if it finds that an error in
33 reaching the original decision was caused by fraud, surprise, mistake, or inadvertence.

1 (3) [The Planning Board shall reconsider the decision in accordance with its Rules of
2 Procedure.

3 (4) The party filing the request for reconsideration of the Zoning Hearing Examiner's
4 decisions [case] shall, upon filing the request, send a copy to all other persons of record, the applicant (if
5 the applicant is not a person of record), and all municipalities within one mile of the land subject to the
6 application.

7 [(5)] If the [Planning Board or] Zoning Hearing Examiner[, as appropriate,] determines there is
8 grounds to reconsider their final decision, it shall schedule a hearing on the request.

9 [(6) After the hearing, the Planning Board shall first vote to reconsider their final decision
10 and, if an affirmative motion is adopted, vote on a new decision.]

11 [(7)](4) After the close of the hearing record, the [Planning Board or] Zoning Hearing
12 Examiner[, as appropriate,] shall file a new decision or recommendation.

13 (5) The Planning Board's Rules of Procedure shall govern reconsiderations of its final
14 decisions, but no such final decision shall be eligible for reconsideration, by waiver of its rules or
15 otherwise, more than one year following the date of the Planning Board's approval of the resolution
16 memorializing such final decision.

17 (n) **Dismissal of Zoning Hearing Examiner Cases**

18 (1) **Applicability**

19 The Zoning Hearing Examiner shall dismiss any case that it has the power to hear that is
20 withdrawn through inaction in accordance with Section 27-3405(b)(2), Withdrawal through Inaction, or
21 has not reached public hearing by or within three years after the application was filed. The Zoning
22 Hearing Examiner may (for good cause) grant extensions of that time period. More than one extension
23 may be granted. Each extension may be for not more than six months.

24 (2) **Order of Dismissal**

25 An order of dismissal shall be in writing unless the application is withdrawn through inaction.
26 A copy of the order shall be sent to all persons of record.

27 (A) **Written Notice to Applicant**

28 At least 30 days prior to dismissal, Zoning Hearing Examiner, shall send written notice of
29 the proposed dismissal date to the applicant, the landowner, municipalities within one mile of the land
30 subject to the application, and correspondent (at their addresses of record).

31 (B) **Appeals of Dismissal Notice**

32 (i) The order of dismissal terminates all proceedings in the case, unless appealed
33 by the applicant or owner within 30 days after the date of dismissal. If the Zoning Hearing Examiner is
34 charged with issuing a recommendation, the appeal shall be filed with the review board charged with

1 rendering a final decision. If the Zoning Hearing Examiner is the final decision maker, the Zoning
2 Hearing Examiner shall treat the appeal as an application to reconsider its decision to dismiss the
3 application.

4 (ii) Each appeal shall be in writing and shall state specifically why the case
5 should not be dismissed. An appellant shall give notice of the appeal to all persons sent notice of the
6 order.

7 (iii) The District Council shall consider the appeal within 90 days of its filing. The
8 District Council shall give at least ten days notice of the time and place of the meeting at which the appeal
9 or reconsideration will be considered. The notice shall be sent to the appellant and all other persons who
10 were given notice of the order of dismissal.

11 (iv) The appellant shall have the opportunity to appear before the District Council
12 to show why the case should not be dismissed.

13 (v) The District Council shall either uphold the order of dismissal, or shall
14 reverse the order and remand the case to the Zoning Hearing Examiner for further processing, or (if the
15 application is treated as a reconsideration) shall hear the application.

16 * * * * *

17 **27-3414. Oral Argument Hearing**

18 (a) **Authorization**

19 With the exception of zoning cases for which an alternative appeal process is otherwise specified,
20 any person of record or the People’s Zoning [Council] Counsel may file with the District Council, within
21 thirty (30) days after the Zoning Hearing Examiner files a notice of decision on [written decision in] a
22 zoning case or the date the Planning Director mails notice of the Planning Board’s decision on a detailed
23 site plan application:

24 (1) An appeal from the Zoning Hearing Examiner’s decision in a special exception case
25 finally decided by the Zoning Hearing Examiner;

26 (2) Exceptions to the Zoning Hearing Examiner’s decision in any other zoning case; or

27 (3) A request for oral argument before the District Council on either [subparagraph (1) or (2),
28 above] the Zoning Hearing Examiner’s or Planning Board’s decision.

29 * * * * *

30 **27-3415. Conditions of Approval**

31 (a) **Generally**

32 If explicitly permitted for the particular type of application (see Section 27-3500, Legislative
33 Amendments, Area Master Plans, and Sectional Map Amendment Review Procedures and Decision

Standards, and Section 27-3600, Application-Specific Review Procedures and Decision Standards), approval of an application may be subject to conditions of approval.

(b) Limitations on Conditions

Any conditions of approval shall be expressly set forth in the approval, shall be limited to conditions deemed necessary to ensure compliance with the requirements and particular standards of this Ordinance, and shall relate in both type and scope to the anticipated impacts of the proposed development. When a special exception is approved, any requirements for conditions deemed necessary to protect adjacent properties and the general neighborhood may be added. [Requirements]

(c) Requirements

(1) Conditions become a permanent part of the development approval or permit, and are binding as long as the zone remains in effect (in the case of zoning map amendments (ZMA)) or the development approval or permit remains valid.

(2) A condition of approval imposed is mandatory. Failure to comply with any condition of approval constitutes a violation of this Ordinance, and is grounds for the County to:

- (A) Annul the development approval or permit, including any zoning map amendment (ZMA);
- (B) Revoke a permit;
- (C) Institute appropriate civil or criminal proceedings in accordance with PART 27-8: Enforcement; or
- (D) Institute any other action necessary to obtain compliance.

* * * * *

SUBTITLE 27. ZONING.

PART 27-3 ADMINISTRATION

SECTION 27-3500 LEGISLATIVE AMENDMENTS, AREA MASTER PLANS, AND SECTIONAL MAP AMENDMENT REVIEW PROCESURES AND DECISION STANDARDS

* * * * *

27-3501. Legislative Amendment

* * * * *

(c) Legislative Amendment Procedure

This Subsection identifies additions or modifications to the standard review procedures in Sec. 27-3400, Standard Review Procedures, that apply to a text amendment.

* * * * *

(3) Public Notice and Hearing

Required (See Sec. 27-3407(b)(8), Scheduling Hearings and Public Notice.) In addition,

1 any legislative amendment that proposes to change the text of Section 27-3502, General Plan, Functional
2 Master Plans, Area Master Plans, and Sector Plans, of this Ordinance, shall also require the District
3 Council to publish notice of the time and place of the public hearing in at least one newspaper of general
4 circulation in the County at least thirty (30) days before the hearing pursuant to §21-216 of the Land Use
5 Article of the Maryland Code.

6 * * * * *

7 **27-3502. General Plan, Functional Master Plans, Area Master Plans, and Sector Plans**

8 **(a) General**

9 This Section establishes a uniform mechanism to adopt and amend the General Plan, Area Master
10 Plans, Sector Plans, and Functional Master Plans.

11 **(b) Applicability**

12 These plans shall be adopted or amended in accordance with the procedures and standards of this
13 Section. [An Area Master Plan or Sector Plan may include a sectional map amendment for concurrent
14 review] A sectional map amendment may be prepared for concurrent review and approval with the
15 adoption of an Area Master Plan or Sector Plan including major or minor amendments to an Area Master
16 Plan or Sector Plan (see also Section 27-3503, Sectional Map Amendment (SMA))].

17 **(c) Procedure**

18 **Initiation**

19 **(1)** A General Plan, Area Master Plan, Sector Plan, or Functional Master Plan, or a[n] major
20 amendment to an Area Master Plan, Sector Plan, or Functional Master Plan, shall only be initiated by:

21 **(A)** The District Council, by directing the Planning Board to initiate the process to
22 adopt or amend a comprehensive plan, by resolution; or

23 **(B)** The Planning Board, with the written authorization of the District Council, by
24 resolution.

25 **(2)** The District Council Resolution initiating a General Plan, Area Master Plan, Sector Plan,
26 or Functional Master Plan, or a[n] major amendment to an Area Master Plan, Sector Plan, or Functional
27 Master Plan, shall include approved goals, concepts, [goals,] and guidelines; a public participation
28 program to encourage public participation; and the timeframes for preparation and approval of the plan.
29 Such timeframes may be revised prior to permission to print and release the staff draft plan for public
30 review by the District Council by resolution.

31 **(A)** The Resolution shall designate the area involved. Sectional Map Amendments, if
32 included, shall [be limited to planning areas (or combinations of planning areas), municipalities, those
33 areas subject to an Area Master Plan or Sector Plan, or areas subject to an Urban Renewal Plan adopted
34 by the County, or adopted by a municipality and reviewed by the Planning Board] consist of the same

1 area as that of the associated Area Master Plan or Sector Plan or the area of the existing plan covered by a
2 proposed major amendment.

3 (B) The Resolution and any descriptive data shall be available for public inspection at
4 the office of the Planning Board.

5 (C) The Resolution shall be advertised in the County newspaper of record for at least
6 two (2) successive weeks after its adoption.

7 (3) In the case of a major amendment to an Area Master Plan, Sector Plan, or Functional
8 Master Plan, the Council's authorization or Resolution shall specify the area of the existing plan to be
9 covered by the major amendment.

10 (d) **Preparation**

11 (1) In preparing the General Plan, Area Master Plan, Sector Plan, or Functional Master Plan,
12 or a[n] major amendment to an Area Master Plan, Sector Plan, or Functional Master Plan, (hereinafter
13 staff draft plan), and potential concurrent sectional map amendment (with either an Area Master Plan, [or]
14 Sector Plan, or proposed major amendment to such a plan only), if appropriate, the Planning Director
15 shall coordinate efforts with appropriate Federal, State, and County agencies.

16 (2) After completion of the staff draft plan, the Planning Director shall forward the plan, and
17 proposed sectional map amendment, if included, to the Planning Board for its review. The plan, and
18 proposed sectional map amendment, if included, shall be made available for public review and copying in
19 the office of the Planning Director, and placed on the M-NCPPC website.

20 (3) A copy of the staff draft plan, and proposed sectional map amendment, if included, shall
21 be transmitted to the County Executive and each municipality whose territorial boundaries are within or
22 are located within one mile of that area. The County Executive and the municipalities shall be advised to
23 refer their comments on the staff draft plan, and proposed sectional map amendment, if included, to the
24 Planning Board at the scheduled public hearing(s). Each municipality shall have 60 days to provide its
25 recommendation on any proposed rezoning recommended in the proposed sectional map amendment, if
26 included, for property within its corporate boundary. The failure of the County Executive to submit
27 comments or a recommendation prior to the close of the public hearing record shall be presumed to
28 indicate no objection.

29 (4) The Planning Board shall grant permission to print the staff draft plan not more than
30 eighteen (18) months after the District Council directs its preparation.

31 (5) If [issues arise during the preparation of] additional time is needed to prepare the staff
32 draft plan and/or proposed sectional map amendment [which the Planning Board believes sufficient
33 analysis would result in an extension] beyond the eighteen (18) months preparation time specified herein,
34 the [issues] Planning Board shall [be brought to the attention of] notify the District Council. If the District

1 Council concurs, they shall grant an appropriate amount of time to perform the additional analysis, in
2 accordance with Section 27-3502(c)(2).

3 **(e) Scheduling Public Hearing and Public Notice**

4 Required (see Section 27-3407, Scheduling of Hearings and Public Notice).

5 **(1)** The District Council and the Planning Board shall conduct at least one joint public
6 hearing on the published staff draft plan and, if included, the proposed sectional map amendment [(with
7 either an Area Master Plan or Sector Plan only),] in accordance with Section 27-3407, Scheduling of
8 Hearings and Public Notice and after a minimum of 30 days notice by publication in a newspaper of
9 general circulation in the County and on the County's website.

10 **(2)** The Planning Board shall provide notice of the hearing(s) on the published staff draft
11 plan, and proposed sectional map amendment, if included, in accordance with Section 27-3407,
12 Scheduling of Hearings and Public Notice, except:

13 **(A)** The published notice shall also state:

14 **(i)** The subject matter of the hearing;

15 **(ii)** The procedures to be followed during the hearing;

16 **(iii)** The Affidavit and Ex Parte Disclosure requirements, and location of
17 compliance forms, required by State law and the County Code; and

18 **(iv)** The period of time during which the hearing record will remain open
19 following the joint public hearing shall not be less than 15 days nor greater than 30 days.

20 **(B)** The mailed notice shall also include:

21 **(i)** An invitation to comment on the plan; and

22 **(ii)** A statement advising that either concurrently or after approval of an Area
23 Master Plan or Sector Plan by the District Council, a sectional map amendment for the area could result in
24 a rezoning of land which could affect property values and property taxes.

25 **(C)** The mailed notice shall be for informational purposes only, and failure of the
26 Planning Board to send, or the landowner to receive, the notice shall not invalidate the adoption or
27 approval of the staff draft plan, or sectional map amendment, if included.

28 **(f) Review and Recommendation by Planning Board**

29 **(1)** The Planning Board shall hold public hearing(s) on the staff draft plan, and proposed
30 sectional map amendment, if included. At least one public hearing shall be a joint hearing with the
31 District Council on the staff draft plan and proposed sectional map amendment, if included, as required by
32 Section 27-3502(e)(1), above.

33 **(2)** The testimony received at the public hearing(s) shall be made a part of the record.
34 Exhibits introduced at any time prior to the close of the record shall be identified sequentially and

1 maintained as part of the record. The hearing record shall remain open for at least fifteen (15) days but not
 2 more than 30 days following the hearing.

3 (3) The Planning Board may permit the inclusion of additional evidence in the record more
 4 than 30 days following the hearing, upon motion and majority vote of the members present at any meeting
 5 or work session on the plan and/or proposed sectional map amendment, under the following conditions:[.]

6 (A) New evidence permitted to be presented orally or in writing at [any] the initial
 7 meeting or work session shall not be considered as a part of the record unless summarized in writing by
 8 the speaker and submitted for the record on that date. Should such new evidence be presented, the
 9 Planning Board may schedule a final meeting or work session no sooner than two weeks later to review
 10 staff analysis of new evidence, decide if such evidence shall be admitted to the record, and vote on the
 11 potential inclusion of the evidence and staff's analysis [within the period of time specified by the
 12 Planning Board.]; and

13 (B) Should the Planning Board schedule a final meeting or work session on new
 14 evidence, public testimony shall be limited to the topics contained in the evidence.

15 (4) Within [three (3) months] ninety (90) days of the close of the public record for the Joint
 16 Public Hearing, the Planning Board may either adopt the staff draft plan or adopt the staff draft plan with
 17 amendments, remand the staff draft plan back to the Planning Director for further evaluation, or
 18 disapprove the staff draft plan. If a proposed sectional map amendment is also being considered[(with
 19 either an Area Master Plan or Sector Plan only)], the Planning Board shall make a recommendation on the
 20 proposed sectional map amendment in accordance with Section 27-3503(b)(4), Review and
 21 Recommendation by Planning Board. The Planning Board's adoption of the staff draft plan and
 22 recommendation on the proposed sectional map amendment shall be by resolution.

23 (5) Before the adoption of the staff draft plan, the Planning Board shall also submit its
 24 proposals for public facilities included in the plan to the District Council, the County Executive, and each
 25 municipality whose territorial boundaries are within or abut the area affected by the plan for review and
 26 comment.

27 (A) The purpose of this public facilities referral is to identify inconsistencies between
 28 the staff draft plan and any existing or proposed State or County facilities.

29 (B) Such proposals for public facilities shall include, but not be limited to, roads,
 30 highways, parks and recreation facilities, or other public facilities.

31 (C) The County Executive and District Council shall have sixty (60) days from the date
 32 of the referral to review the public facilities proposals, provide written comments, and identify any
 33 inconsistencies between the public facilities proposed in the staff draft plan and any existing or proposed
 34 State or County facilities.

1 (D) In the event that any inconsistencies are revealed, the District Council shall direct
 2 the Planning Board on how the inconsistencies shall be eliminated or accommodated within the staff draft
 3 plan prior to adoption by the Planning Board.

4 (6) **The Planning Board shall transmit:**

5 (A) The adopted plan, and, if applicable, the endorsed sectional map amendment, to the
 6 District Council within thirty (30) days of adoption. If the adopted plan includes a sectional map
 7 amendment, the Planning Board shall transmit the endorsed sectional map amendment concurrently to the
 8 Council, with its recommendations]; and

9 (B) A copy of the resolution and the adopted plan and endorsed sectional map
 10 amendment, if included, to the County Executive and to each municipality whose territorial boundaries
 11 are within or that is within one mile of that area.

12 (7) Upon transmittal to the District Council of an adopted plan which includes a proposal to
 13 change zones, [or an endorsed sectional map amendment,] the Planning Board shall postpone accepting or
 14 processing any rezoning applications within the subject plan area [(or area of the sectional map
 15 amendment, if applicable)], until after final action by the District Council on the adopted plan [or
 16 endorsed sectional map amendment].

17 (8) Upon transmittal to the District Council of an endorsed sectional map amendment
 18 prepared concurrent to an Area Master Plan or Sector Plan or the area of the existing plan covered by a
 19 proposed major amendment, the acceptance and processing of zoning map amendments and certain
 20 permit applications shall be postponed pursuant to Section 27-3503(b)(4)(D).

21 (g) **Review and Decision by District Council**

22 (1) Within [two (2) months] sixty (60) days following receipt of the adopted plan and
 23 endorsed sectional map amendment (with either an Area Master Plan or Sector Plan only), if appropriate,
 24 the District Council shall decide whether to conduct an additional joint public hearing with the Planning
 25 Board on the adopted plan and, if included, the endorsed sectional map amendment. Notice of this hearing
 26 shall be given by the Clerk of the Council [in the same manner as that prescribed for the initial joint
 27 public hearing as required by Subsection 27-3502(e)(1), above] in the County newspapers of record at
 28 least fifteen (15) days prior to the scheduled hearing and on the County's website. Additionally, mailed
 29 notice shall be provided to all owners of land for which a change in zoning is proposed, each municipality
 30 whose territorial boundaries are within or are located within one mile of that area, and the County
 31 Executive.

32 (2) If the District Council considers amendments to the adopted plan and/or the endorsed
 33 sectional map amendment that are not based on the record before the Planning Board, then at least one
 34 additional joint public hearing shall be held with the Planning Board on the amendments, and endorsed

1 sectional map amendment, if included. Amendments based on the record before the Planning Board or
 2 proposed only to retain the existing zone classification on land included in an endorsed sectional map
 3 amendment (with either an Area Master Plan or Sector Plan only) may be approved by the Council
 4 without holding an additional joint public hearing.

5 (3) If an additional joint public hearing is held pursuant to Section 27-3502(g)(2), notice of
 6 the hearing:

7 (A) [s] Shall be given by the Clerk of the Council in the County newspapers of record at
 8 least fifteen (15) calendar days prior to the scheduled hearing, except that the published notice shall also
 9 state that all property owners within the plan boundaries, each municipality whose territorial boundaries
 10 are within or are located within one mile of that area, and the County Executive are invited to submit
 11 comments on any amendments to the adopted plan. Failure of the County Executive to present comments
 12 or recommendations prior to the close of the public hearing record shall be presumed to indicate no
 13 objections to the amendments[.]; and

14 (B) Mailed notice shall be provided to all owners of land for which an amendment to
 15 the endorsed sectional map amendment is proposed and each municipality whose territorial boundaries
 16 are within or are located within one mile of the plan boundaries.

17 (4) All amendments proposed by the Council for which an additional joint public hearing is
 18 required shall be referred to the Planning Board for its written comments, which shall be submitted to the
 19 Council following the joint public hearing on the amendments, but prior to its action on the amendments.

20 (5) The testimony received at the additional joint public hearing(s) shall be made a part of
 21 the record. Exhibits introduced at any time prior to the close of the record shall be identified sequentially
 22 and maintained as part of the record. The period of time during which the hearing record will remain open
 23 following the joint public hearing shall not be less than fifteen (15) days nor more than thirty (30) days.

24 (6) The District Council may also permit the inclusion of additional evidence in the record,
 25 upon motion and majority vote of the members present at any meeting or work session on the plan. New
 26 evidence permitted to be presented orally at any meeting or work session should be summarized in
 27 writing by the speaker and submitted for the record within the period of time specified by the Council.

28 (7) Within ninety (90) days following the final joint public hearing on proposed
 29 amendments, or within sixty (60) days of receipt of the adopted plan, and, if included, endorsed sectional
 30 map amendment should no joint public hearing be required, the District Council, in accordance with
 31 Section 27-3502(g)(11), and, if a sectional map amendment is included, Section 27-3503(b)(5), Sectional
 32 Map Amendment Decision Standards, shall:

33 (A) Approve the adopted plan, and the endorsed sectional map amendment, if included,
 34 as submitted by the Planning Board;

1 **(B)** Approve the adopted plan with changes, revisions, or amendments based upon the
 2 record, and the endorsed sectional map amendment (with either an Area Master Plan or Sector Plan), if
 3 included, with changes, revisions or amendments (this shall not require re-adoption by the Planning
 4 Board);

5 **(C)** Remand the adopted plan and the endorsed sectional map amendment (with either
 6 an Area Master Plan or Sector Plan only), if included, back to the Planning Board, with specific direction
 7 for issues they should consider; or

8 **(D)** Disapprove the adopted plan, and the endorsed sectional map amendment (with
 9 either an Area Master Plan or Sector Plan only), if included.

10 **(8)** Approval of the adopted plan, and endorsed sectional map amendment (with either an
 11 Area Master Plan or Sector Plan only), if included, shall be by a majority of the full District Council, and
 12 shall be by resolution.

13 **(9)** If a concurrent sectional map amendment is included, a two-thirds majority vote of the
 14 full Council shall be required to approve any portion of the sectional map amendment that is contrary to
 15 the recommendation of a municipality concerning land within its boundaries. If the Council fails to obtain
 16 this two-thirds majority vote, the land may be rezoned to any alternate zone classification recommended
 17 by the municipality (in writing), provided that:

18 **(A)** The zone classification is consistent with the adopted and approved Area Master
 19 Plan or Sector Plan or amendments thereto; or

20 **(B)** The zone classification is the same as the one existing on the land prior to the
 21 endorsed sectional map amendment.

22 **(10)** Failure of the District Council to take action on the adopted plan, and endorsed sectional
 23 map amendment (with either an Area Master Plan or Sector Plan only), if included, within [the time
 24 periods established in the initiation resolution (as revised may be by subsequent resolutions)] ninety (90)
 25 days following the final joint public hearing on amendments, or within sixty (60) days of receipt of the
 26 adopted plan, and, if included, endorsed sectional map amendment should no joint public hearing be
 27 required, constitutes denial of the adopted plan, and endorsed sectional map amendment, if included.

28 **(11)** A General Plan[,]; or an Area Master Plan, Sector Plan, [or] Functional Master Plan or
 29 major amendment thereto; should conform to the principles of orderly, comprehensive land use planning
 30 and staged development. The advisability of approving a General Plan[,]; or an Area Master Plan, Sector
 31 Plan, [or] Functional Master Plan, or major amendment thereto; [or minor plan amendment,] is a matter
 32 committed to the legislative discretion of the District Council and is not controlled by any one factor.
 33 Prior to the approval of a General Plan[,]; or an Area Master Plan, Sector Plan, [or] Functional Master

1 Plan, or major amendment thereto; the District Council shall consider all factors relevant to protecting the
2 health, safety, and welfare of the citizens of the County.

3 **(h) Post-Decision Actions**

4 **(1) Final Adoption**

5 After approval of a General Plan[,]; or an Area Master Plan, Sector Plan, [or] Functional
6 Master Plan, or major amendment thereto; by the District Council, the full Commission of the M-NCPPC
7 shall take action to adopt the plan, and if a concurrent sectional map amendment is included, certify the
8 zoning map.

9 **(2) Publication and Filing**

10 After the Commission's final adoption and approval of the approved plan, the Commission
11 shall publish the approved plan and make it available to the public. In addition, an attested copy of every
12 approved plan or sectional map amendment, if adopted, shall be certified by the [Planning Board]
13 Commission and filed with the Clerk of the Circuit Court for Prince George's County.

14 **(3) Amendments**

15 An amendment of a comprehensive plan that exceeds the parameters of Subsection 27-3502(i),
16 below, may only be reviewed in accordance with the procedures and standards established for its original
17 approval.

18 **(4) Evaluate Whether to Amend Area Master Plans or Sector Plans**

19 At least every six (6) years, the District Council shall evaluate, in accordance with State law,
20 whether approved Area Master Plans or Sector Plans should or should not be amended, and provide the
21 reasons for the decision in writing.

22 **(5) Review and Evaluate General Plan**

23 The General Plan shall be reviewed and evaluated within two (2) years of the completion of
24 each decennial census.

25 **(i) Minor Plan Amendment and Sectional Map Amendments**

26 **(1)** Minor amendments of an Area Master Plan or Sector Plan, or Functional Master Plan,
27 and sectional map amendments prepared concurrent with minor plan amendments (of an Area Master
28 Plan or Sector Plan only) may be initiated by the District Council upon adoption of a written resolution,
29 or by the Planning Board with District Council approval by written resolution. At the time of initiation of
30 a minor plan amendment process, a joint public hearing date shall be scheduled to occur within sixty (60)
31 days.

32 **(A)** For a minor plan amendment without a sectional map amendment, notification for
33 this joint public hearing shall be in accordance with the [The same] requirements in Section 27-3407,

1 Scheduling of Hearings and Public Notice, for minor plan amendments [that applied to the review and
2 adoption of the plan shall apply to a minor amendment of the plan].

3 (B) For a minor plan amendment including the preparation of a sectional map
4 amendment, notification for the joint public hearing shall also be in accordance with the requirements in
5 Section 27-3407, Scheduling of Hearings and Public Notice, for sectional map amendments.

6 (2) A minor plan amendment may be utilized to advance defined public objectives, and shall
7 be limited to:

8 (A) A geographic area which is not more than fifty (50) percent of the applicable plan
9 area, and not limited to a single parcel of land or landowner; and

10 (B) Specific issues regarding public planning objectives; or

11 (C) An action to correct errors in the text or maps in the applicable plan.

12 (3) In no instance, however, shall a minor amendment process be used to:

13 (A) Rezone any land, unless a sectional map amendment is prepared and approved with
14 the minor plan amendment;

15 (B) Change a General Plan center designation;

16 (C) Make any amendment that would require major transportation or public facilities
17 analysis or revised water and sewer classification; or

18 (D) Amend the County's growth boundary.

19 (4) The Resolution initiating a minor amendment shall set forth the objectives required in
20 paragraph 27-3502(i)(3) above, and specify the purpose and scope of the proposed minor plan
21 amendment, and identify the date of the joint public hearing on the amendment.

22 (5) Following the joint public hearing, the Board shall take action on the proposed minor
23 plan amendment to adopt, adopt with amendments, remand, or disapprove the minor plan amendment. If a
24 sectional map amendment is also being considered concurrently with the minor plan amendment, the
25 Planning Board shall make a recommendation on the sectional map amendment in accordance with
26 Section 27-3503(b)(4), Review and Recommendation by Planning Board. The Planning Board's adoption
27 of the minor plan amendment and, if included, recommendation on the sectional map amendment shall be
28 by resolution.

29 (6) The Planning Board shall transmit the adopted minor plan amendment, and, if included,
30 endorsed sectional map amendment, and a Technical Staff Report analyzing the minor plan amendment,
31 and, if included, endorsed sectional map amendment, within one hundred twenty (120) days of the date of
32 the close of the public record for the joint public hearing.

1 (A) Upon transmittal of an endorsed sectional map amendment, the acceptance and
 2 processing of zoning map amendments and certain permit applications shall be postponed pursuant to
 3 Section 27-3503(b)(4)(F).

4 (7) The District Council shall, within ninety (90) days of the Planning Board’s transmittal, at
 5 a public meeting, approve, approve with revisions based solely on testimony received at the joint public
 6 hearing, or disapprove the minor plan amendment, and, if included, the endorsed sectional map
 7 amendment, and adopt a resolution on the minor plan amendment. A separate District Council vote and
 8 resolution shall be required for District Council action on an endorsed sectional map amendment, if
 9 included.

10 (8) The advisability of approving a minor plan amendment, and, if included, the endorsed
 11 sectional map amendment, is a matter committed to the legislative discretion of the District Council and is
 12 not controlled by any one factor. Prior to the approval of a minor plan amendment, and, if included, the
 13 endorsed sectional map amendment, the District Council shall consider all factors relevant to protecting
 14 the health, safety, and welfare of the citizens of the County.

15 (9) Failure of the District Council to approve or disapprove the minor plan amendment, and,
 16 if included, the endorsed sectional map amendment within ninety (90) days of receipt of the Planning
 17 Board’s recommendation shall constitute disapproval of the minor plan amendment and/or the endorsed
 18 sectional map amendment.

19 [(i)](10) After approval of a minor amendment by the District Council, the Planning Board
 20 shall publish the revisions to the plan made in the minor amendment, along with the minor amendment,
 21 and make it available to the public. In addition, an attested copy of the minor amendment shall be adopted
 22 and, if included, the zoning map for the sectional map amendment shall be certified by the [Planning
 23 Board] Commission and filed with the Clerk of the Circuit Court for Prince George's County.

24 **(j) Relationship Between the General Plan, Functional Master Plans, Area Master Plans,**
 25 **and Sector Plans**

26 (1) When General Plan amendments and Functional Master Plans (and amendments thereof)
 27 are approved after the adoption and approval of Area Master Plans or Sector Plans, they shall amend the
 28 Area Master Plans or Sector Plans [shall be amended] only to the extent specified [by the District
 29 Council] in the approved amendment and/or in the resolution of approval.

30 (2) [Any Functional Master Plan (or amendment), Area Master Plan, or Sector Plan shall be
 31 an amendment of the General Plan unless otherwise stated by the District Council.] When Area Master
 32 Plans or Sector Plans, or amendments thereof, are approved after the adoption and approval of the
 33 General Plan and/or any Functional Master Plan(s), they shall amend the General Plan and/or Functional

1 Master Plan(s) as specified in the approved Area Master Plan or Sector Plan, or amendment thereof,
2 and/or the resolution of approval.

3 (3) Any Area Master Plan or Sector Plan may designate, delete, or amend General Plan
4 center or policy area designations or the County’s growth boundary. Any Functional Master Plan for
5 rural, agricultural, natural resource, and/or environmental conservation may also amend policy area
6 designations or the County’s growth boundary. These actions shall constitute amendments to the General
7 Plan unless otherwise stated by the District Council.

8 * * * * *

9 **27-3503. Sectional Map Amendment (SMA)**

10 **(a) Applicability**

11 **(1) Generally**

12 A sectional map amendment shall be initiated to comprehensively rezone land within Prince
13 George's County. Sectional map amendments shall be limited to planning areas, combinations of planning
14 areas, portions of planning areas, or [those] portions of areas subject to an Area Master Plan or Sector
15 Plan or amendment thereto. In a sectional map amendment, land may be reclassified to any zone
16 established in this Ordinance, except as provided in Section 27-3503(a)(4) below.

17 * * * * *

18 **(4) Prohibited Rezonings Via Sectional Map Amendments**

19 A map amendment to the following zones shall not be established through a sectional map
20 amendment:

- 21 (A) The CBCAO Zone;
- 22 (B) The APAO Zone;
- 23 (C) A PD zone;
- 24 (D) The RMH, LCD, LMXC, and LMUTC zones; or
- 25 (E) If the land subject to the proposed amendment is wholly or partially within the

26 Safety Zones of the MIO Zone, the following zones:

- 27 (i) Any Transit-Oriented/Activity Center base zone;
- 28 (ii) The RMF-12, RMF-20, RMF-48, CGO, CN, or CS zones;
- 29 (iii) A more-intense residential zone than the current residential zone on the

30 property; or

31 (iv) If land is classified in a Rural and Agricultural or Residential base zone, a
32 more intense Rural and Agricultural or Residential base zone[; or].

33 [(v)](F) The ROS Zone, if the land subject to the proposed amendment is not
34 publicly-owned, unless the landowner has requested or consented, in writing, to the amendment.

* * * * *

(b) Sectional Map Amendment Procedure

This Subsection identifies additions or modifications to the standard review procedures in Section 27-3400, Standard Review Procedures, that apply to [development applications for] a sectional map amendment.

(1) Initiation

(A) A sectional map amendment [is] shall only be initiated by: [resolution of]

(i) [t]The District Council authorizing and directing the Planning Director to prepare a proposed amendment[.]; or

(ii) The Planning Board, with the written authorization of the District Council.

(B) Initiation of a sectional map amendment shall be by resolution. Such resolution shall designate the area involved. The resolution of initiation and any descriptive data shall be made available for public inspection at the office of the Planning Director.

(C) [Within thirty (30) days after the initiation resolution has been adopted,] Until the close of the public hearing record for the initial Joint Public Hearing, any person may request that specific zones (except those prohibited in Section 27-3503(a)(4), Prohibited Rezonings Via Sectional Map Amendments) be considered for specific lands during the sectional map amendment process.

(i) [The requests shall be made on forms provided by the Planning Board and shall be available for general public review.

(ii) Each] Such requests shall be submitted to the Clerk of the Council as public hearing testimony and shall be accompanied by a statement describing how the proposed zoning change complies with the General Plan[,], or the applicable Area Master Plan or Sector Plan[,], or any adopted County staging policy or economic development program.]

(2) Preparation

The Planning Director shall prepare the proposed sectional map amendment for review in accordance with this Section. Any sectional map amendment prepared concurrently with a staff draft plan (for an Area Master Plan or Sector Plan, or amendment thereto, only) shall follow the regulations of both this Section and Section 27-3502, General Plan, Functional Master Plans, Area Master Plans, and Sector Plans. In the event of conflict, the requirements of this Section control.

(3) Scheduling Public Hearing and Public Notice

Required (see Section 27-3407, Scheduling of Hearings and Public Notice). In addition, if a sectional map amendment is considered concurrently with an Area Master Plan or Sector Plan, or amendment thereto, scheduling of public hearing(s) and public notice shall be in accordance with Section 27-3502, General Plan, Functional Master Plans, Area Master Plans, and Sector Plans.

1 **(4) Review and Recommendation by Planning Board**

2 Required (see Section 27-3408, Review and Recommendation by Advisory Board or Official),
3 except:

4 **(A)** [If the proposed sectional map amendment is prepared and reviewed concurrently
5 with an Area Master Plan or Sector Plan, the Planning Board shall hold a joint public hearing with the
6 District Council in accordance with Section 27-3502, General Plan, Functional Master Plans, Area Master
7 Plans, and Sector Plans, in-lieu of a separate public hearing.] The Planning Board shall hold public
8 hearing(s) on the proposed sectional map amendment. At least one public hearing shall be a joint public
9 hearing with the District Council on the proposed sectional map amendment.

10 **(B)** The testimony received at the public hearing(s) shall be made a part of the record.
11 Exhibits introduced at any time prior to the close of the record shall be identified sequentially and
12 maintained as part of the record. The hearing record shall remain open for at least fifteen (15) days but not
13 more than 30 days following the hearing.

14 **(C)** The Planning Board may permit the inclusion of additional evidence in the record,
15 upon motion and majority vote of the members present at any meeting or work session on the plan and/or
16 proposed sectional map amendment, under the following conditions:

17 **(i)** New evidence permitted to be presented orally or in writing at the initial
18 meeting or work session shall not be considered as a part of the record unless summarized in writing by
19 the speaker and submitted for the record on that date. Should such new evidence be presented, the
20 Planning Board shall schedule a final meeting or work session no sooner than two weeks later to review
21 staff analysis of new evidence, decide if such evidence shall be admitted to the record, and vote on the
22 potential inclusion of the evidence.

23 **(ii)** At the Planning Board's final meeting or work session on new evidence,
24 public testimony shall be limited to the topics contained in the evidence.

25 **(D)** Within forty-five (45) days of the date of the Planning Board's public hearing (or
26 ninety (90) days of the date of the Planning Board's public hearing when a sectional map amendment is
27 prepared concurrent with the preparation of an Area Master Plan or Sector Plan), the Planning Board shall
28 make a recommendation on the proposed sectional map amendment in accordance with Section 27-
29 3503(b)(5), Sectional Map Amendment Decision Standards. The Planning Board's recommendation shall
30 be by resolution. If the Planning Board recommends changes to the underlying zone of property within
31 the Safety Zones of the MIO Zone, whether or not the recommended change is based on public testimony,
32 a statement of justification shall be included describing how the proposed reclassification complies with
33 the purposes of the MIO Zone, reflects the latest Air Installation Compatibility Use Zone Study, as

1 amended from time to time by the Department of Defense, and is consistent with the applicable Area
 2 Master Plan or Sector Plan.

3 ~~[(C)]~~**(E)** Within thirty (30) days of the adoption of the resolution, the Planning Board
 4 shall transmit the endorsed sectional map amendment to the District Council, to each municipality located
 5 either within the area of the endorsed sectional map amendment or within one mile of that area, and to
 6 any governed special taxing district within the area of the endorsed sectional map amendment.

7 ~~[(D)]~~**(F)** Upon transmittal of an endorsed sectional map amendment to the District
 8 Council:

9 **(i)** The Planning Board shall postpone accepting or processing any zoning map
 10 amendment (ZMA) applications within the area of the endorsed sectional map amendment until after final
 11 action by the District Council on the endorsed sectional map amendment.

12 **(ii)** The Clerk of the Council shall notify the DPIE Director and Zoning Hearing
 13 Examiner of the transmittal. DPIE shall postpone the processing and issuance of building permits for land
 14 within the area of the endorsed sectional map amendment until after final action by the District Council
 15 on the sectional map amendment, if the lot or parcel of land on which construction is proposed is in a
 16 Nonresidential zone, was proposed by the Planning Board for a zone in which the proposed use is not
 17 permitted, and is undeveloped. This Subsection shall not apply to a lot or parcel of land for which a
 18 grading permit has been issued by Prince George's County, sediment and erosion control devices have
 19 been installed by the permittee, and site grading activities have been initiated by the permittee.

20 **(iii)** The Zoning Hearing Examiner shall postpone processing pending zoning map
 21 amendment (ZMA) applications within the area of the proposed sectional map amendment until after final
 22 sectional map amendment action by the District Council, and applications pending before the District
 23 Council in the area covered by the proposed sectional map shall be remanded to and held by the
 24 Examiner.

25 **(5) Sectional Map Amendment Decision Standards**

26 **(A)** Sectional map amendments conform to the principles of orderly, comprehensive
 27 land use planning and staged development, and shall be based on the General Plan and applicable Area
 28 Master Plans, Sector Plans, and Functional Master Plans. The advisability of a sectional map amendment
 29 is a matter committed to the legislative discretion of the District Council and is not controlled by any one
 30 factor. Prior to the approval of a sectional map amendment, the District Council shall consider the
 31 following:

32 **(i)** The consistency of the proposed amendment with the applicable Area Master
 33 Plan or Sector Plan;

34 **(ii)** The character of the area under review;

- 1 **(iii)** The suitability of particular uses;
- 2 **(iv)** The protection of natural features in the area;
- 3 **(v)** The conservation of the value of buildings and communities;
- 4 **(vi)** The most appropriate use of land throughout the County;
- 5 **(vii)** [Any adopted current staging policy, or Capital Improvement or Economic

6 Development Program;

7 **(viii)]** The environmental and economic impact upon both the area under
 8 review and the entire County;

9 **[(ix)](viii)** The protection of the health, safety, and general welfare of the citizens
 10 of the County; and

11 **(ix)** For land wholly or partially within, or proposed to be wholly or partially
 12 included within the MIO Zone:

13 **(aa)** The changes to the Air Installation Compatible Use Zone Study that
 14 necessitates the map amendment; and

15 **(bb)** The purposes of the MIO Zone.

16 **(B)** In addition, for an amendment of the MIO Zone, the Impact Maps identifying the
 17 Height, Safety, and High Noise Zones shall reflect those in the most current Air Installation Compatible
 18 Use Zone Study (AICUZ), as amended from time to time.

19 **(C)** Any proposed rezoning to a Transit-Oriented/Activity Center base zone shall be in
 20 accordance with the locational standards of Section 27-4204(b)(2) of this Ordinance.

21 **(6) Review and Decision by District Council**

22 Required (see Section 27-3409, Review and Decision by Decision-Making Body or Official),
 23 except the following procedures shall apply:

24 **(A)** If the proposed sectional map amendment is prepared and reviewed concurrently
 25 with an Area Master Plan or Sector Plan, the District Council shall review and make a decision on the
 26 endorsed sectional map amendment in accordance with Section 27-3502, General Plan, Functional Master
 27 Plans, Area Master Plans, and Sector Plans, and Section 27-3503(b)(5), Sectional Map Amendment
 28 Decision Standards. Otherwise, within sixty (60) days following receipt of the Planning Board's
 29 recommendation on the endorsed sectional map amendment, the District Council shall, by ordinance, and
 30 in accordance with Section 27-3503(b)(5), Sectional Map Amendment Decision Standards:

- 31 **(i)** Approve the sectional map amendment as submitted by the Planning Board;
- 32 **(ii)** Approve the sectional map amendment, with amendments; or
- 33 **(iii)** Disapprove the sectional map amendment.

1 (B) The District Council may approve the endorsed sectional map amendment with
2 amendments that are not based on the record before the Planning Board, provided:

3 (i) The District Council's proposed amendments shall be referred to the Planning
4 Board for the Board's written comments. The comments, if any, shall be submitted to the Council prior to
5 the Council's action on the sectional map amendment.

6 (ii) The District Council and Planning Board shall hold an additional joint public
7 hearing, prior to approving the endorsed sectional map amendment. Notice of the hearing shall be given
8 by the Clerk of the Council in the County newspapers of record at least fifteen (15) calendar days prior to
9 the scheduled hearing. Amendments proposed only to retain the existing zone of land may be approved by
10 the Council without holding an additional public hearing.

11 (C) A two-thirds majority vote of the full Council shall be required to approve any
12 portion of the amendment that is contrary to the recommendation of a municipality concerning land
13 within its boundaries or a governed special taxing district concerning land within its district. If the
14 Council fails to obtain this two-thirds majority vote, the land may be rezoned to any alternate zone
15 recommended by the municipality (in writing) if:

16 (i) The zone is consistent with the adopted and approved Area Master Plan or
17 Sector Plan; or

18 (ii) The zone is the same as the one existing on the land prior to the sectional map
19 amendment.

20 (D) Failure of the District Council to take action on an endorsed sectional map
21 amendment within the time periods established in this Section shall constitute denial of the endorsed
22 sectional map amendment.

23 (7) **Post-Decision Actions**

24 (A) **Effect of Approval**

25 (i) The approval of a sectional map amendment shall repeal and readopt with
26 amendments that portion of the Official Zoning Map encompassed by the sectional map amendment.

27 (ii) After approval of a sectional map amendment by the District Council, the full
28 Commission of the M-NCPPC shall take action to certify the zoning map.

29 (B) **Designation on Official Zoning Map**

30 If a sectional map amendment is adopted by the District Council, the Planning Director
31 shall place the amendment on the Official Zoning Map within a reasonable period of time after its
32 adoption by the District Council and certification by the Commission.

33 * * * * *

34 **SUBTITLE 27. ZONING.**

PART 27-3 ADMINISTRATION

SECTION 27-3600 APPLICATION-SPECIFIC REVIEW PROCEDURES AND DECISION STANDARDS

* * * * *

27-3601. Zoning Map Amendment (ZMA)

* * * * *

(c) Zoning Map Amendment Submittal Requirements

(1) The zoning map amendment application shall be submitted to the Planning Director_ [by the owner of the property or his authorized representative.]

* * * * *

(d) Zoning Map Amendment (ZMA) Procedure

This Subsection identifies additions or modifications to the standard review procedures in Section 27-3400, Standard Review Procedures, that apply to development applications for a zoning map amendment (ZMA). Figure 27-3601(b) identifies key steps in the (ZMA) procedure.

* * * * *

(3) Application Submittal

See Section 27-3403, Application Submittal.

[(A)] In addition, [an application may be submitted by the District Council, the Planning Board, or the Planning Director.

(B) N]no parcel of land shall be the subject of two separate applications for a zoning map amendment (ZMA) at the same time. If two or more separate parcels of land are included in one application, they must be adjoining. For the purposes of this Subsection, "adjoining" means those parcels of land which abut or are separated only by a public right-of-way, stream bed, or the like.

* * * * *

(5) Staff Review and Action

See Section 27-3406, Staff Review and Action. After staff review and evaluation of the application, the Planning Director shall prepare a Technical Staff Report, which shall include a recommendation on the application. [The Technical Staff Report shall be submitted and filed with the ZHE at least 30 days before the scheduled hearing before the Planning Board or ZHE, whichever occurs first, or the matter shall be continued.]

For any property owner-initiated application for a zoning map amendment involving the Chesapeake Bay Critical Area Overlay (CBCAO) Zone, the Planning Director shall, at least 30 days before the [first public] Zoning Hearing Examiner’s hearing:

1 (A) Transmit to the District Council the amendment application, plans, maps, specifications,
2 [Technical Staff Report] Planning Board recommendation, and all other data, materials, and record
3 evidence (to date) pertaining to the amendment; and

4 (B) Transmit to the Critical Area Commission for the Chesapeake and Atlantic Coastal Bays
5 a copy of the amendment application, and the conceptual conservation plan for their initial review and
6 comment.

7 **(6) Scheduling Public Hearing and Public Notice**

8 See Section 27-3407, Scheduling of Hearings and Public Notice.

9 **(7) Review and Recommendation by Advisory Board or Official**

10 See Section 27-3408, Review and Recommendation by Advisory Board or Official.

11 (A) The Planning Board shall decide whether [it will] to hold a non-evidentiary hearing on
12 the application within 15 days after receipt of the Technical Staff Report, or at its first meeting after the
13 [release] preparation of the report if no meeting has occurred within the 15 days.

14 (B) If the Planning Board decides not to conduct a hearing, the recommendation in the
15 Technical Staff Report constitutes the Planning Board's recommendation, and the Planning [Board]
16 Director shall transmit [its decision] the Technical Staff Report to the ZHE.

17 (C) If the Planning Board decides to hear the matter, it shall set a hearing date which shall be
18 at least 30 days after its decision to hear the matter.

19 (i) Prior to or at the Planning Board's hearing, the applicant and any other person may
20 submit written responses to the Technical Staff Report, together with any supporting material. The
21 responses shall become a part of the record that will be forwarded to the ZHE.

22 (ii) At the hearing, the Planning Board shall, following their Rules of Procedure,
23 consider the application, relevant support materials, the Technical Staff Report, applicant comments, and
24 any public comments, and make a recommendation containing specific findings of basic facts and
25 conclusions of law, by resolution, on the application in accordance with Section 27-3601(d), Zoning Map
26 Amendment (ZMA) Decision Standards. The Planning Board shall transmit its resolution with
27 recommendation to the ZHE.

28 (D) [After receipt of] At least thirty (30) days after receiving the Planning Board's [decision
29 not to conduct a hearing on the application (and Technical Staff Report recommendation), or resolution
30 with recommendations, and at least thirty (30) days after the ZHE receives the Technical Staff Report]
31 recommendation, the ZHE shall [hear the application at a public hearing] provide notice, schedule, and
32 conduct an evidentiary hearing on the application in accordance with Section 27-3412, Evidentiary
33 Hearing, and make a recommendation. The ZHE shall issue its decision not more than 100 days after the
34 date of its last hearing on the application. The ZHE shall, following the ZHE's Rules of Procedure,

1 consider the original application, relevant support materials, [the Technical Staff Report,] the Planning
2 Board’s recommendation[resolution], the applicant’s and any party of record’s testimony and materials,
3 and any public comments. At the conclusion of the hearing, the ZHE shall make a recommendation on the
4 application in accordance with Section 27-3601(d), Zoning Map Amendment (ZMA) Decision Standards.

5 (E) After the hearing is concluded and the record is closed, the ZHE shall prepare and serve
6 upon all persons of record a written decision containing specific findings of basic facts, conclusions of
7 law, and a recommended decision.

8 * * * * *

9 (e) **Zoning Map Amendment (ZMA) Decision Standards**

10 In determining whether to adopt or disapprove a proposed zoning map amendment (ZMA), the
11 District Council may consider many factors. No amendment to the CBCAO Zone shall be granted without
12 the applicant demonstrating conformance with the decision standards in Section 27-3603(d), CBCAO
13 Zoning Map Amendment Decision Standards. No amendment to a Transit-Oriented/Activity Center base
14 zone shall be granted except in accordance with the locational standards of Section 27-4204(b)(2) of this
15 Ordinance. No other zoning map amendment shall be granted without the applicant demonstrating either:

- 16 (1) There has been a substantial change in the character of the neighborhood; or
- 17 (2) There was a mistake in the original zone for the land subject to the amendment which has
18 never been the subject of an adopted sectional map amendment; or
- 19 (3) There was a mistake in the current sectional map amendment.

20 * * * * *

21 **27-3602. Planned Development (PD) Zoning Map Amendment**

22 * * * * *

23 (b) **Planned Development (PD) Zoning Map Amendment Procedure**

24 This Subsection identifies additions or modifications to the standard review procedures in Section
25 27-3400, Standard Review Procedures, that apply to development applications for a PD map amendment.
26 Figure 27-3602(a) identifies key steps in the planned development map amendment procedure.

Figure 27-3602(a): Planned Development (PD) Zoning Map Amendment Procedure (Illustrative)			
↓	27-3401	Pre-Application Conference	Required
↓	27-3402	Pre-Application Neighborhood Meeting	Required
↓	27-3403	Application Submittal	To Planning Director, proposed PD Basic Plan and PD Conditions of Approval required
↓	27-3404	Determination of Completeness	Planning Director makes determination
↓	27-3406	Staff Review and Action	Planning Director prepares Technical Staff Report
↓	27-3407	Scheduling Public Hearing and Public Notice	Review Board/ZHE (Clerk of the District Council) schedule their hearings, provide notice
↓	27-3408	Review and Recommendation by Advisory Board or Officer	Planning Board [public] hearing, recommendation; ZHE hearing, recommendation
↓	27-3409	Review and Decision by Decision-Making Body or Officer	District Council holds [public] hearing, makes decision (conditions allowed)
→	27-3416	Notification	Clerk of the Council notifies

* * * * *

(7) Review and Recommendation by Advisory Board or Official

See Section 27-3408, Review and Recommendation by Advisory Board or Official.

(A) [The] After holding a hearing, the Planning Board shall make a recommendation on the application in accordance with Section 27-3602(c), Planned Development (PD) Decision Standards, and transmit its recommendation to the ZHE. The Planning Board may suggest revisions to the PD Basic Plan and PD Conditions of Approval. The Planning Board’s recommendation shall address:

- (i)** Whether the application complies with Section 27-3602(c), Planned Development (PD) Decision Standards;
- (ii)** The need and justification for the PD zone;
- (iii)** The effect of the PD zone, if any, on the land subject to the proposed PD and on surrounding neighborhoods; and
- (iv)** The relationship of the proposed PD zone to the purposes of this Ordinance, the General Plan, and the applicable Area Master Plan or Sector Plan, with appropriate consideration as to whether the proposed PD zone will further the purposes of this Ordinance, the General Plan, and the applicable Area Master Plan or Sector Plan.

(B) After the receipt of the Planning Board’s recommendation, the ZHE shall [hear the case at a public hearing] provide notice, schedule, and conduct an evidentiary hearing on the application in accordance with Section 27-3412, Evidentiary Hearing, and make a recommendation. The ZHE shall

1 issue its decision not more than one hundred (100) days after the date of its last hearing on the
2 application. The ZHE shall, following the ZHE’s Rules of Procedure, consider the original application,
3 relevant support materials, the Technical Staff Report, the Planning Board’s recommendation, the
4 applicant’s and any party of record’s testimony and materials (if appropriate), and any public comments,
5 as appropriate. At the conclusion of the hearing, the ZHE shall make a recommendation on the application
6 in accordance with Section 27-3602(c), Planned Development (PD) Decision Standards.

7 (C) After the hearing is concluded, the ZHE shall prepare and serve upon all persons of
8 record a written decision containing specific findings of basic facts, conclusions of law, and a
9 recommended decision.

10 * * * * *

11 (11) Post-Decision Actions

12 Once the PD zone is approved, the applicant must receive approval of a detailed site plan (see
13 Section 27-3605(d), Detailed Site Plan Procedure) and major preliminary plan of subdivision (see Subtitle
14 24: Subdivision Regulations), prior to development of the site, to ensure substantial compliance with the
15 approved PD Basic Plan and PD Conditions of Approval. Any permits or development approvals shall be
16 in conformance with the PD Basic Plan and PD Conditions of Approval.

17 * * * * *

18 (D) Resubmitting Application

19 If the District Council wholly or partly denies an application for a Planned Development
20 (PD) Zoning Map amendment, the following limitations apply instead of those in Section 27-3418(d),
21 Resubmitting Application:

22 [(i) Changes that result in a decrease in the density or intensity of development
23 approved for a specific parcel;

24 (ii) An increase in residential density for any specific parcel of ten (10) percent or
25 less, if the total allowed density with the PD zone does not increase;

26 (iii) A decrease in height;

27 (iv) A reduction of off-street parking spaces by up to ten (10) percent if it can be
28 demonstrated by a parking study that the parking spaces are not needed because of the unique features of
29 the site;

30 (v) A reduction of off-street loading spaces by up to twenty (20) percent if it can
31 be demonstrated that the off-street loading spaces are not needed because of the unique features of the
32 site;

1 (vi) Minor modification to the parking lot design and circulation where it can be
 2 demonstrated that such minor adjustments will result in a more efficient and pedestrian-friendly parking
 3 lot design;

4 (vii) Minor modification to the off-street loading design where it can be
 5 demonstrated that such minor modifications will result in a more efficient off-street loading design;

6 (viii) A modification of design of facilities for amenities such as parks, gardens, or
 7 open spaces; or

8 (ix) A deviation specifically listed in the approved PD Conditions of Approval as
 9 a minor deviation not materially affecting the PD zone’s basic concept or the designated general use of
 10 the land within the zone.]

11 (i) The District Council shall not act on a subsequent application for any portion
 12 of the same land within eighteen (18) months after the date of the first denial and within twenty-four (24)
 13 months after the date of any subsequent denial.

14 (ii) In any subsequent application for any portion of the same land and for the
 15 same zone classification, by the same applicant, the District Council may not base its findings solely on
 16 any fact or circumstance that was presented at the hearing on the prior application.

17 (iii) For purposes of this Subsection, "date of denial" means the date of the
 18 District Council’s decision or, in the case of judicial review, the date of the final judgment of the Circuit
 19 Court.

20 **(E) Completion of Necessary Agreements and Recordation**

21 Prior to the submission of any subsequent development application having as its subject any land in the
 22 PD zone, the applicant shall file with the Land Records of Prince George’s County, the following:

23 (i) Copies of the PD Basic Plan and PD Conditions of Approval; and

24 (ii) Any deed restrictions or other restrictive covenants required by the District
 25 Council in its approval of the PD zone, as well as any completed agreements with the County that are
 26 necessary for the County to become a party to the deed restrictions or other restrictive covenants.

27 **(F) Amendment**

28 Notwithstanding Section 27-3602(b)(11)(G), Minor Deviations, below, an amendment of
 29 an adopted PD zone, including the approved PD Basic Plan or PD Conditions of Approval, may only be
 30 approved in accordance with the procedures and standards established for its original approval.

31 **(G) Minor Deviations**

32 After the establishment of a PD zone in accordance with Section 27-3602, Planned
 33 Development (PD) Zoning Map Amendment and the initial detailed site plan for the project, subsequent
 34 applications for development approvals and permits (e.g., detailed site plans or special exceptions) within

1 a PD zone that include minor deviations from the approved PD Basic Plan or PD Conditions of Approval
2 may be reviewed and decided by the Planning Director, without the need to amend the PD zone, if the
3 Planning Director determines that such deviations consist of only the following:

4 (i) Changes that result in a decrease in the density or intensity of development
5 approved for a specific parcel;

6 (ii) An increase in residential density for any specific parcel of ten (10) percent or
7 less, if the total allowed density with the PD zone does not increase;

8 (iii) A decrease in height;

9 (iv) A reduction of off-street parking spaces by up to ten (10) percent if it can be
10 demonstrated by a parking study that the parking spaces are not needed because of the unique features of
11 the site;

12 (v) A reduction of off-street loading spaces by up to twenty (20) percent if it can
13 be demonstrated that the off-street loading spaces are not needed because of the unique features of the
14 site;

15 (vi) Minor modification to the parking lot design and circulation where it can be
16 demonstrated that such minor adjustments will result in a more efficient and pedestrian-friendly parking
17 lot design;

18 (vii) Minor modification to the off-street loading design where it can be
19 demonstrated that such minor modifications will result in a more efficient off-street loading design;

20 (viii) A modification of design of facilities for amenities such as parks, gardens, or
21 open spaces; or

22 (ix) A deviation specifically listed in the approved PD Conditions of Approval or
23 PD Basic Plan as a minor deviation not materially affecting the PD zone’s basic concept or the designated
24 general use of the land within the zone.

25 **(c) Planned Development (PD) Decision Standards**

26 Prior to the approval of the PD zone, the applicant shall demonstrate to the satisfaction of the
27 District Council that the entire development:

- 28 (1) Is in conformance with the General Plan, the applicable Area Master Plan or Sector Plan,
29 or any applicable Functional Master Plan;
- 30 (2) Meets the purposes of the proposed PD zone;
- 31 (3) Satisfies all applicable standards of the proposed PD zone; and
- 32 (4) Will not adversely impact the surrounding properties.

33 * * * * *

34 **27-3604. Special Exception**

* * * * *

(d) Special Exception Procedure

This Subsection identifies additions or modifications to the standard review procedures in Section 27-3400, Standard Review Procedures, that apply to development applications for a special exception. Figure 27-3604(c) identifies key steps in the special exception procedure.

* * * * *

(5) Staff Review and Action

See Section 27-3406, Staff Review and Action.

(A) At least thirty (30) days prior to the public hearing, the original copy of the application, plans, maps, specifications, Technical Staff Report, and all other data, materials, or record evidence (to date) pertaining to the requested special exception shall be sent by the Planning [Board] Director to the ZHE.

(B) The original application for special exception, along with any support materials and the Technical Staff Report, shall be made available for public review and copying at least 30 days prior to the public hearing in the office of the ZHE.

(6) Scheduling Public Hearing and Public Notice

See Section 27-3407, Scheduling of Hearings and Public Notice. In addition:

(A) The Zoning Hearing Examiner shall establish the date of the public hearing for an adaptive use of a Historic Site not less than one hundred twenty (120) days after the date upon which the application was filed.

(B) Request to Delay Hearing

(i) Should the Planning [Board] Director determine that it is in the public interest to delay the hearing date established by the Zoning Hearing Examiner, the Planning [Board] Director may request, prior to the transmittal date (paragraph 27-3604(d)(5)(A), above), that the Zoning Hearing Examiner approve the delay. The request shall be in writing and shall demonstrate good cause for the delay. The Zoning Hearing Examiner may approve the request (by administrative action) and notify the Planning [Board] Director and the applicant of the re-designated hearing date.

(ii) The People's Zoning Counsel or any person of record may request the continuance of a hearing under this Section. The Zoning Hearing Examiner shall grant a continuance if a required Technical Staff Report has not been filed at least thirty (30) days before the scheduled hearing. If a continuance is granted for this reason, the Zoning Hearing Examiner may not hear the case until at least thirty (30) days after the Technical Staff Report has been filed.

* * * * *

(e) Required Findings

1 (1) A special exception may only be approved if:

2 (A) The proposed use and site plan are in harmony with the purpose of this Subtitle;

3 (B) The proposed use is in conformance with all the applicable requirements and
4 regulations of this Subtitle;

5 (C) The proposed use [shall be] and site plan will not substantially impair the integrity
6 of any validly approved [consistent with the General Plan and shall conform with the relevant goals,
7 policies, and strategies of the applicable] Area Master Plan, Sector Plan, or Functional Master Plan, or, in
8 the absence of an Area Master Plan, Sector Plan, or Functional Master Plan, the General Plan [for the
9 subject property and its surrounding area];

10 (D) The proposed use will not adversely affect the health, safety, or welfare of residents
11 or workers in the area;

12 (E) The proposed use will not be detrimental to the use or development of adjacent
13 properties or the general neighborhood; and

14 (F) The proposed site plan is in conformance with an approved Type 2 Tree
15 Conservation Plan; [and]

16 (G) The proposed site plan demonstrates the preservation and/or restoration of the
17 regulated environmental features in a natural state to the fullest extent possible in accordance with the
18 requirements of Section 24-4303(d)(5) of Subtitle 24: Subdivision Regulations[.]; and

19 (H) The proposed use and site plan comply with applicable regulations of PART 27-6:
20 Development Standards.

21 (2) In addition to the above required findings, in a Chesapeake Bay Critical Area Overlay
22 (CBCAO) Zone, a special exception shall not be granted:

23 (A) Where the existing lot coverage in the CBCAO exceeds that allowed by this
24 Subtitle, or

25 (B) Where granting the special exception would result in a net increase in the existing
26 lot coverage in the CBCAO.

27 * * * * *

28 (j) **Revocation or Modification of Approved Special Exception**

29 (1) **Initiation**

30 The DPIE Director may, on their own initiative or upon the request of [A]any person of record,
31 [may request that the DPIE Director] petition the District Council to revoke, modify, suspend, or impose
32 additional conditions on an approved special exception, for the following reasons:

33 (i) The provisions in the approved special exception have not been complied with; or

(ii) The approved special exception has not been used for any two-year period after the date of the original approval, except where the conditions of nonuse are beyond the control of the grantee of the special exception.

* * * * *

27-3605. Detailed Site Plan

* * * * *

(d) Detailed Site Plan Procedure

This Subsection identifies additions or modifications to the standard review procedures in Section 27-3400, Standard Review Procedures, that apply to development applications for a detailed site plan. Figure 27-3605(d) identifies key steps in the detailed site plan procedure.

Figure 27-3605(d): Detailed Site Plan Procedure (Illustrative)			
↓	27-3401	Pre-Application Conference	Required
↓	27-3402	Pre-Application Neighborhood Meeting	Required
↓	27-3403	Application Submittal	To Planning Director
↓	27-3404	Determination of Completeness	Planning Director makes determination
↓	27-3406	Staff Review and Action	Planning Director prepares Technical Staff Report
↓	27-3407	Scheduling Public Hearing and Public Notice	Planning Board schedules hearing, provides notice
↓	27-3409	Review and Decision by Decision-Making Body or Official	[District Council] Planning Board holds [public] hearing, makes decision (conditions allowed)
↓	27-3416	Notification	Planning Board notifies
↓	27-3417	Appeal	Optional (to District Council)
→		Election	Optional. District Council may elect to review Planning Board's decision

* * * * *

(10) Appeal and Election

Optional (see Section 27-3417, Appeal).

(A) The applicant or any aggrieved person may appeal the Planning Board's decision to the District Council, by filing a notice of appeal with the Clerk of the Council within thirty (30) days of the mailing of notice of the Planning Board's decision, in accordance with Section 27-3605(d)(9), Notification. A copy of the appeal shall be sent by the appellant to all persons of record (by regular mail), and a certificate of service shall accompany the submission to the Clerk of the Council.

* * * * *

(e) Detailed Site Plan Decision Standards

A detailed site plan may only be approved upon a finding that all of the following standards are met:

1 (1) The proposed development represents a reasonable alternative for satisfying the
 2 applicable standards of this Subtitle[,] without requiring unreasonable costs and without detracting
 3 substantially from the utility of the proposed development for its intended use;

4 (2) [The proposed development complies with a]All conditions of approval in any
 5 development approvals and permits previously approved for the property have been considered and
 6 imposed as necessary to satisfy the applicable standards of this Subtitle[to which the detailed site plan is
 7 subject];

8 (3) The proposed development demonstrates the preservation and/or restoration of the
 9 regulated environmental features in a natural state, to the fullest extent possible, in accordance with the
 10 requirements of Section 24-4303(D)(5) of Subtitle 24: Subdivision Regulations;

11 (4) Proposed development located within a Planned Development (PD) zone shall be in
 12 conformance with the PD Basic Plan and PD Conditions of Approval that apply to that development;

13 (5) The proposed development conforms to an approved Tree Conservation Plan, if
 14 applicable;

15 (6) [The development in the detailed site plan (minor and major) shall be consistent with the
 16 General Plan and shall conform to the relevant goals, policies, and strategies of the Area Master Plan or
 17 Sector Plan, applicable Functional Master Plans, and the Growth Policy Map as it relates to centers in the
 18 2014 General Plan, Plan Prince George’s 2035, for the subject property and its surrounding area (unless
 19 the subject property has been rezoned pursuant to a Zoning Map Amendment subsequent to the adoption
 20 of the relevant Area Master Plan, Sector Plan, or Functional Master Plan);

21 (7) The development proposed in a detailed site plan for infrastructure complies with
 22 applicable regulations of PART 27-6: Development Standards, prevents offsite property damage, and
 23 prevents environmental degradation to safeguard the public's health, safety, welfare, and economic well-
 24 being for grading, reforestation, woodland conservation, drainage, erosion, and pollution discharge; [and]

25 [(8)] (7) Places of worship located on a lot between one (1) and two (2) acres in size shall
 26 also meet the following standards:

27 (A) The minimum setback for all buildings shall be twenty-five (25) feet from each lot
 28 line;

29 (B) When possible, there should be no parking or loading spaces located in the front
 30 yard; and

31 (C) The maximum allowable lot coverage for the zone in which the use is proposed
 32 shall not be increased.

33 (8) Notwithstanding any other provision in this Section to the contrary, in determining
 34 whether to approve an alteration, extension, or enlargement of a legal conforming building, structure, or

1 use filed in conformance with Section 27-1707(c), the Planning Board shall find that the proposed
2 alteration, extension, or enlargement will benefit the development and will not substantially impair
3 implementation of any applicable area master plan or sector plan.

4 * * * * *

5 **27-3611. Building Permit**

6 * * * * *

7 **(f) Permits of a Minor Nature**

8 Permits of a minor nature shall not require referral to the Planning Board or Planning Director for
9 review and comment. The list of [P]permits of a minor nature in this Section shall be approved by the
10 District Council upon the recommendation of the Planning Board and the Director of the Department of
11 Permitting, Inspections, and Enforcement, and shall be maintained on a list available for public inspection
12 in each of these offices. Any permits issued pursuant to these provisions shall not be subject to the
13 requirements of this Subtitle. This exception shall not apply to any property which is located within a
14 historic district or listed [on the Functional Master Plan for historic preservation] in the Approved
15 Historic Sites and Districts Plan as a historic site, resource, or district; properties subject to Subtitle 25:
16 Trees and Vegetation of the County Code; or properties within the Chesapeake Bay Critical Area Overlay
17 (CBCAO) Zone.

18 Permits of a minor nature consist of:

19 * * * * *

20 **(14)** Residential fences (maximum six feet) that are not subject to detailed site plan (minor or
21 major), Chesapeake Bay Critical Area Conservation Plan, or any other type of site plan; do not include or
22 abut a property with a designated historic site, resource, or district; and are not subject to utility
23 easements, storm drain or surface drainage easements, or floodplain easements.

24 * * * * *

25 **27-3613. Variance**

26 **(a) General**

27 This Section establishes a uniform mechanism to allow certain variances from the dimensional
28 standards (such as height, yard setback, and lot area) and certain development standards of this Ordinance
29 [(PART 27-6: Development Standards)] when their strict application would result in unnecessary
30 hardship.

31 **(b) Applicability**

32 **(1)** The procedures and standards in this Section apply to the review of and decision on
33 applications for a variance from the following standards.

34 **(A)** The intensity and dimensional standards in PART 27-4: Zones and Zone

1 Regulations;

2 (B) The private sidewalks and private street tree standards in the Planned Development
3 (PD) zones specified in Section 27-4300, Planned Development Zones[.]; and

4 (C) The use-specific standards and special exception standards in Sections 27-5102,
5 Requirements for Permitted Principal Uses; 27-5202, General Standards for All Accessory Uses and
6 Structures; 27-5203, Standards Specific to Accessory Uses and Structures; 27-5303, Standards Specific to
7 Temporary Uses and Structures; and 27-5402, Additional Requirements for Specific Special Exception
8 Uses.

9 (2) Variances are not allowed for requests to:

10 (A) Amend the text of this Ordinance or the Official Zoning Map;

11 (B) Permit a use in a zone where it is prohibited;

12 (C) Eliminate the requirement that a special exception be granted for a use;

13 (D) [Amend or deviate from the use-specific standards in Section 27-5102,
14 Requirements for Permitted Principal Uses, Section 27-5203, Standards Specific to Accessory Uses and
15 Structures, Section 27-5303, Standards Specific to Temporary Uses and Structures, and Section 27-5400,
16 Special Exception Standards.

17 (E) (D) Waive or modify any procedural requirements or application submission fees;

18 (F) (E) Waive or modify any condition(s) of approval specifically imposed as part of
19 the approval for a development approval or permit;

20 (G) (F) Waive a specific finding required to be made in taking action on any
21 development approval or permit in accordance with this Ordinance;

22 (H) (G) Seek any change to the standards of this Zoning Ordinance which may be
23 requested and granted in accordance with a minor departure or major departure, or minor administrative
24 waiver or modification, in accordance with Section 27-3614, Departure (Minor and Major), nor any
25 change to the standards specified in that Section that may exceed the maximum departure (minor or
26 major) percentage from standard which may be granted by the Planning Director or Planning Board;

27 (I) (H) Grant a variance denied by the District Council or the ZHE;

28 (J) (I) Grant additional time for a use for which a use and occupancy permit has not
29 been issued;

30 (K) (J) Waive or modify any requirements of the CBCA (except where permitted in
31 Subtitle 5B of the Prince George's County Code), APA, or MIO overlay zones;

32 (L) (K) Grant a variance from any of the requirements of Subtitle 5B of the County
33 Code;

34 (M) (L) Grant a variance from lot size, setback, or similar requirements within the

1 corporate limits of a Municipal Corporation, if this authority has been delegated to a municipality by the
 2 District Council;

3 [(N)] **(M)** Grant a variance from any provision of this Subtitle applicable to, required by,
 4 or concerning an adult entertainment use;

5 [(O)] **(N)** Grant a variance concerning residential density which would result in an
 6 increase in the maximum allowable number of dwelling units in a zone;

7 [(P)] **(O)** Grant a variance to any specific standards or requirements applicable to the
 8 LCD, LMXC, or LMUTC zones.

9 [(Q)] **(P)** Hear and decide upon an appeal from a decision of the Planning Board in
 10 connection with the approval of a Detailed Site Plan;

11 [(R)] **(Q)** Grant a variance which is of a greater degree than a variance granted by the
 12 District Council, where the variance granted by the Council is of less degree than requested from the
 13 Council, provided:

14 (i) There has been no intervening Zoning Ordinance text amendment which
 15 changes the nature of the variance request;

16 (ii) The Council has not erred in considering the original variance request; or

17 (iii) The proposed use has not changed from the one considered by the Council;

18 [(S)] **(R)** Grant a variance to any minimum net lot area requirement which would allow
 19 the recording of a subdivision plat for two (2) or more lots which have less than the minimum net lot area
 20 for the zone in which the property is located, unless the Planning Board approves a subdivision plat
 21 subject to the granting of the variance;

22 [(T)] **(S)** Grant a variance to any minimum net lot area requirement which would allow
 23 development on each of two (2) or more abutting lots in the same ownership that could be combined or
 24 resubdivided to conform to the minimum net lot area requirements of the zone in which the property is
 25 located, unless the Planning Board approves a subdivision plat subject to the granting of the variance;

26 [(U)] **(T)** Consider any application requesting additional time to cease a violation, if filed
 27 after the thirty (30) day appeal period on a zoning violation notice has expired and through such time that
 28 the case is pending in court on a civil citation relating to the violation notice;

29 [(V)] **(U)** Grant a variance from requirements set forth in the Landscape Manual or any
 30 other provision of this Subtitle concerning landscaping, buffering, or screening;

31 [(W)] **(V)** Consider any application requesting additional time to cease a violation
 32 involving a solid waste transfer station; [and]

33 [(X)] **(W)** Grant a variance to any requirement concerning the keeping of animals or
 34 poultry (other than customary household pets)[.];

1 (X) Grant a variance to the maximum lot coverage or minimum green area in the IE
 2 Zone as otherwise limited by Section 27-4203(e)(2) Note 6; and

3 (Y) Notwithstanding Section 27-3613(b)(1)A, variances are not allowed for requests to
 4 grant a variance from the intensity and dimensional standards in PART 27-4: Zones and Zone Regulations
 5 for development applications pursuant to Section 27-7403(a), Use of Nonconforming Lots, if such
 6 variance petitions are based solely on the physical uniqueness or unusualness, or particular uniqueness or
 7 unusualness, of a lot smaller than the minimum lot size of the zone.

8 * * * * * * *

9 **27-3614. Departure (Minor and Major)**

10 **(a) General**

11 This Section provides a uniform mechanism to allow departures from certain dimensional or
 12 development standards of this Ordinance in specific circumstances, in order to better accomplish the
 13 purposes of this Ordinance.

14 **(b) Applicability**

15 This Section establishes two types of departures: minor departures and major departures. It also
 16 addresses minor administrative changes, waivers, or modifications to specific development standards
 17 contained in PART 27-6: Development Standards.

18 **(1) Minor Departures**

19 Minor departures are decided by the Planning Director. Minor departures may be requested and
 20 granted for the standards identified in Table 27-3614(b)(1): Minor Departures, up to the limits set forth in
 21 the table. A variance (see Section 27-3613, Variance) may not be requested for a minor change for which
 22 a minor departure may be requested in accordance with this Section. Minor departures may be granted to
 23 make minor changes to approved PD Basic Plans.

Table 27-3614(b)(1): Minor Departures		
Standard	Maximum Departure (percentage departure from standard)	
	Transit-Oriented/Activity Center Base and Planned Development Zones; and All Other Base and Planned Development Zones Inside the Capital Beltway	All Other Zones
Block design standards in Section 27-6206(k), Block Design	40	30
Vehicle stacking spaces standards in Table 27-6206(m)(1)(A): Minimum Stacking Spaces for Drive-Through Facilities and Related Uses, in Section 27-6206(m), Vehicle Stacking Space	40	30
Numerical standards in Section 27-6304(i), Large Vehicular Use Areas (300 or More Spaces)	20	30

Table 27-3614(b)(1): Minor Departures		
Standard	Maximum Departure (percentage departure from standard)	
	Transit-Oriented/Activity Center Base and Planned Development Zones; and All Other Base and Planned Development Zones Inside the Capital Beltway	All Other Zones
Off-street parking standards in Section 27-6305(a): Minimum Number of Off-Street Parking Spaces, in Section 27-6305, Off-Street Parking Space Standards	30	20
Numerical standards in Section 27-6306, Dimensional Standards for Parking Spaces and Aisles, in Section 27-6306, Dimensional Standards for Parking Spaces and Aisles	30 (1)	20 (1)
Numerical standards in Section 27-6310, Loading Area Standards	30	20
Location of off-street parking in Section 27-6903(b), Location of Off-Street Parking, in the Multifamily, Townhouse, and Three-Family Form and Design Standards	20	30
Numeric building length standards in 27-6903(d), Maximum Building Length, in the Multifamily, Townhouse, and Three-Family Form and Design Standards	20	30
Numeric building façade standards in Section 27-6903(e), Building Façades, in the Multifamily, Townhouse, and Three-Family Form and Design Standards	20	30
Numerical building façade/transparency standards in Section 27-6903(g), Building Façade Fenestration/Transparency, in the Multifamily, Townhouse, and Three-Family Form and Design Standards	20	30
Numerical offsets in Section 27-61002(e), Façade Articulation, in the Nonresidential and Mixed-Use Form and Design Standards	20	30
Numerical building façade fenestration/transparency standards in Section 27-61002(g), Building Façade Building Façade Fenestration/Transparency, in the Nonresidential and Mixed-Use Form and Design Standards	20	30
Location of off-street parking in Section 27-61003(e), Off-Street Parking Location Standards, in the Large Retail Form and Design Standards	30	20
Numerical buffer width standards in Section 27-61303(a)(2), Buffer Width, in the Agricultural Compatibility Standards	No Departure	30
Numerical standards in Section 27-61504, General Standards, in the Signage standards	20	30
Numerical standards in Section 27-61505, Standards for Specific Sign Types, in the Signage standards	20	30
Numerical standards in Section 27-61506, Standards for Special Purpose Signs, in the Signage standards	20	30
Numerical standards in Section 27-61507, Standards for Temporary Signs, in the Signage standards	20	30
Where not otherwise specified, any departure necessary to ensure Neighborhood Compatibility Standards control in the event of conflict with other standards of this Ordinance per Section 27-61202(c), Conflict, in the Neighborhood Compatibility Standards	30	30

Table 27-3614(b)(1): Minor Departures		
Standard	Maximum Departure (percentage departure from standard)	
	Transit-Oriented/Activity Center Base and Planned Development Zones; and All Other Base and Planned Development Zones Inside the Capital Beltway	All Other Zones
NOTES: (1) Minimum dimensional standards for parking spaces shall not be reduced below the requirements established for compact parking spaces.		

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(2) Major Departures

Major departures are decided by the Planning Board. Major departures may be requested for the standards identified in Table 27-3614(b)(2): Major Departures, up to the limits set forth in the table. A variance (see Section 27-3613, Variance) may not be requested for a deviation for which a major departure may be requested in accordance with this Subsection. Major departures may not be granted to make changes to approved PD Basic Plans. Instead, applicants seeking such changes may only amend the approved PD Basic Plan in accordance with the procedures and standards established for its original approval (see Section 27-3602, Planned Development (PD) Zoning Map Amendment).

Table 27-3614(b)(2): Major Departures		
Standard	Maximum Departure (percentage from standard)	
	Transit-Oriented/Activity Center Base and Planned Development Zones; and All Other Base Zones Inside the Interstate Capital Beltway	All Other Base Zones
Vehicle stacking spaces in Table 27-6206(m)(1)(A): Minimum Stacking Spaces for Drive-Through Facilities and Related Uses, in Section 27-6206(m), Vehicle Stacking Space	70	50
Off-street parking standards in Section 27-6305(a): Minimum Number of Off-Street Parking Spaces, in Section 27-6305, Off-Street Parking Space Standards	70	50
Numerical standards in Section 27-6310, Loading Area Standards	70	50
Location of Off-street parking in Section 27-6903(b), Location of Off-Street Parking, In the Multifamily, Townhouse, and Three-Family Form and Design Standards	No Departure	50
Numeric building length standards in Section 27-6903(d), Maximum Building Length, in the Multifamily, Townhouse, and Three-Family Form and Design Standards	No Departure	40
Numerical building façade standards in Section 27-6903(e), Building Façades, in the Multifamily, Townhouse, and Three -Form and Design Standards	No Departure	50
Numerical offsets in Section 27-61002(e), Façade Articulation, in the Nonresidential and Mixed -Form and Design Standards	No Departure	50

Table 27-3614(b)(2): Major Departures

Standard	Maximum Departure (percentage from standard)	
	Transit-Oriented/Activity Center Base and Planned Development Zones; and All Other Base Zones Inside the Interstate Capital Beltway	All Other Base Zones
Location of off-street parking in Section 27-61003(e), Off-Street Parking Location Standards, in the Large Retail Form and Design Standards	No Departure	40
Numerical buffer width standards in Section 27-61303(a)(2), Buffer Width, in the Agricultural Compatibility Standards	No Departure	50
Relief from the standards of the Landscape Manual where compliance is not possible and there is no feasible proposal for alternative compliance that can be approved	100	100
All standards in Section 27-4204(b), Standards Applicable to all Transit-Oriented/Activity Center Base Zones	100	Not Applicable
Standards or guidelines specified in any Mixed-Use Town Center Development Plan (LMUTC Zone Only)	Not Applicable	100
Where not otherwise specified, any departure necessary to ensure Neighborhood Compatibility Standards control in the event of conflict with other standards of this Ordinance per Section 27-61202(c), Conflict, in the Neighborhood Compatibility Standards	100	100
<u>Relief from the requirements in Section 27-6206(d)(1), Limitation on Direct Access Along Arterial and Collector Streets</u>	<u>May allow 1 place of access</u>	<u>May allow 1 place of access</u>

* * * * *

(5) Minor Administrative Waivers or Modifications to Development Standards

In addition to minor and major departures, there are other provisions in this Ordinance that allow for minor administrative waivers or modifications to specific development standards by the Planning Director or DPIE Director. They are identified in Table 27-3614(b)(5), Minor Administrative Waivers or Modifications to Development Standards.

Table 27-3614(b)(5): Minor Administrative Waivers or Modifications to Development Standards

Section	Minor Waiver, or Modification	Administrative Decision-maker
Section 27-6206(e)(2)	Decide requests to waive the cross-access requirements between development	Planning Director
Section 27-6206.(f)(3)	Decide requests to modify the minimum street connectivity index score	Planning Director
Section 27-6206(k)(1)	Decide requests for modifications to the block length standards	DPIE Director if public streets are involved; Planning Director if all blocks incorporate private streets on all sides
Section 27-6207(a)(2)(C)	Decide requests to modify sidewalk requirements	Planning Director

Table 27-3614(b)(5): Minor Administrative Waivers or Modifications to Development Standards		
Section	Minor Waiver, or Modification	Administrative Decision-maker
Section 27-6207(b)(2)	Decide requests to waive or modify the pedestrian connectivity requirements	Planning Director
Section 27-6208(b)(2)	Decide requests to waive bicycle cross-access requirements	Planning Director
Section 27-6208(d)	Decide requests to waive bicycle access and circulation requirements	Planning Director
Section 27-6305(e)	Authorize modifications to required parking spaces for electric vehicle charging	Planning Director
<u>Section 27-6306(a)</u>	<u>Approve parking aisle widths less than the minimum required</u>	<u>Planning Director</u>
Section 27-6307(a)	Decide requests for alternative parking plans	Decision-maker on the application (Planning Director, DPIE Director, Board of Appeals, <u>Zoning Hearing Examiner, Planning Board</u>)
Section 27-6308(a)	Decide requests to modify parking requirements because of proximity to high-frequency transit stops	Planning Director
Section 27-6308(b)	Decide requests to modify parking based on a Transportation Demand Management Plan	Planning Director
Section 27-6308(c)	Decide requests to modify parking based on providing special facilities for bicycle commuters	Planning Director
Section 27-6308(d)	Decide requests for other types of alternative parking arrangements	Planning Director
<u>Section 27-6310(b)</u>	<u>Require a larger loading berth or decide requests to allow a smaller loading berth</u>	<u>Planning Director</u>
Section 27-6610	Decide waiver requests for a Security Exemption Plan for fences and walls	Board of Appeals
Section 27-6709	Decide requests for a Security Exemption Plan for exterior lighting, which allows for some modifications to lighting requirements for security reasons	Planning Director
Section 27-61303(a)(2)(B)	Decide requests to modify the buffer width (by up to 20 percent) for an agricultural buffer	Planning Director

(f) Departure (Minor and Major) Decision Standards

The Planning Director or Planning Board, as appropriate, may approve a departure (minor or major) upon a finding that the applicant demonstrates the proposed departure complies with the following:

- (1) The departure falls within the thresholds provided in Subsections 27-3614(b)(1), Minor Departures or 27-3614(b)(2), Major Departures, above, for the applicable type of departure;

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1 **27-3615. Validation of Permit Issued in Error**

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Figure 27-3615(c): Validation of Permit Issued in Error Procedure (Illustrative)			
↓	27-3402	Pre-Application Neighborhood Meeting	Required
↓	27-3403	Application Submittal	To DPIE Director
↓	27-3404	Determination of Completeness	DPIE Director makes determination
↓	27-3406	Staff Review and Action	DPIE Director prepares presentation of facts in coordination with the Planning Director
↓	27-3407	Scheduling of Public Hearing and Public Notice	ZHE and District Council (Clerk of the District Council) schedule their hearings, provide notice
↓	27-3408	Review and Recommendation by Advisory Board or Official	ZHE holds [public] hearing, makes recommendation
↓	27-3409	Review and Decision by Decision-Making Body or Official	District Council holds public hearing, makes decision (conditions allowed)
→	27-3416	Notification	[DPIE Director] Clerk of the Council notifies

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4 **27-3617. Authorization of Permit Within Proposed Right-of-Way (ROW)**

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6 **(b) Authorization of Permit Within Proposed ROW Procedure**

Figure 27-3617(b): Authorization of Permit Within Proposed ROW Procedure (Illustrative)			
↓	27-3403	Application Submittal	Application submitted to Clerk of the District Council
↓	27-3404	Determination of Completeness	Planning Director makes determination
↓	27-3406	Staff Review and Action	Planning Director prepares Technical Staff Report
↓	27-3407	Scheduling of Public Hearing and Public Notice	ZHE and District Council (Clerk of the District Council) schedule their hearings, provide notice
↓	27-3408	Review and Recommendation by Advisory Board or Officer	ZHE holds [public] hearing makes recommendation
↓	27-3409	Review and Decision by Decision-Making Body or Officer	District Council holds public hearing, makes decision
→	27-3416	Notification	[Planning Director] Clerk of the Council notifies

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8 **(c) Authorization of Permit Within Proposed ROW Decision Standards**

9 The District Council may only authorize a Permit Within Proposed ROW in accordance with this
 10 Section only if it finds there is competent substantial evidence that:

- 1 (1) The entire property cannot yield a reasonable return to the landowner unless the permit is
- 2 granted;
- 3 (2) Reasonable justice and equity are served by issuing the permit;
- 4 (3) The interest of the County is balanced with the interests of the landowner; and
- 5 (4) The integrity of the General Plan, Functional Master Plan of Transportation, and [ay] the
- 6 applicable Area Master Plan or Sector Plan is preserved.

7 * * * * *

8 **27-3618. Certification of Nonconforming Use**

9 (a) **General**

10 This Section provides a uniform mechanism for the review and certification of all nonconforming
11 uses under this Ordinance.

12 (b) **Applicability**

13 (1) A nonconforming use may only continue if a use and occupancy permit identifying the
14 use as nonconforming is issued after the Planning Director or the District Council certifies the use is
15 nonconforming and is not illegal (except as provided for in Section 27-3615(d)(10)).

16 (2) [Unless exempted in accordance with Section 27-3620(b)(3) below, c]Certification of a
17 nonconforming use under this Ordinance may only be approved in accordance with the procedures and
18 standards of this Section, prior to its development or redevelopment.

19 (3) The following development is exempted from the requirements of this Section:

20 (A) [Certain nonconforming structures pursuant to Section 27-7300]Nonconforming
21 buildings, structures, and site elements;

22 (B) Nonconforming signs, except that outdoor advertising signs shall be subject to this
23 Section (see Section 27-7500); and

24 (C) Nonconforming lots of record (see Section 27-7400); and

25 (D) Other nonconformities pursuant to Section 27-7600.]

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27 **27-3619. Expedited Transit-Oriented Development Review**

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29 (c) **Expedited Transit-Oriented Development Review Procedure**

30 This Subsection identifies additions or modifications to the standard review procedures in
31 Section 27-3400, Standard Review Procedures, that apply to expedited transit-oriented development site
32 plan applications. Figure 27-3621(c) identifies key steps in the expedited transit-oriented development
33 review procedure.

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(7) Review and Decision by Decision-Making Body or Official

Applying the requirements of this Section and other applicable requirements of this Subtitle, the Planning Board shall provide notice, schedule, and conduct an evidentiary hearing on the application in accordance with Section 27-3412, Evidentiary Hearing, and adopt a resolution of approval, disapproval, or approval with conditions (the "Planning Board's decision") on an expedited transit-oriented development site plan application within sixty (60) days after an application is accepted. If the Planning Board's decision does not occur within sixty (60) days of application acceptance, the expedited transit-oriented development site plan application shall be deemed to be approved, unless the project has not received an approved stormwater management concept plan in accordance with Subtitle 32 of the Code. The month of August and the period between and inclusive of December 20 and January 3 shall not be included in calculating this sixty (60) day period. The applicant may (in writing to the Planning Board), in advance of the expiration of the period, waive the sixty (60) day requirement to provide for some longer specified review period for the application of this subsection. If the expedited transit-oriented development site plan application has not received an approved stormwater management concept plan in accordance with Subtitle 32 of the Code by the expiration of the sixty (60) day review period in, without a Planning Board decision being made, and the applicant has not extended the sixty (60) day review period, the expedited transit-oriented development site plan application shall be deemed disapproved.

* * * * *

SUBTITLE 27. ZONING.

PART 27-4 ZONES AND ZONE REGULATIONS

SECTION 27-4100 GENERAL PROVISIONS

* * * * *

27-4106. Organization of Zone Regulations

Zones may be base zones, Planned Development (PD) zones, or overlay zones. The regulations for each type of zone are organized as described below.

(a) Base Zones

(1) Regulations for each base zone consist of subsections that:

(A) State the purpose of the zone;

(B) Set out the intensity and dimensional standards applicable in the zone;

(C) Reference potentially relevant development review procedures in PART 27-3:

Administration; the principal, accessory, and temporary use tables and associated use-specific standards in PART 27-5: Use Regulations; the development standards in PART 27-6: Development Standards; and any [district] zone-specific modifications of those standards; and

1 (D) Set out any zone-specific modifications of use regulations and development
2 standards.

3 * * * * *

4 **SUBTITLE 27. ZONING.**

5 **PART 27-4 ZONES AND ZONE REGULATIONS**

6 **SECTION 27-4200 BASE ZONES**

7 **27-4201. Rural and Agricultural Base Zones**

8 **(a) General Purposes of Rural and Agricultural Base Zones**

9 The Rural and Agricultural zones are intended to:

10 (1) Support and provide lands for agricultural, forestry, agri-business, agritourism,
11 agricultural support, and related uses important to the County’s economy and the character of the
12 County’s Rural and Agricultural zones;

13 (2) Preserve and protect the County's important natural resources, environmentally sensitive
14 lands, and ecological heritage lands, while providing for their use and enjoyment;

15 (3) Encourage agribusiness and tourism uses such as, but not limited to, equestrian centers
16 and boarding facilities, boutique or unique agribusiness, farmers’ markets, retreat and training facilities,
17 day camps, recreational campgrounds, heritage and rural tourism destinations, and bed and breakfast inns,
18 and ensure they are compatible with the Rural and Agricultural character established in the zones;

19 (4) Ensure open spaces are designed to maximize preservation and protection of important
20 natural and agricultural resources, to facilitate stormwater management and protect water quality, to
21 maximize residents’ exposure to open space, to maintain the visual character of scenic roads, to promote
22 rehabilitation of degraded habitats, and protect ongoing agricultural activities and prime agricultural
23 lands; and

24 (5) Provide and maintain infrastructure at levels of service that are compatible with the
25 character and needs of the Rural and Agricultural zones.

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27 **27-4202. Residential Base Zones**

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29 **(d) Residential, Single-Family-95 (RSF-95) Zone**

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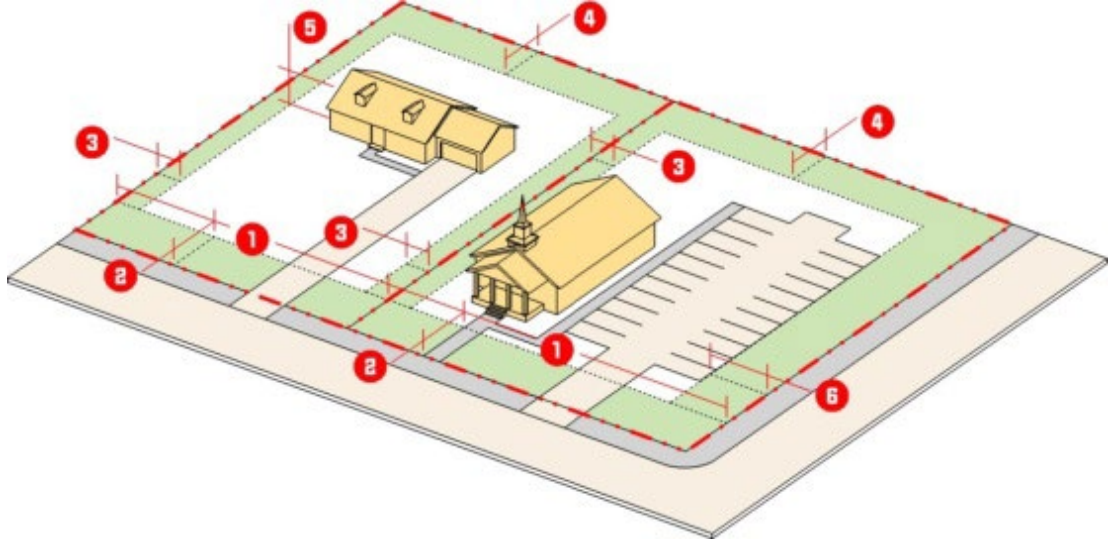
(2) Intensity and Dimensional Standards		
Standard(1)	Single-Family Detached Dwelling	Other Uses
Density, max. (du/ac of net lot area)	4.58	No requirement
Net lot area, min. (sf)	9,500	9,500

(2) Intensity and Dimensional Standards

Standard(1)	Single-Family Detached Dwelling	Other Uses
1 Lot width, min. (ft)	75	75
Lot frontage (width) at front street line, min. (ft)	[60] 50 (4)	60
Lot coverage, max. (% of net lot area)	30	60
2 Front yard depth, min. (ft)	25	25
3 Side yard depth, min. (ft) (2)	8	8
4 Rear yard depth, min. (ft)	20	20
5 Principal structure height, max. (ft)	40	40
Accessory structure height, max. (ft) (3)	15	15

NOTES: du/ac = dwelling units per acre; sf = square feet; ft = feet
 (1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.
 (2) On corner lot, min. side yard depth alongside street = 25 ft. 6
 (3) May be increased for certain purposes by approval of a special exception pursuant to Section 27-3604, Special Exception.
 (4) If the lot is located on a cul-de-sac, the minimum width may be reduced to forty-five (45) feet.

Single-Family Detached Dwellings and Other Uses



* * * * *

(e) Residential, Single-Family-65 (RSF-65) Zone

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(2) Intensity and Dimensional Standards

Standard(1)	Single-Family Detached Dwelling	Other Uses
Density, max. (du/ac of net lot area)	6.7	No requirement
Net lot area, min. (sf)	6,500	6,500
1 Lot width, min. (ft)	65	45
Lot frontage (width) at front street line, min. (ft)	[52] 45 (4)	36
Lot coverage, max. (% of net lot area)	35	60
2 Front yard depth, min. (ft)	25	25
3 Side yard depth, min. (ft) (2)	8	8
4 Rear yard depth, min. (ft)	20	20
5 Principal structure height, max. (ft)	40	40

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(2) Intensity and Dimensional Standards

Standard(1)	Single-Family Detached Dwelling	Other Uses
Accessory structure height, max. (ft) (3)	15	15

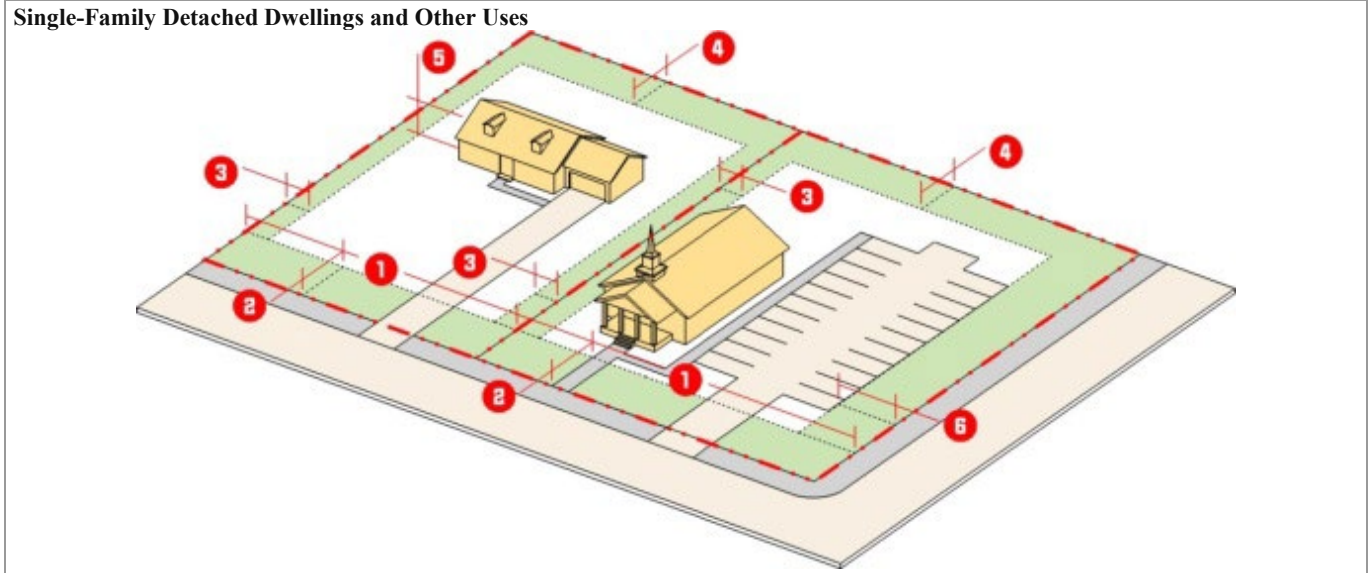
NOTES: du/ac = dwelling units per acre; sf = square feet; ft = feet

(1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.

(2) On corner lot, min. side yard depth alongside street = 25 ft. **6**

(3) May be increased for certain purposes by approval of a special exception pursuant to Section 27-3604, Special Exception.

(4) If the lot is located on a cul-de-sac, the minimum width may be reduced to forty-five (45) feet.



* * * * *

(f) Residential, Single-Family Attached (RSF-A) Zone

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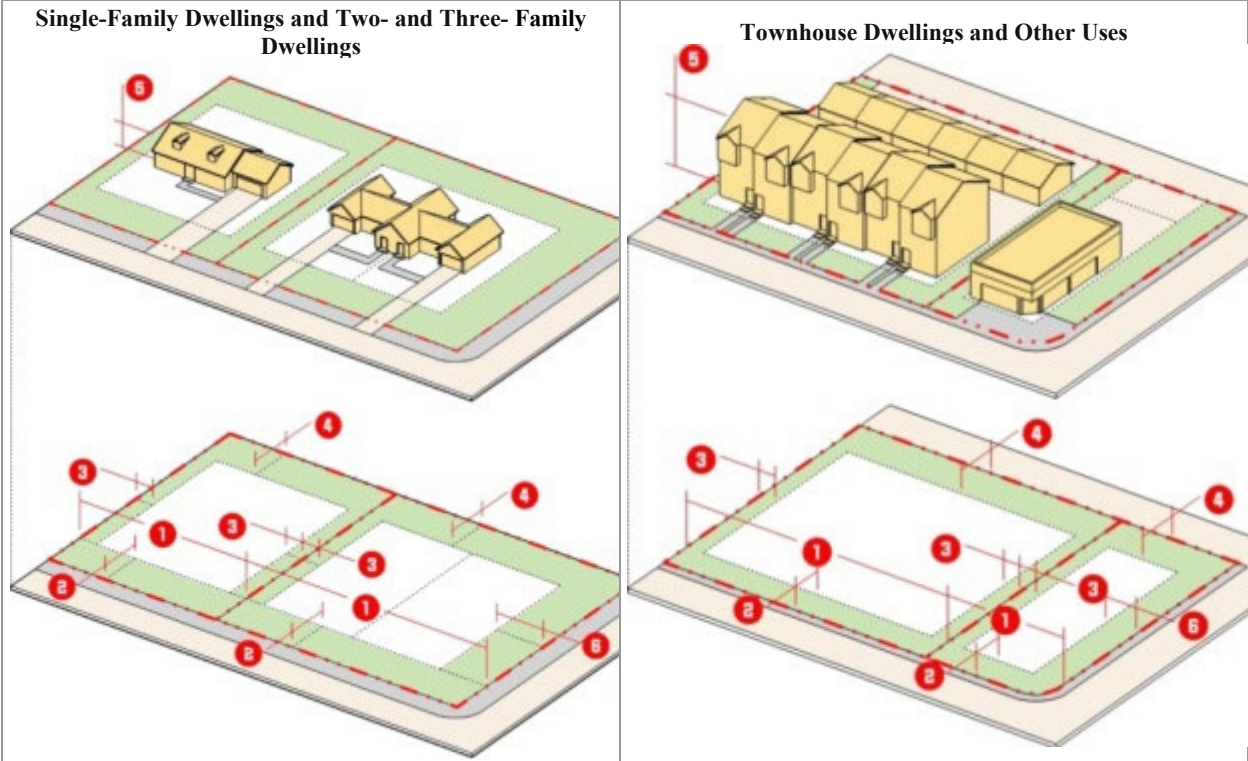
(2) Intensity and Dimensional Standards

Standard(1)	Single-Family Detached Dwelling	Two-Family Dwelling	Three-Family Dwelling	Townhouse Dwelling	Other Uses
Density, max. (du/ac of net lot area)	8.70	32.66	12.44	16.33	No requirement
Net lot area, min. (sf)	5,000	No requirement	No requirement	No requirement	6,500
1 Lot width, min. (ft)	[50] <u>45 (10)</u>	60 (8)	40	20 (5)	45
Lot frontage (width) at front street line, min. (ft)	40	48 (9)	32	16	36
Lot coverage, max. (% of net lot area)	40	45 (2)	40 (2)	45 (2)	60
2 Front yard depth, min. (ft)	15	15	15	15	15
3 Side yard depth, min. (ft) [(3)]	8 <u>(3)</u>	8 (4)	8 (4)	8 (4)	8 <u>(3)</u>
4 Rear yard depth, min. (ft)	20	20 (7)	20	20 (7)	20
5 Principal structure height, max. (ft)	40	50	40	50	40
Accessory structure height, max. (ft)	25	25	25	25	25
(6)					

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(2) Intensity and Dimensional Standards					
Standard(1)	Single-Family Detached Dwelling	Two-Family Dwelling	Three-Family Dwelling	Townhouse Dwelling	Other Uses

- NOTES:** du/ac = dwelling units per acre; sf = square feet; ft = feet
- (1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.
 - (2) Applicable to the lot coverage of the development lot as a whole rather than individual lots under townhouse units.
 - (3) On corner lot, min. side yard depth alongside street = 25 ft. 6
 - (4) Applicable to the buildings on the edges of the development lot as a whole. Within the development lot as a whole, a minimum separation of 8 feet is required between buildings.
 - (5) Applicable to the individual lots under townhouse units. The minimum lot width for the development lot as a whole shall be 100 ft.
 - (6) May be increased for certain purposes by approval of a special exception pursuant to Section 27-3604, Special Exception. Height may not exceed 2 stories.
 - (7) May be reduced to 0 feet when a 20-foot-wide or wider alley is provided, or to a range between 5 and 10 feet when an alley less than 20 feet in width is provided.
 - (8) May be reduced to 20 feet when building vertically stacked dwelling units.
 - (9) May be reduced to 16 feet when building vertically stacked dwelling units.
 - (10) If the lot is located on a cul-de-sac, the minimum width may be reduced to forty-five (45) feet.



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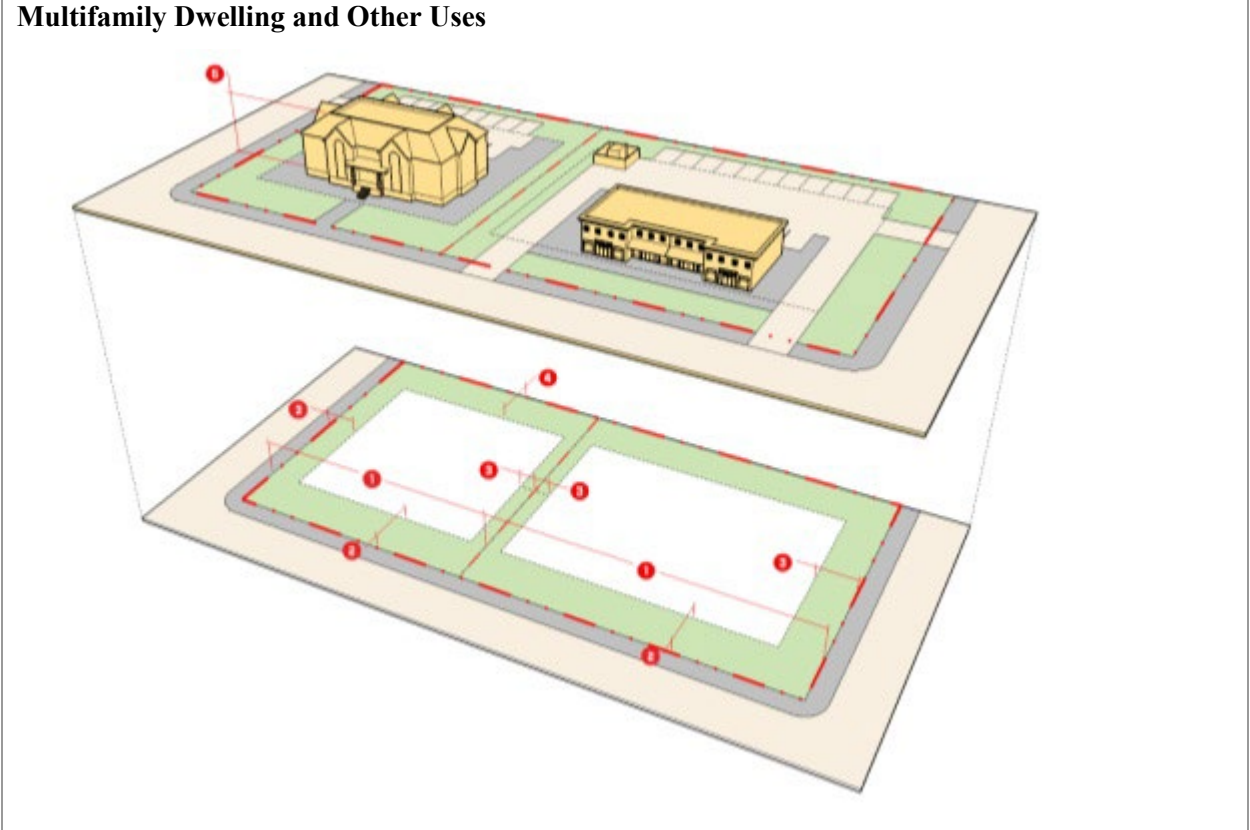
*	*	*	*	*	*	*	*	*
27-4203. Nonresidential Base Zones								
*	*	*	*	*	*	*	*	*
(d) Commercial, General and Office (CGO) Zone								
*	*	*	*	*	*	*	*	*

(2) Intensity and Dimensional Standards				
Standard (1)	<u>Two-Family Dwelling</u>	Townhouse Dwelling	Multifamily Dwelling, Artists' Residential Studio, Live-Work Dwelling (2)	Other Uses
Density, max. (du/ac of net lot area)	<u>40.00</u>	20.00	48.00	No requirement
Net lot area, min. (sf)	<u>No requirement</u>	No requirement	7,500	No requirement
① Lot width, min. (ft)	<u>20</u>	20	50	No requirement
Lot coverage, max. (% of net lot area)	<u>65 (3)</u>	65 (3)	70	No requirement
② Front yard depth, min. (ft)	<u>10</u>	10	10	0
③ Side yard depth, min. (ft)	<u>8 (4)</u>	8 (4)	8	0
④ Rear yard depth, min. (ft)	<u>15</u>	15	15	0
⑤ Principal structure height, max. (ft) (5) (6)	<u>50</u>	50	86	No requirement

NOTES: du/ac = dwelling units per acre; sf = square feet; ft = feet

- (1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.
- (2) The standards in this column apply to multifamily dwellings, artists' residential studios, and live-work dwellings as stand-alone development. Dwelling units above ground-level nonresidential development shall be subject to the maximum density standard in this column, but otherwise to the standards for Other Uses.
- (3) Applicable to the lot coverage of the development lot as a whole rather than individual lots under townhouse units.
- (4) Applicable to buildings on the edges of the development lot as a whole. Within the development lot as a whole, a minimum separation of 8 feet is required between buildings.
- (5) Provided those portions of the structure greater than 50 ft high are set back from the minimum front, side, and rear yard depths an additional 0.5 ft for each 1 ft (or major fraction thereof) the height of the portion exceeds 50 ft.
- (6) 110 ft for office buildings or mixed-use development consisting primarily of office uses.

(2) Intensity and Dimensional Standards				
Standard (1)	<u>Two-Family Dwelling</u>	Townhouse Dwelling	Multifamily Dwelling, Artists' Residential Studio, Live-Work Dwelling (2)	Other Uses



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27-4204. Transit-Oriented/Activity Center Base Zones

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(b) Standards Applicable to all Transit-Oriented/Activity Center Base Zones

(1) Supplemental Development Standards

In addition to the generally applicable development standards in PART 27-6: Development Standards (unless the proposed project is exempt in accordance with the development standards exemptions), the following standards shall apply to development within the Transit-Oriented/Activity Center base zones and PD zones (as may be modified subject to the approval of a PD Basic Plan and PD Conditions of Approval).

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(C) Pedestrian Access and Circulation

Sidewalks shall be provided on both sides of the street. Sidewalk widths shall comply with the standards in Table 27-4204(b)(1)(C): Sidewalk Widths: Transit-Oriented/Activity Center Zones.

Table 27-4204(b)(1)(C): Sidewalk Widths: Transit-Oriented/Activity Center Zones			
Zone	Width (ft)	Sidewalk Pedestrian Clearance Zone Required?	Sidewalk Pedestrian Clearance Zone Minimum Width (ft)
RTO-H Core area RTO-L Core area <u>LTO Core area</u>	20 (1)	Yes	[5]8
RTO-H Edge area RTO-L [Core] <u>Edge area</u> LTO [Core] <u>Edge area</u> TAC Core area NAC	10 (2)	Yes	[5]8
[LTO Edge area] TAC Edge area (for all <u>Neighborhood Connector Streets and Mixed Use Boulevards in the County's Urban Street Design Standards)</u>	[6]8 (2)	[No requirement] <u>Yes</u>	[No requirement] <u>8</u>
<u>TAC Edge area (for all other streets)</u>	<u>6 (2)</u>	<u>No requirement</u>	<u>No requirement</u>
NOTES:			
<ul style="list-style-type: none"> • This includes the street tree planting area. • Does not include street tree planting area. 			

* * * * *

(2) Location Standards

(A) To support of the County’s planned growth and emphasis on transit-oriented, mixed-use development in designated priority growth locations including major transit stations, activity centers, and innovation corridors/hubs, and to minimize sprawl and concentrations of high-density development in locations which may not sufficiently accommodate the infrastructure necessary to support denser development patterns, no Sectional Map Amendment pursuant to Section 27-3503, Sectional Map Amendment (SMA) or Zoning Map Amendment pursuant to Section 27-3601, Zoning Map Amendment (ZMA) may approve any Transit-Oriented/Activity Center Base Zone in any location other than as provided in Table 27-4204(b)(2)(A): Transit-Oriented/Activity Center Base Zone Location Standards.

Table 27-4204(b)(2)(A): Transit-Oriented/Activity Center Zone Location Standards	
<u>Zone</u>	<u>Locations Permitted</u>
<u>NAC Zone</u>	<p>The NAC Zone may only be located on lands within:</p> <ul style="list-style-type: none"> • <u>A Neighborhood Center as designated on the Growth Policy Map in the General Plan or the applicable Area Master Plan or Sector Plan, as may be amended from time to time;</u> • <u>The Innovation Corridor as designated on the Strategic Investment Map in the General Plan; or</u> • <u>Along that portion of US 1 located south of the Innovation Corridor to the border with Washington, D.C.</u>
<u>TAC Zone</u>	<p>The TAC Zone may only be located on lands within a Town Center as designated on the Growth Policy Map in the General Plan or the applicable Area Master Plan or Sector Plan, as may be amended from time to time.</p>
<u>LTO Zone</u>	<p>The LTO Zone may only be located on lands within:</p> <ul style="list-style-type: none"> • <u>A Local Transit Center as designated on the Growth Policy Map in the General Plan or the applicable Area Master Plan or Sector Plan, as may be amended from time to time;</u> • <u>The Innovation Corridor as designated on the Strategic Investment Map in the General Plan or the applicable Area Master Plan or Sector Plan; or</u> • <u>Along that portion of US 1 located south of the Innovation Corridor to the border with Washington, D.C.</u>
<u>RTO Zone</u>	<p>The RTO Zone may only be located on lands within:</p> <ul style="list-style-type: none"> • <u>A Regional Transit District as designated on the Growth Policy Map in the General Plan or the applicable Area Master Plan or Sector Plan, as may be amended from time to time; or</u> • <u>Within that portion of the Innovation Corridor as designated on the Strategic Investment Map in the General Plan or the applicable Area Master Plan or Sector Plan, as may be amended from time to time, located within that portion of the City of College Park between University Boulevard/MD 193, south to the city’s southern boundary.</u>

1 **(B)** Notwithstanding Subsection 27-4204(b)(2)(A), above, in the event of a concurrent
2 Sectional Map Amendment, the applicable Transit-Oriented/Activity Center Base Zone(s) may be
3 proposed (and ultimately approved by the District Council) to implement amendments to the Growth
4 Policy Map or Strategic Investment Map of the General Plan that may also be proposed (and approved by
5 the District Council) in the accompanying Area Master Plan or Sector Plan.

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7 **(F) Building Form Standards**

8 **(i) Building Placement in Build-To Zone**

9 **(aa)** Where the façades of principal buildings face a street frontage and are
10 required to be located within a build-to zone, the buildings shall be located such that the façades occupy a
11 minimum percentage of the build-to zone along the street frontage. Minimum percentages are as shown as
12 the minimum building width in the build-to zone standards in the Intensity and Dimensional Standards
13 tables for each transit-oriented/activity center zone.

(bb) Notwithstanding the build-to line requirements of Sections 27-4204(c) through 27-4204(f), below, there shall be no maximum build-to line where any property located in any Transit-Oriented/Activity Center base zone directly fronts a roadway with a Master Plan of Transportation classification of Freeway or Expressway with no intervening street or primary drive-aisle. However, where another street or a primary drive-aisle lies between a Freeway or Expressway and any proposed building, such building will remain subject to the maximum build-to line specified below for the applicable zone.

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(c) Neighborhood Activity Center (NAC) Zone

* * * * *

(2) Intensity and Dimensional Standards		
Standard(1)	All Uses	
1 Block length, min. max. (ft)	200 600	
Lot area, min. (sf)	5,000 (2)	
2 Lot width, min. (ft)	50 (3)	
Density, min. max. (du/ac of net lot area) (4)	10.00 [30.00] <u>90.00</u>	
Floor area ratio (FAR), min. max. (5)	0.25 2.0	
Lot coverage, min. max. (% of net lot area)	40 100	
Build-to line, min. max. (ft) (6)(7)	15 35	
Building width in build-to zone, min. (% of lot width) (7)(8)	60	
3 Front yard depth, min. (ft)	0	
Side yard depth, min. (ft)	0	
Rear yard depth, min. (ft)	0	
Building façade fenestration/transparency, min. (% of street-level façade area)	Abutting or facing a street frontage or pedestrian way	40
	Facing a transit station or public gathering space	35
4 Principal structure height, min. max. (ft)	No requirement [50] <u>60</u>	

NOTES: du/ac = dwelling units per acre; sf = square feet; ft = feet

(1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.

(2) 1,200 sf for townhouse lots[, and 4,000 sf for single-family detached dwellings.]

(3) 18 ft for townhouse lots.

(4) Applicable to residential development and the residential component of mixed-use development.

(5) Applicable to nonresidential development.

(6) The area between the minimum and maximum build-to lines that extends the width of the lot constitutes the build-to zone.

(7) Where existing buildings along street frontages are all located behind the build-to zone, such buildings may not be extended to the rear or side unless they are first extended frontwards to comply with the maximum build-to line standard and the minimum building width in the build-to zone standard.

(8) The remaining build-to zone width may be occupied by outdoor gathering spaces, walkways, landscaped areas, stormwater management facilities that use Environmental Site Design techniques, driveways (subject to Section 27-6206(b)(1)), or surface parking (subject to Section 27-6300).

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(3) Reference to Other Standards

See development standards in PART 27-6: Development Standards, (including those noted below) and any modified development standards for any overlay zones, subject to the supplemental development standards in Section 27-4204(b)(1).

Sec. 27-3400 Standard Review Procedures	Sec. 27-6400 Open Space Set-Asides	Sec. 27-61200 Neighborhood Compatibility Standards
Sec. 27-3600 Application-Specific Review Procedures and Decision Standards	Sec. 27-6500 Landscaping	Sec. 27-61300 Agricultural Compatibility Standards
Sec. 27-4400 Overlay Zones	Sec. 27-6600 Fences and Walls	Sec. 27-61400 Urban Agriculture Compatibility Standards
Sec. 27-5101 Principal Use Tables	Sec. 27-6700 Exterior Lighting	Sec. 27-61500 Signage
Sec. 27-5200 Accessory Uses and Structures	Sec. 27-6800 Environmental Protection and Noise Controls	Sec. 27-61600 Green Building Standards
Sec. 27-5300 Temporary Uses and Structures	Sec. 27-6900 Multifamily, Townhouse, and Three-Family Form and Design Standards	
Sec. 27-6200 Roadway Access, Mobility, and Circulation	Sec. 27-61000 Nonresidential and Mixed-Use Form and Design Standards	PART 27-2 Interpretation and Definitions
Sec. 27-6300 Off-Street Parking and Loading	Sec. 27-61100 Industrial Form and Design Standards	PART 27-7 Nonconforming Buildings, Structures, Uses, Lots, and Signs

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(d) Town Activity Center (TAC) Zone

* * * * *

(3) Intensity and Dimensional Standards

Standard(1)	Core	Edge		
	All Uses	Nonresidential & Mixed-Use	Residential	
1 Block length, min. max. (ft)	200 600	400 800 (2)	400 800 (2)	
Lot area, min. (sf)	1,500 (3)	3,000	5,000 (3)	
2 Lot width, min. (ft)	20 (4)	30	50 (4)	
Density, min. max. (du/ac of net lot area) (5)	15.00 [80.00] <u>120.00</u>	5.00 [60.00] <u>100.00</u> (11)	5.00 [60.00] <u>100.00</u>	
Floor area ratio (FAR), min. max. (6)	0.5 2.5	0.25 1.5	No requirement	
Lot coverage, min. max. (% of net lot area)	50 100	40 85	No requirement 75	
3 Build-to line, min. max. (ft) (7)(8)	15 27	6 26 (2)	6 26 (2)	
Building width in build-to zone, min. (% of lot width) (8)(9)	70	50	50	
4 Front yard depth, min. (ft)	0	0	10	
5 Side yard depth, min. (ft)	0	0	5 (10)	
Rear yard depth, min. (ft)	0	0	5	
Building façade fenestration/transparency min. (% of street-level façade area)	Abutting or facing a street frontage or pedestrian way	40	35	No requirement
	Facing a public gathering space	35	35	No requirement

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2
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(3) Intensity and Dimensional Standards			
Standard(1)	Core	Edge	
	All Uses	Nonresidential & Mixed-Use	Residential
6 Principal structure height, min. max. (ft)	24 80	No requirement 70	No requirement 70

NOTES: du/ac = dwelling units per acre; sf = square feet; ft = feet

- (1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.
- (2) These standards do not apply to blocks in Edge areas that [extend] are entirely located more than one-half mile beyond the Core area; in such areas, there is no minimum or maximum block length requirement.
- (3) 1,200 sf for townhouse lots.
- (4) 18 ft for townhouse lots.
- (5) Applicable to residential development and the residential component of mixed-use development.
- (6) Applicable to nonresidential development.
- (7) The area between the minimum and maximum build-to lines that extends the width of the lot constitutes the build-to zone.
- (8) Where existing buildings along a street frontage are all located behind the build-to zone, such buildings may not be extended to the rear or side unless they are first extended frontwards to comply with the maximum build-to line standard and the minimum building width in the build-to zone standard.
- (9) The remaining build-to zone width may be occupied by outdoor gathering spaces, walkways, landscaped areas, stormwater management facilities that use Environmental Site Design techniques, driveways (subject to Section 27-6206(b)(1)), or surface parking (subject to Section 27-6300).
- (10) Not applicable to townhouse lots except to the outside of end units.
- (11) Applies to the residential component of mixed-use development only.

* * * * *

(e) Local Transit-Oriented (LTO) Zone

* * * * *

(3) Intensity and Dimensional Standards			
Standard(1)	Core	Edge	
	All Uses	Nonresidential & Mixed-Use	Residential
1 Block length, min. max. (ft)	200 600	400 800	400 800
Lot area, min. (sf)	1,500 [(2)]	3,000	5,000 (2)
2 Lot width, min. (ft)	20 [(3)]	30	50 (3)
Density, min. max. (du/ac of net lot area) (4)	20.00 [80.00] <u>150</u>	10.00 [40.00] <u>120</u> (10)	10.00 [40.00] <u>120</u>
Floor area ratio (FAR), min. max. (5)	0.5 3.0	0.25 2.0	No requirement
Lot coverage, min. max. (% of net lot area)	65 100	50 90	No requirement 90
3 Build-to line, min. max. (ft) (6)(7)	15 27	11 31	11 31
Building width in build-to zone, min. (% of lot width) (7)(8)	70	50	50

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Front yard depth, min. (ft)		0	0	10
Side yard depth, min. (ft)		0	0	5 (9)
Rear yard depth, min. (ft)		0	0	0
Building façade fenestration/transparency min. (% of street-level façade area)	Abutting or facing a street frontage or pedestrian way	50	40	No requirement
	Facing a public gathering space	45	35	No requirement
4 Principal structure height, min. max. (ft)		24 [80] <u>100</u>	No requirement [70] <u>80</u>	No requirement [70] <u>80</u>

NOTES: du/ac = dwelling units per acre; sf = square feet; ft = feet

- (1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.
- (2) 1,000 sf for townhouse lots.
- (3) 16 ft for townhouse lots.
- (4) Applicable to residential development and the residential component of mixed-use development.
- (5) Applicable to nonresidential development.
- (6) The area between the minimum and maximum build-to lines that extends the width of the lot constitutes the build-to zone.
- (7) Where existing buildings along a street frontage are all located behind a required build-to zone, such buildings may not be extended to the rear or side unless they are first extended frontwards to comply with the maximum build-to line standard and the minimum building width in the build-to zone standard.
- (8) The remaining build-to zone width may be occupied by outdoor gathering spaces, walkways, landscaped areas, stormwater management facilities that use Environmental Site Design techniques, driveways (subject to Section 27-6206(b)(1)), or surface parking (subject to Section 27-6300).
- (9) Not applicable to townhouse lots except to the outside of end units.
- (10) Applies to the residential component of mixed-use development only.

* * * * *

(f) Regional Transit-Oriented, Low-Intensity (RTO-L) and Regional Transit-Oriented,

High-Intensity (RTO-H) Zones

* * * * *

(3) Intensity and Dimensional Standards						
Standard(1)	Regional Transit-Oriented, Low-Intensity (RTO-L) Zone			Regional Transit-Oriented, High-Intensity (RTO-H) Zone		
	Core	Edge		Core	Edge	
	All Uses	Nonresidential & Mixed-Use	Residential	All Uses	Nonresidential & Mixed-Use	Residential
1 Block length, min. max. (ft)	200 600	400 800	400 800	200 600	400 800	400 800
Lot area, min. (sf)	1,500 [(2)]	3,000	5,000 (2)	1,500 [(2)]	3,000	5,000 (2)
2 Lot width, min. (ft)	20	30	50 (3)	20	30	50 (3)
Density, min. max. (du/ac of net lot area) (4)	30.00 [100.00] <u>175.00</u>	20.00 [60.00] <u>140.00</u> (12)	20.00 [60.00] <u>140.00</u>	30.00 [100.00] <u>250.00</u>	20.00 [80.00] <u>175.00</u> (12)	20.00 [80.00] <u>175.00</u>

(3) Intensity and Dimensional Standards							
Standard(1)	Regional Transit-Oriented, Low-Intensity (RTO-L) Zone			Regional Transit-Oriented, High-Intensity (RTO-H) Zone			
	Core	Edge		Core	Edge		
	All Uses	Nonresidential & Mixed-Use	Residential	All Uses	Nonresidential & Mixed-Use	Residential	
Floor area ratio (FAR), min. max. (5)	1.0 4.0	0.25 2.5	No requirement	1.5 5.0	0.5 3.0	No requirement	
Lot coverage, min. max. (% of net lot area)	70 100	50 90	No requirement 80	70 100	50 90	No requirement 80	
3 Build-to line, min. max. (ft) (6)(7)	20 30	15 27	15 35	20 30	15 27	15 35	
Building width in build-to zone, min. (% of lot width) (7)(8)	80	70	70	80	70	70	
Front yard depth, min. (ft)	0	0	10	0	0	10	
Side yard depth, min. (ft)	0	0	5 (9)	0	0	5 (9)	
Rear yard depth, min. (ft)	0	0	0	0	0	0	
Building façade fenestration/transparency min. (% of street-level façade area)	Abutting or facing a street frontage or pedestrian way	50	40	No requirement	50	50	No requirement
	Facing a public gathering space	45	45	No requirement	45	45	No requirement
4 Principal structure height, min. max. (ft)	35 No requirement (10)	35 126 (10)	35 126 (10)	45 No requirement (11)	35 182 (11)	35 182 (11)	

NOTES: du/ac = dwelling units per acre; sf = square feet; ft = feet

- (1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.
- (2) 1,000 sf for townhouse lots.
- (3) 16 ft for townhouse lots.
- (4) Applicable to residential development and the residential component of mixed-use development.
- (5) Applicable to nonresidential development.
- (6) The area between the minimum and maximum build-to lines that extends the width of the lot constitutes the build-to zone.
- (7) Where existing buildings along a street frontage are all located behind the build-to zone, such buildings may not be extended to the rear or side unless they are first extended frontwards to comply with the maximum build-to line standard and the minimum building width in build-to zone standard.
- (8) The remaining build-to zone width may be occupied by outdoor gathering spaces, walkways, landscaped areas, stormwater management facilities using Environmental Site Design techniques, driveways (subject to Section 27-6206(b)(1)), or surface parking (subject to Section 27-6300).
- (9) Not applicable to townhouse lots except to the outside of end units.
- (10) Provided those portions of the structure on the front façade greater than 50 ft high are set back from the minimum build-to line or front yard depth an additional 0.5 ft. for each 1 ft. (or major fraction thereof) the height of the portion exceeds 50 ft.
- (11) Provided those portions of the structure on the front façade greater than 75 ft high are set back from the minimum build-to line or front yard depth an additional 0.5 ft. for each 2 ft. (or major fraction thereof) the height of the portion exceeds 75 ft.
- (12) Applies to the residential component of mixed-use development only.

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2

27-4205. Other Base Zones

3

(a) Zoning of Land to RMH, LCD, LMXC, or LMUTC Zones Prohibited

1 A Zoning Map Amendment (ZMA) in accordance with Section 27-3601, Zoning Map Amendment
 2 (ZMA), or a Sectional Map Amendment (SMA) in accordance with Section 27-3503, Sectional Map
 3 Amendment (SMA), shall not change the zoning classification of any land to the Planned Mobile Home
 4 Community (RMH) Zone, Legacy Comprehensive Design (LCD) Zone, Legacy Mixed-Use Community
 5 (LMXC), or Legacy Mixed-Use Town Center (LMUTC) Zone.

6 **(b) Planned Mobile Home Community (RMH) Zone**

7 [The purposes and standards associated with this zone are as set for the R-M-H Zone in the prior
 8 Zoning Ordinance (2019 Edition).] Property in the RMH Zone may proceed to develop in accordance
 9 with the procedures, uses, and standards of the Zoning Ordinance in existence prior to the effective date
 10 of this Ordinance, subject to the terms and conditions of any development approvals which it has
 11 received.

12 **(c) Legacy Comprehensive Design (LCD) Zone**

13 **(1) Purpose**

14 The purpose of the Legacy Comprehensive Design (LCD) Zone is to recognize comprehensive
 15 design zones established prior to April 1, 2022 for which a Basic Plan, Comprehensive Design Plan
 16 (CDP), or Specific Design Plan (SDP) was approved prior to April 1, 2022 or for lands that were subject
 17 to a Zoning Map Amendment (ZMA) and Basic Plan for a comprehensive design zone that was pending
 18 prior to April 1, 2022, and was approved pursuant to Section 27-1700, Transition Provisions, after April
 19 1, 2022.

20 **(2) Establishment of Legacy Comprehensive Design (LCD) Zone**

21 The LCD Zone includes all lands located within the following comprehensive design zones on
 22 April 1, 2022 for which a Basic Plan, CDP, or SDP was approved prior to April 1, 2022, if either 1) the
 23 land in the zone is fully developed in accordance with the approved Basic Plan, CDP, or SDP prior to
 24 April 1, 2022, or 2) the approved Basic Plan, CDP, or SDP remains valid in accordance with Section 27-
 25 1700, Transitional Provisions, on April 1, 2022:

- 26 **(A)** The Major Activity Center (M-A-C) Zone;
- 27 **(B)** The Local Activity Center (L-A-C) Zone;
- 28 **(C)** The Employment and Institutional Area (E-I-A) Zone;
- 29 **(D)** The Residential Urban Development (R-U) Zone;
- 30 **(E)** The Residential Medium Development (R-M) Zone;
- 31 **(F)** The Residential Suburban Development (R-S) Zone;
- 32 **(G)** The Village-Medium (V-M) Zone;
- 33 **(H)** The Village-Low (V-L) Zone; and
- 34 **(I)** The Residential Low Development (R-L) Zone.

1 The LCD Zone shall also include all lands that were subject to a Zoning Map Amendment
 2 (ZMA) for one of the above listed comprehensive design zones that was pending prior to April 1, 2022
 3 and was approved for rezoning for which a Basic Plan was approved pursuant to Section 27-1700,
 4 Transitional Provisions, after April 1, 2022, as the appropriate replacement zone to the prior
 5 comprehensive design zones.

6 **(3) Legacy Comprehensive Design (LCD) Zone Procedures, Standards, and Permitted**
 7 **Uses**

8 Development within the LCD Zone shall comply with the applicable approved Basic Plan,
 9 CDP, and SDP, and with the procedures and standards applicable in the zone listed in Subsections (2)(A)
 10 through (2)(I) above in which the development was located prior to its placement in the LCD Zone, in
 11 accordance with Section 27-1700, Transitional Provisions. Uses permitted in the LCD Zone shall comply
 12 with the uses permitted in the zone listed in Subsections 2(A) through 2(I) above in which the
 13 development was located prior to its placement in the LCD Zone.

14 **(4) Transition Upon Invalidation of Approved Plans**

15 If prior to land in the LCD Zone being fully developed in accordance with an approved
 16 Comprehensive Design Plan and Specific Design Plan, the Comprehensive Design Plan or Specific
 17 Design Plan become invalid (see [Sec.] Section 27-1700, Transitional Provisions), the land shall
 18 immediately be placed in the RR Zone until the District Council approves a Zoning Map Amendment for
 19 the property. No applications for development approvals or permits shall be accepted, reviewed, or acted
 20 upon in accordance with Division 27-3: Administration, in the period of time prior to the District
 21 Council's decision on a Zoning Map Amendment (ZMA) application.

22 **(5) Development Within Designated Employment Areas**

23 Notwithstanding any other provision of this Subtitle to the contrary, any land in the LCD Zone
 24 as of April 1, 2022 that is identified within an employment area in an Area Master Plan or Sector Plan
 25 may develop in accordance with the standards and uses applicable to the E-I-A Zone in the [z]Zoning
 26 [o]Ordinance in effect prior to April 1, 2022. Development of such land shall comply with a Basic Plan,
 27 CDP, or SDP, approved pursuant to the E-I-A Zone standards and uses in the [z]Zoning [o]Ordinance in
 28 effect prior to April 1, 2022 as modified by the provisions set forth in this [s]Subsection and said
 29 approvals shall remain valid in accordance with Section 27-1700, Transitional Provisions. Regulations
 30 regarding green area set forth in Section 27-501(a)(2) in the [z]Zoning [o]Ordinance in effect prior to
 31 April 1, 2022 shall not apply and the minimum green area (of net lot area) may be reduced to 10[%]
 32 percent if consistent with the approved CDP. A grading permit to support the development of permitted
 33 uses may be issued so long as it is in conformance with an approved CDP and Type 2 Tree Conservation
 34 Plan. The minimum standards set forth in the Landscape Manual for landscaping, buffering, and

1 screening for all uses permitted in the E-I-A Zone may be modified by the approved CDP. An amendment
 2 of a Basic Plan to incorporate the standards and uses set forth in this [s]Subsection may be processed
 3 using the procedures applicable to the previous Basic Plan. Any approved Basic Plan, CDP, or SDP that
 4 conforms to the provisions of this [s]Subsection shall be considered “grandfathered” and subject to the
 5 provisions set forth in Section 27-1704 of this Subtitle (notwithstanding whether the [P]property is
 6 subsequently rezoned).

7 **(d) Legacy Mixed-Use Community (LMXC) Zone**

8 **(1) Purpose**

9 The purpose of the Legacy Mixed-Use Community (LMXC) Zone is to recognize Mixed-Use
 10 Community (M-X-C) Zones established prior to April 1, 2022 for which a Comprehensive Sketch Plan,
 11 Preliminary Plan of Subdivision, Final Development Plan, or Detailed Site Plan was approved prior to
 12 April 1, 2022.

13 **(2) Establishment of Legacy Mixed-Use Community (LMXC) Zone**

14 The LMXC Zone includes all lands located within the Mixed-Use Community (M-X-C) Zone
 15 on April 1, 2022 for which a Comprehensive Sketch Plan, Preliminary Plan of Subdivision, Final
 16 Development Plan, or Detailed Site Plan was approved prior to April 1, 2022, if either 1) the land in the
 17 zone is fully developed in accordance with the approved Comprehensive Sketch Plan, Preliminary Plan of
 18 Subdivision, Final Development Plan, or Detailed Site Plan prior to April 1, 2022, or 2) the approved
 19 Comprehensive Sketch Plan, Preliminary Plan of Subdivision, Final Development Plan, or Detailed Site
 20 Plan remains valid in accordance with Section 27-1700, Transitional Provisions, on April 1, 2022.

21 **(3) Legacy Mixed-Use Community (LMXC) Zone Procedures, Standards, and**
 22 **Permitted Uses**

23 Development within the LMXC Zone shall comply with the applicable approved
 24 Comprehensive Sketch Plan, Preliminary Plan of Subdivision, Final Development Plan, or Detailed Site
 25 Plan, and with the procedures and standards applicable in the M-X-C Zone as it existed on April 1, 2022,
 26 in accordance with Section 27-1700, Transitional Provisions. Uses permitted in the LMXC Zone shall
 27 comply with the uses permitted in the M-X-C Zone as it existed on April 1, 2022.

28 **(4) Transition Upon Invalidation of Approved Plans**

29 If prior to land in the LMXC Zone being fully developed in accordance with an approved
 30 Comprehensive Sketch Plan, Preliminary Plan of Subdivision, Final Development Plan, or Detailed Site
 31 Plan, the Comprehensive Sketch Plan, Preliminary Plan of Subdivision, Final Development Plan, or
 32 Detailed Site Plan becomes invalid (see Sec. 27- 1700, Transitional Provisions), the land shall
 33 immediately be placed in the RSF-65 Zone until the District Council approves a Zoning Map Amendment
 34 for the property. No applications for development approvals or permits shall be accepted, reviewed, or

1 acted upon in accordance with [Division] Part 27-3, Administration, in the period of time prior to the
 2 District Council's decision on a Zoning Map amendment (ZMA) application.

3 **(e) Legacy Mixed-Use Town Center (LMUTC) Zone**

4 **(1) Purpose**

5 The purpose of the Legacy Mixed-Use Town Center (LMUTC) Zone is to recognize Mixed-
 6 Use Town Center (M-U-TC) Zones established prior to April 1, 2022.

7 **(2) Establishment of Legacy Mixed-Use Town Center (LMUTC) Zone**

8 The LMUTC Zone includes all lands located within the Mixed-Use Town Center (M-U-TC)
 9 Zone on April 1, 2022.

10 **(3) Legacy Mixed-Use Town Center (LMUTC) Zone Procedures, Standards, and**
 11 **Permitted Uses**

12 **(A)** Except as provided in Subsections 27-4205(e)(4) and (5), below, property in the
 13 LMUTC Zone may proceed to develop in accordance with the procedures of the Zoning Ordinance in
 14 existence prior to the effective date of this Ordinance, including procedures relating to variance approvals
 15 and secondary amendments, which shall also apply to property in the LMUTC Zone as appropriate.

16 **(B)** Development within the LMUTC Zone shall comply with the applicable Mixed-
 17 Use Town Center Development Plan. Development within the LMUTC Zone shall also comply with any
 18 applicable and valid Conceptual Site Plan, Preliminary Plan of Subdivision, Special Permit, permit issued
 19 in conformance with the Town Center Development Plan, Special Exception, or Detailed Site Plan, in
 20 accordance with Section 27-1700, Transitional Provisions, and uses permitted in the LMUTC Zone shall
 21 comply with the uses permitted in the specific Mixed-Use Town Center, as may be amended from time to
 22 time, in which the property was located prior to April 1, 2022.

23 **(4) Legacy Mixed-Use Town Center (LMUTC) Design Review Committee**

24 Each LMUTC includes a local design review committee that is advisory to the Planning Board.
 25 These design review committees shall be reestablished pursuant to the requirements of Section 27-3310,
 26 LMUTC Design Review Committees, following April 1, 2022. This requirement, and the establishment
 27 and membership of the LMUTC design review committees, shall supersede any design review committee
 28 membership guidelines, rules of establishment, and regulations contained in any Mixed-Use Town Center
 29 Development Plan and the regulations of the prior Zoning Ordinance.

30 **(5) Legacy Mixed-Use Town Center (LMUTC) Review Procedures**

31 The following LMUTC application review procedures supersede the procedures specified in
 32 any Mixed-Use Town Center Development Plan and the regulations of the prior Zoning Ordinance.

33 **(A) Application Submittal and Review**

1 (i) All applications for any proposed building permit, use and occupancy permit,
 2 sign permit, special permit, or, where previously delegated by the District Council to a Mixed-Use Town
 3 Center design review committee, other development applications (such as special exceptions or detailed
 4 site plans), shall be submitted to the Planning Director or DPIE Director.

5 (aa) For the purposes of this Subsection and the LMUTC Zone, “use and
 6 occupancy permit” shall refer to one of:

7 (I) Construction of a building or structure for placement of a new
 8 use on land;

9 (II) Conversion of a single-family detached dwelling unit to include
 10 additional dwelling units; or

11 (III) Development of any accessory building or structure on a lot.

12 (bb) Other development that may require approval of a use and occupancy
 13 permit, including a change in the use [or tenancy] of an existing building or the conversion of a building,
 14 structure, or land from one use to another use, shall not require review and recommendation by the
 15 LMUTC Design Review Committee.

16 (ii) All such applications subject to the above Subparagraph (i) shall be referred
 17 to the Planning Director for review, recommendation, and preparation of a Technical Staff Report
 18 describing the application and making a recommendation to the LMUTC Design Review Committee. The
 19 Planning Director shall refer the application to the applicable LMUTC Design Review Committee within
 20 10 business days of receipt.

21 (iii) Applications for the following minor development activities shall not require
 22 the preparation of a Technical Staff Report nor referral to the LMUTC Design Review Committee:

23 (aa) Changes in occupancy or tenancy;

24 (bb) Interior-only work with no changes to the gross floor area of a building
 25 or structure; and

26 (cc) Permits of a minor nature as specified in Section 27-3611(f), Permits of
 27 a Minor Nature.

28 **(B) LMUTC Design Review Committee Recommendation**

29 (i) The LMUTC Design Review Committee shall review the application for
 30 consistency with the applicable Mixed-Use Town Center Development Plan, and shall schedule a meeting
 31 to discuss the application within 30 business days of receipt of the application from the Planning Director.
 32 Following review of the application, the LMUTC Design Review Committee shall immediately vote to
 33 make a recommendation to the DPIE Director, which shall consist of one of the following:

34 (aa) Recommend approval;

1 **(bb)** Recommend approval with conditions;
 2 **(cc)** Recommend disapproval; or
 3 **(dd)** Recommend remanding the application to the applicant with specific,
 4 written revisions necessary to meet the requirements of the applicable Mixed-Use Town Center
 5 Development Plan.

6 **(I)** Any applications that are remanded to the applicant may only be
 7 remanded once, and may only be resubmitted once by the applicant for re-review of the application.

8 **(II)** Requested revisions associated with a recommendation of
 9 remanding the application to the applicant may only consist of revisions that will bring a noncompliant
 10 application into compliance with the mandatory standards of the applicable Mixed-Use Town Center
 11 Development Plan.

12 **(ii)** Once an application is recommended for approval or approval with
 13 conditions, the chairman of the LMUTC Design Review Committee shall affix the official stamp of
 14 approval to the submitted application and transmit the application and supporting material to the DPIE
 15 Director for action. Copies of the stamped application and supporting material shall also be sent to the
 16 Planning Director and the applicant within 3 business days of the Committee’s vote on the application.
 17 Failure to submit stamped plans to the DPIE Director within 3 business days of the Committee’s vote on
 18 the application constitutes a recommendation of approval.

19 **(C) Departures from a Mixed-Use Town Center Development Plan**

20 The Planning Board is authorized to allow departures from the strict application of any standard or
 21 guideline approved in a Mixed-Use Town Center Development Plan in accordance with the procedures
 22 set forth in Section 27-3614(e), Major Departure Procedure.

23 **(D) Appeal**

24 An applicant may appeal the recommendation of the LMUTC Design Review Committee for disapproval
 25 or approval with conditions that an applicant is not in agreement with to the Planning Board by filing a
 26 detailed site plan application pursuant to Section 27-3605, Detailed Site Plan.

27 **(6) Transition Upon Inaction**

28 [Any] Unless otherwise provided within this Section, any property classified in the LMUTC
 29 Zone for which a development application has not been submitted to and approved by the Planning
 30 Board, Planning Director, or DPIE Director for a period of 10 years following April 1, 2022 shall
 31 immediately be placed in new zoning categories as follows:

32 **(A)** Property in the Brentwood[,], or Mount Rainier[,], or Riverdale Park] LMUTC Zones
 33 shall be placed in the NAC Zone.

1 (B) Property in the Suitland LMUTC Zone shall be placed in the RTO-L Zone, in the
2 edge area.

3 (C) Property in the Riverdale Park LMUTC Zone shall remain in the LMUTC Zone.

4 Such properties shall remain in the new zoning categories until and unless the District Council
5 approves a Zoning Map Amendment for the property, or a new Sectional Map Amendment is approved,
6 and shall no longer be subject to the pertinent Mixed-Use Town Center Development Plan, LMUTC
7 regulations, and review by the LMUTC Design Review Committee. Once rezoned to the NAC or RTO-L
8 zones, such properties may immediately proceed to develop in accordance with this Zoning Ordinance.

9 * * * * *

10 **SUBTITLE 27. ZONING.**

11 **PART 27-4 ZONES AND ZONE REGULATIONS**

12 **SECTION 27-4300 PLANNED DEVELOPMENT ZONES**

13 **27-4301. General Provisions for All Planned Development Zones**

14 **(a) General Purposes of Planned Development Zones**

15 The Planned Development (PD) zones are established and intended to encourage innovative land
16 planning and site design concepts that support a high quality of life and achieve a high quality of
17 development, environmental sensitivity, energy efficiency, and other County goals and objectives
18 resulting in a project superior to what would result from compliance with Base zones by:

19 (1) Reducing the inflexibility of zone standards that sometimes results from strict application
20 of the zone development, form, and design standards established in this Ordinance;

21 (2) Allowing greater freedom and flexibility in selecting:

22 (A) The form and design of development;

23 (B) The ways by which pedestrians, bicyclists, transit users, and motorists circulate;

24 (C) The location and design of the development respective and protective of the natural
25 features of the land and the environment;

26 (D) The location and integration of open space and civic space into the development;

27 and

28 (E) Design amenities.

29 (3) Where appropriate, allowing greater freedom in providing a well-integrated mix of uses
30 in the same development, including a mix of nonresidential development, housing types, lot sizes, and
31 densities/intensities;

32 (4) Allowing more efficient use of land, with coordinated and right-sized networks of streets
33 and utilities;

1 (5) Promoting development forms and patterns that respect the character of established
 2 surrounding neighborhoods and other types of land uses;

3 (6) Improving community services and facilities and enhancing functionality of vehicular
 4 access and circulation; [and]

5 (7) Promoting development forms that respect and take advantage of a site’s natural, scenic,
 6 and man-made features, such as rivers, lakes, wetlands, floodplains, trees, historic features, and cultural
 7 and archeological resources[.]; and

8 (8) Providing public benefits to further protect and advance the public health, safety, welfare,
 9 and convenience.

10 (b) **Classification of Planned Development Zones**

11 Land shall be classified into a PD zone only in accordance with the procedures and requirements set
 12 forth in Section 27-3602, Planned Development (PD) Zoning Map Amendment.

13 (c) **Organization of Planned Development Zone Regulations**

14 Section 27-4301(d), General Standards for All Planned Development Zones, sets out general
 15 standards applicable to all types of PD zones. Section 27-4302 through Section 27-4304 sets out for each
 16 of the different types of PD zones, a purpose statement, a list of the types of form, intensity, dimensional,
 17 development, and design standards to be applied as part of the PD Basic Plan and PD Conditions of
 18 Approval, and references to applicable use and other standards.

19 (d) **General Standards for All Planned Development Zones**

20 Before approving a PD zone classification, the District Council shall find that the application for the
 21 PD zone classification, as well as the PD Basic Plan and Conditions of Approval, comply with the
 22 following standards:

23 (1) **PD Basic Plan**

24 The PD Basic Plan shall:

25 (A) Establish a statement of planning and development goals for the zone that is
 26 consistent with the General Plan and the applicable Area Master Plan or Sector Plan and purposes of the
 27 PD Zone;

28 (B) Establish the specific principal, accessory, and temporary uses permitted in the
 29 zone. They shall be consistent with the Principal Use Tables (and may only be selected from uses
 30 identified as Allowable in the desired PD zone) in Section 27-5101(e), Principal Use Table for Planned
 31 Development Zones, and the purposes of the particular type of PD zone, and be subject to applicable use-
 32 specific standards identified in the PD Basic Plan, and any additional limitations or requirements
 33 applicable to the particular type of PD zone;

1 **(C)** Establish the general location of each development area in the zone, its acreage,
2 types and mix of land uses, number of residential units (by use type), nonresidential floor area (by use
3 type), residential density, and nonresidential intensity. The residential density and nonresidential intensity
4 shall be consistent with the general purposes of the PD zone and the specific requirements of the
5 individual PD zone;

6 **(D)** Establish the dimensional standards that apply in the PD zone. The dimensional
7 standards shall be consistent with the requirements of the individual PD zone, and its purposes;

8 **(E)** Where relevant, establish the standards and requirements that ensure development
9 on the perimeter of the PD zone is designed and located to be compatible with the character of adjacent
10 existing or approved development. Determination of compatible character shall be based on
11 densities/intensities, lot size and dimensions, building height, building mass and scale, form and design
12 features, location and design of parking facilities, hours of operation, exterior lighting, siting of service
13 areas, and any other standards deemed appropriate by the District Council;

14 **(F)** Establish the general location, amount, and type (whether designated for active or
15 passive recreation) of open space, consistent with the purposes of the individual PD zone;

16 **(G)** Identify the general location of environmentally sensitive lands, resource lands,
17 wildlife habitat, and waterway corridors, and ensure protection of these lands consistent with the purposes
18 of the individual PD zone and the requirements of this Ordinance;

19 **(H)** Identify the general location of existing on-site and adjacent historic sites,
20 resources, and districts and archeological and cultural resources;

21 **(I)** Identify the general on-site pedestrian circulation system, including any existing on-
22 site and adjacent pedestrian circulation systems (pedestrian and bicycle pathways, and trails), and how it
23 will connect to off-site pedestrian systems in ways that are consistent with the purposes of the individual
24 PD zone, and the requirements of this Ordinance;

25 **(J)** Identify the general design and layout of the on-site transportation circulation
26 system, including the general location of all public and private streets, existing or projected transit
27 corridors, and how they interface with the pedestrian circulation system, and connect to existing and
28 planned County and regional systems in a manner consistent with the purposes of the individual PD zone,
29 and the requirements of this Ordinance;

30 **(K)** Identify the general location of on-site potable water and wastewater facilities, and
31 how they will connect to existing and planned County and regional systems in a manner consistent with
32 the purposes of the individual PD zone, and the requirements of this Ordinance;

1 (L) Identify the general location of on-site storm drainage facilities, and how they will
2 connect to existing and planned County systems, in a manner consistent with the purposes of the
3 individual PD zone, and the requirements of this Ordinance;

4 (M) Identify the general location and layout of all other on-site and off-site public
5 facilities serving the development (including any municipal public facilities, when the subject property is
6 located within a municipality), and how they are consistent with the purposes of the individual PD zone.
7 The other on-site and off-site public facilities considered shall include—but not limited to—parks,
8 schools, and facilities for fire protection, police protection, EMS, stormwater management, and solid
9 waste management;

10 (N) Establish provisions addressing how transportation, potable water, wastewater,
11 stormwater management, and other public facilities will be provided to accommodate the proposed
12 development;

13 (O) Establish the development standards that will be applied to development in
14 accordance with Section 27-4301(d)(2), Development Standards[.]; and

15 (P) Include specific public benefits and project amenities in accordance with Section
16 27-4301(d)(3).

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18 **(3) Public Benefits**

19 (A) Public benefits are superior features in a Planned Development zone that benefit the
20 surrounding neighborhood, or the public in general, to a significantly greater extent than would likely
21 result from development of the site under a Base zone.

22 (B) All public benefits shall meet the following criteria:

23 (i) Benefits shall be tangible and quantifiable items;

24 (ii) Benefits shall be measurable and able to be completed or arranged prior to
25 issuance of the first certificate of use and occupancy;

26 (iii) Benefits must primarily benefit the surrounding neighborhood or service a
27 critical Countywide need; and

28 (iv) Benefits must significantly exceed applicable standards in Part 27-6,
29 Development Standards.

30 (C) Public benefits may be exhibited in one or more of the following ways:

31 (i) Urban design and architecture superior to the high baseline expectation set by
32 this Ordinance, including but not limited to high-quality materials and embellishments on all facades of
33 all buildings, unique and/or signature architectural forms, innovative urban design relationships and
34 placemaking, and demonstrated commitment to superior quality;

1 (ii) Superior landscaping;

2 (iii) Creation and/or preservation of open spaces;

3 (iv) Site planning demonstrating efficient and economical land utilization;

4 (v) Commemorative works and/or provision of public art;

5 (vi) Adaptive reuse of historic sites or resources;

6 (vii) Provision of affordable housing options;

7 (viii) Provision of employment and/or training opportunities;

8 (xi) Incorporation of social services and facilities, including, but not limited to,
 9 space dedicated for child or adult day care facilities and/or elderly care facilities available to the general
 10 public;

11 (x) Dedicated building space for uses to benefit the public, including, but not
 12 limited to, community educational or social development, promotion of the arts or similar programs,
 13 and/or business incubation;

14 (xi) Sustainable and environmental benefits to the extent they exceed the
 15 standards otherwise required by the County Code, including, but not limited to:

16 (aa) Stormwater runoff controls in excess of those required by Subtitle 32
 17 of the County Code and any other County stormwater management regulation;

18 (bb) Incorporation of environmental site design and other natural design
 19 techniques to store, infiltrate, evaporate, treat, and retain runoff in close proximity to where runoff is
 20 generated; and/or

21 (cc) Gardens, urban farms, or other on-site food production through
 22 permanent and viable growing space and/or structures.

23 (xii) Enhanced streetscape design and maintenance provisions;

24 (xiii) Outdoor children’s play areas open to the general public and designed to
 25 provide safe, active recreation;

26 (xiv) Multimodal transportation improvements, including, but not limited to,
 27 electric vehicle charging stations, the location and funding of bike share stations, commuter services (such
 28 as guaranteed ride home services or information on bicycle and car share programs), the construction and
 29 maintenance of buffered/separated bike lanes, provision of comprehensive wayfinding signage, provision
 30 and maintenance of bus shelters and smart signage, etc.; and

31 (xv) Other public benefits and project amenities that substantially advance the
 32 policies, goals, and objectives of the General Plan or the applicable Area Master Plan, Sector Plan, or
 33 Functional Master Plans.

34 **[(3)](4) PD Conditions of Approval**

1 (A) The PD Conditions of Approval shall include, but not be limited to:

2 (i) Conditions related to approval of the application for the PD zone
 3 classification;

4 (ii) Conditions related to the approval of the PD Basic Plan, including any
 5 conditions related to the form and design of development shown in the PD Basic Plan;

6 (iii) Provisions addressing how public facilities (transportation, potable water,
 7 wastewater, stormwater management, and other public facilities) will be provided to accommodate the
 8 proposed development, in accordance with any Certificate of Adequacy required under Subtitle 24:
 9 Subdivision Regulations. The provisions shall include but not be limited to:

10 (aa) Recognition that the applicant/landowner will be responsible to design
 11 and construct or install required and proposed on-site and off-site public facilities in compliance with
 12 applicable municipal, County, State, and Federal regulations; and/or

13 (bb) The responsibility of the applicant/landowner to dedicate to the public
 14 the rights-of-way and easements necessary for the construction or installation of required and proposed
 15 on-site public facilities in compliance with applicable municipal, County, State, and Federal regulations.

16 (iv) Provisions related to environmental protection and monitoring (e.g.,
 17 restoration of mitigation measures, annual inspection reports);

18 (v) Identification of community benefits and amenities that will be provided to
 19 compensate for the added development flexibility afforded by the PD zone;

20 (vi) Identification of minor deviations not materially affecting the PD zone’s basic
 21 concept or the designated general use of the land within the zone, that may be approved by the Planning
 22 Director in accordance with Section 27-3602(b)(11)(G), Minor Deviations; and

23 (vii) Any other provisions the District Council determines are relevant and
 24 necessary to the development of the planned development.

25 (B) All Conditions of Approval shall be related in both type and amount to the
 26 anticipated impacts of the proposed development on the public and surrounding lands.

27 **[(4)](5) Development Phasing Plan**

28 If development in the PD zone is proposed to be phased, the PD Basic Plan shall include a
 29 development phasing plan that identifies the general sequence or phases in which the zone is proposed to
 30 be developed, including how residential and nonresidential development will be timed, how infrastructure
 31 (public and private), open space, and other amenities will be provided and timed, how development will
 32 be coordinated with the County’s capital improvement program, and how environmentally sensitive lands
 33 will be protected and monitored.

34 **[(5)](6) Conversion Schedule**

1 The PD Basic Plan may include a conversion schedule that identifies the extent and timing to
2 which one type of use may be converted to another type of use.

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4 **27-4302. Residential Planned Development Zones**

5 **(a) Residential Planned Development (R-PD) Zone**

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(4) Other Standards		
Minimum Area Threshold	The minimum area for an R-PD zone is:	<ul style="list-style-type: none"> • 20 gross acres if the proposed gross density is less than 5 units an acre • 10 gross acres if the gross density is 5 to 8 units an acre • 5 gross acres if the gross density is greater than 8 units an acre
Location Standards	An R-PD Zone shall only be approved if the property is located in a Residential base zone, <u>the LMXC Zone, or the LCD Zone.</u>	
Street Access	Each lot and attached unit in the development shall have direct access to a street.	

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8 **27-4303. Transit-Oriented/Activity Center Planned Development Zones**

9 **(a) Neighborhood Activity Center Planned Development (NAC-PD) Zone**

(1) Purposes

The purposes of the Neighborhood Activity Center Planned Development (NAC-PD) Zone are:

- (A) To accommodate and promote the establishment of high-quality, vibrant, lower- to moderate-density, mixed-use development that fosters economic development, reduces automobile dependency, supports walkable areas, and provides opportunities for alternative modes of travel;
- (B) To provide use types and densities/intensities needed to support mixed-use and transit-supportive development (as appropriate);
- (C) To encourage a live, work, shop, and play environment that serves as an economic driver for the County’s Neighborhood Centers;
- (D) To include a well-integrated mix of complementary uses, including commercial, personal services, office, and recreation, where appropriate to support residential uses and serve the needs of the surrounding neighborhood;
- (E) To provide multiple, direct, and safe vehicular, bicycle, and pedestrian connections between development;
- (F) To incorporate buildings, open spaces, and other site [elements] features that are arranged and designed to create an inviting, walkable, safe, and interactive environment;
- (G) To include distinctive and attractive public spaces that help create an identity and sense of place for the zone; and
- (H) To provide a range of housing options.



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(4) Other Standards

Location Standards	<p>An NAC-PD Zone may only be located on lands within:</p> <ul style="list-style-type: none"> • A Neighborhood Center as designated on the Growth Policy Map in the General Plan <u>or the applicable Area Master Plan or Sector Plan</u>, as may be amended from time to time; • The Innovation Corridor as designated on the Strategic Investment Map in the General Plan <u>or the applicable Area Master Plan or Sector Plan</u>, as may be amended from time to time; or • Along that portion of US 1 located south of the Innovation Corridor to the border with Washington, D.C.
Use Mixing	<p>The zone should be designed to provide a mix of residential and nonresidential uses to allow residents to meet more of their daily needs within the zone.</p>
Vertical Mixing of Residential and Nonresidential Uses	<p>The vertical mixing of residential uses with nonresidential uses within a single project or building, with residential development on upper floors, is encouraged.</p>

(4) Other Standards	
Horizontal Mixing of Residential and Nonresidential	The horizontal mixing of stand-alone residential developments and adjacent stand-alone nonresidential or mixed-use developments in the zone is allowed, provided the developments are well-integrated in terms of complementary uses, access and circulation, and compatible design.
Shopping Centers	Shopping centers shall be a minimum of two stories (multistory).
Blocks and Alleys	The zone shall be laid out in blocks, streets, and alleys, to the maximum extent practicable.
Streets	Streets shall be organized according to a hierarchy based on function, capacity, and design speed. They should terminate at other streets within the development and connect to existing and projected through streets outside the development. Street stubs should be provided to adjacent open land to provide for future connections. Gated streets are prohibited.
Parking	<ul style="list-style-type: none"> • Along any street frontage, all proposed new or additional off-street surface vehicle parking shall be located to the rear or side of the development’s principal building(s) or in a parking structure. • Surface parking lots with more than 100 parking spaces shall be organized into smaller modules that contain fewer spaces each and are visually separated by buildings or landscaped swales. • All vehicle parking lots and structures shall provide clearly identified pedestrian routes between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas.
Private Sidewalks and Private Street Trees	<ul style="list-style-type: none"> • Sidewalks shall be located on both sides of every street with a planting strip between the curb and the sidewalk, as established in the PD Basic Plan. Street trees shall be spaced between 40 and 50 feet on center. • Sidewalks along street frontages shall be at least 10 feet wide and shall maintain a pedestrian "clear zone" that is at least 5 feet in width and unobstructed by any permanent or nonpermanent object. • At least one walkway from an adjacent sidewalk shall be provided to each pedestrian entrance. • Where a sidewalk, greenway path, or other walkway crosses a street, driveway, or drive aisle, the crossing shall be clearly marked with a change in paving material, color, or height, decorative bollards, or similar elements.
Connectivity	The internal vehicular, bicycle, and pedestrian circulation system shall be designed to allow vehicular, bicycle, and pedestrian cross-access between the internal system and any internal systems of adjoining lots, to the maximum extent practicable.

(4) Other Standards	
Building Configuration	<ul style="list-style-type: none"> Public buildings and uses, including government facilities, cultural facilities, religious institutions, assembly uses, and schools, should serve as focal points and landmarks for the zone and are encouraged to be located on prominent sites. To the maximum extent practicable, buildings shall be used to define the street edge and the distinction between the public domain of the street and the private space of individual lots. To this end, buildings should have a fairly consistent setback alignment along the street frontage. Buildings should be designed with a common architectural scheme and landscaping to support that identity. The intent should not be to create a uniform appearance, but rather a distinct sense of place.
Transparency	Where the façade of a principal building other than a single-family detached or two-family dwelling abuts or faces a street frontage with a sidewalk, or a public gathering space, a percentage of the street-level façade area shall be comprised of transparent window or door openings to allow views of interior spaces and merchandise so as to enhance safety and create a more inviting environment for pedestrians.
Open Space Design	Open space should be designed in a hierarchy of formal and informal spaces and used to enhance activity and identity. Formal open spaces consist of squares, greens, common areas, or other park-like settings where people may gather. Such areas should be bounded by streets and/or buildings. Informal open spaces are encouraged to be located throughout the zone, and take the form of walking paths, greenways, parks, passive recreation areas, and natural areas.

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(b) Town Activity Center Planned Development (TAC-PD) Zone

(1) Purposes

The purposes of the Town Activity Center Planned Development (TAC-PD) Zone are:


- (A) To accommodate and promote the establishment of high-quality, moderate-intensity activity center development, that while encouraging and supporting mixed-use and pedestrian-friendliness, is more auto-oriented in character;
- (B) To provide the use types and densities/intensities that are needed to support mixed-use and activity center development;
- (C) To encourage a live, work, shop, and play environment that serves as an economic driver for the County’s Town Centers;
- (D) To include a well-integrated mix of complementary uses—including commercial, residential, employment, recreational, and civic uses;
- (E) To provide multiple, direct, and safe vehicular, bicycle, and pedestrian connections between the uses in the Core area, and to nearby areas;
- (F) To incorporate buildings, open spaces, and other site [elements] features that are arranged and designed to create an inviting, safe, interactive, and, in some locations, walkable environment;
- (G) To include distinctive, attractive, and engaging public spaces that help create an identity and sense of place for the zone; and
- (H) To provide a range of housing options.



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(c) Local Transit-Oriented Planned Development (LTO-PD) Zone

(1) Purposes	
<p>The purposes of the Local Transit-Oriented Planned Development (LTO-PD) Zone are:</p> <ul style="list-style-type: none"> (A) To accommodate and promote the establishment of high-quality, vibrant, moderate-intensity, mixed-use, transit-accessible development that will foster economic development, reduce automobile dependency, support walkable areas, and provide opportunities for alternative modes of travel; (B) To provide the "critical mass" of use types and densities/intensities needed to support mixed use, transit-accessible development; (C) To encourage a live, work, shop, and play environment that serves as an economic driver for the County's Local Transit Centers; (D) To include a well-integrated mix of complementary uses—including commercial, personal services, office, residential, and recreational; (E) To provide multiple, direct, and safe vehicular, bicycle, and pedestrian connections between developments, and prioritize transit, pedestrian, and bicyclist access; (F) To incorporate buildings, open spaces, and other site [elements] <u>features</u> that are arranged and designed to create an inviting, walkable, safe, interactive, and human-scale environment; (G) To include distinctive and attractive public spaces that help create an identity and sense of place for the zone; and (H) To provide a range of housing options. 	

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(4) Other Standards	
Location Standards	<p>An LTO-PD Zone may only be located on lands designated:</p> <ul style="list-style-type: none"> • Within a Local Transit Center on the Growth Policy Map in the General Plan or the applicable Area Master Plan or Sector Plan, as may be amended from time to time[.]; • [That portion of the] <u>The Innovation Corridor</u> as designated on the Strategic Investment Map in the General Plan or the applicable Area Master Plan or Sector Plan, as may be amended from time to time; or • Along that portion of US 1 located south of the Innovation Corridor to the border with Washington, D.C.
Use Mixing	<p>The zone should be designed to provide a mix of uses. The integration of residential and nonresidential uses is strongly encouraged to allow residents to meet more of their daily needs within the zone.</p>
Vertical Mixing of Residential and Nonresidential Uses	<p>The vertical mixing of residential uses with nonresidential uses within a single project or building, with residential development on upper floors, is strongly encouraged in the Core area and encouraged in the Edge area.</p>

(4) Other Standards	
Horizontal Mixing of Residential and Nonresidential	The horizontal mixing of stand-alone residential developments and adjacent stand-alone nonresidential or mixed-use developments in the zone is allowed, provided the developments are well-integrated in terms of complementary uses, access and circulation, and compatible design.
Shopping Centers	Shopping centers shall be a minimum of two stories (multistory).
Blocks and Alleys	The zone should be laid out in blocks, streets, and alleys, to the maximum extent practicable.
Streets	Streets shall be organized according to a hierarchy based on function, capacity, and design speed. They should terminate at other streets within the development and connect to existing and projected through streets outside the development. Street stubs should be provided to adjacent open land to provide for future connections. Gated streets are prohibited.
Private Sidewalks and Private Street Trees	<ul style="list-style-type: none"> • Sidewalks shall be located on both sides of every street, with a planting strip between the curb and the sidewalk, as established in the PD Basic Plan. Street trees shall be spaced between 40-50 feet on center. • Sidewalks shall be at least 10 feet wide along street frontages in the Core area, with a pedestrian "clear zone" a minimum width of 5 feet that is unobstructed by any permanent or nonpermanent object. • Sidewalks shall be 6 feet in the Edge area. • At least one walkway from an adjacent sidewalk shall be provided to each pedestrian entrance. • Where a sidewalk, greenway path, or other walkway crosses a street, driveway, or drive aisle, the crossing shall be clearly marked with a change in paving material, color, or height, decorative bollards, or similar elements.
Connectivity	The internal vehicular, bicycle, and pedestrian circulation systems shall be designed to allow vehicular, bicycle, and pedestrian cross-access between the internal system and adjoining lots and development, as well as to any nearby or adjacent transit station.

(4) Other Standards	
Building Configuration	<ul style="list-style-type: none"> ● In the Core area, public buildings and uses, including government facilities, cultural facilities, religious institutions, assembly uses, and schools, should serve as focal points and landmarks for the zone and are encouraged to be located on prominent sites. ● In the Core area, buildings shall be configured in relation to the site and other buildings so that building walls frame and enclose at least two of the following: <ul style="list-style-type: none"> ○ The corners of street intersections or entry points into the development; ○ A "main street" pedestrian and/or vehicle access corridor within the development site; ○ Parking areas, public spaces, or other site amenities on at least three sides; or ○ A plaza, pocket park, square, outdoor dining area, or other outdoor gathering space for pedestrians. ● In the Edge area, and where appropriate, buildings should be used to define the street edge. To this end, buildings should have a consistent setback alignment along the street frontage. ● Buildings should be designed with a common architectural scheme and landscaping to support that identity. The intent should not be to create a uniform appearance, but rather a distinct sense of place.
Parking	<ul style="list-style-type: none"> ● All proposed new or additional off-street surface vehicle parking shall be located to the rear or side of the development's principal building(s) or in a parking structure. ● Surface parking lots with more than 100 parking spaces shall be organized into smaller modules that contain fewer spaces each and are visually separated by buildings or landscaped swales. ● All vehicle parking lots and structures shall provide clearly identified pedestrian routes between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas.
Transparency	<p>Where the façade of a principal building other than a single-family or two-family dwelling abuts or faces a street frontage, or an adjoining transit station or public gathering space, a percentage of the street-level façade area shall be comprised of transparent window or door openings to allow views of interior spaces and merchandise so as to enhance safety and create a more inviting environment for pedestrians.</p>
Open Space Design	<p>Open space should be designed in a hierarchy of formal and informal spaces and used to enhance activity and identity. Formal open spaces consist of squares, greens, common areas, or other park-like settings where people may gather. Such areas are bounded by streets and/or buildings. Informal open spaces are encouraged to be located throughout the zone, and take the form of walking paths, greenways, parks, passive recreation areas, and natural areas.</p>

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(1) Purposes

The purposes of the Regional Transit-Oriented Planned Development (RTO-PD) Zone are :

- (A) To provide lands for the establishment of high-quality, vibrant, high-density, mixed-use, transit-accessible development that supports economic development, reduces automobile dependency, supports walkable areas, and provides opportunities for alternative modes of travel.
- (B) To capture the majority of the County’s future residential and employment growth and development;
- (C) To incorporate key elements of walkable and bikeable areas that is well-connected to a regional transportation network through a range of transit options;
- (D) To provide the "critical mass" of use types and densities and intensities needed for intense, transit-supportive, mixed-use, transit-accessible development;
- (E) To encourage a dynamic live, work, shop, and play environment that serves as an economic driver for the County’s Regional Transit Districts;
- (F) To include a well-integrated mix of complementary uses—including office, retail, personal services, entertainment, public and quasi-public, flex, medical, lodging, eating or drinking establishments, residential, and recreational;
- (G) To provide multiple, direct, and safe vehicular, bicycle, and pedestrian connections between developments, and prioritize transit, pedestrian, and bicyclist access;
- (H) To incorporate buildings, open spaces, and other site [elements] features that are arranged and designed to create an inviting, walkable, safe, socially-interactive environment;
- (I) To include distinctive and engaging public spaces that help create an identity and sense of place for the zone; and
- (J) To provide a range of housing options.



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(4) Other Standards

Location Standards	<p>An RTO-PD Zone may only be located on lands:</p> <ul style="list-style-type: none"> • Within a Regional Transit District as designated on the Growth Policy Map in the General Plan <u>or the applicable Area Master Plan or Sector Plan</u>, as may be amended from time to time; or • Within that portion of the Innovation Corridor as designated on the Strategic Investment Map in the General Plan <u>or the applicable Area Master Plan or Sector Plan</u>, as may be amended from time to time, located within that portion of the City of College Park between the Capital Beltway/I-95, south to the city's southern boundary.
Use Mixing	The zone should be designed to provide a mix of uses. The integration of residential and nonresidential uses is strongly encouraged to allow residents to meet more of their daily needs within the zone.
Vertical Mixing of Residential and Nonresidential Uses	The vertical mixing of residential uses with nonresidential uses within a single project or building, with residential development on upper floors, is strongly encouraged in the Core area and encouraged in the Edge area.

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(4) Other Standards	
Horizontal Mixing of Residential and Nonresidential	The horizontal mixing of stand-alone residential developments and adjacent stand-alone nonresidential or mixed-use developments in the zone is allowed, provided the developments are well-integrated in terms of complementary uses, access and circulation, and compatible design.
Shopping Centers	Shopping centers shall be a minimum of two stories (multi-story).
Blocks and Alleys	The zone shall be laid out in blocks, streets, and alleys, to the maximum extent practicable.
Streets	Streets shall be organized according to a hierarchy based on function, capacity, and design speed. They should terminate at other streets within the development and connect to existing and projected through streets outside the development. Street stubs should be provided to adjacent open land to provide for future connections. Gated streets are prohibited.
Private Sidewalks and Private Street Trees	<ul style="list-style-type: none"> • Sidewalks shall be located on both sides of every street, with a planting strip between the curb and the sidewalk, as established in the PD Basic Plan. Street trees shall be spaced between 40-50 feet on center. • Sidewalks shall be at least 15 feet wide along street frontages in the Core area, and at least 10 feet wide in the Edge area. • Sidewalks shall maintain a pedestrian "clear zone" a minimum width of 5 feet that is unobstructed by any permanent or nonpermanent object. • At least one walkway from an adjacent sidewalk shall be provided to each pedestrian entrance. • Where a sidewalk, greenway path, or other walkway crosses a street, driveway, or drive aisle, the crossing shall be clearly marked with a change in paving material, color, or height, decorative bollards, or similar features.
Connectivity	The internal vehicular, bicycle, and pedestrian circulation systems shall be designed to allow vehicular, bicycle, and pedestrian cross-access between the internal system and adjoining lots and development, as well as to any nearby or adjacent transit station.

(4) Other Standards	
Building Configuration	<ul style="list-style-type: none"> ● In the Core area, public and quasi-public buildings and uses, including government facilities, cultural facilities, religious institutions, assembly uses, and schools, should serve as focal points and landmarks for the zone and are encouraged to be located on prominent sites. ● In the Core area, buildings shall be configured in relation to the site and other buildings so that building walls frame and enclose at least two of the following: <ul style="list-style-type: none"> ○ The corners of street intersections or entry points into the development; ○ A "main street" pedestrian and/or vehicle access corridor within the development site; ○ Parking areas, public spaces, or other site amenities on at least three sides; or ○ A plaza, pocket park, square, outdoor dining area, or other outdoor gathering space for pedestrians. ● In the Edge area, and where appropriate, buildings should be used to define the street edge and the distinction between the public domain of the street and the private space of individual lots. To this end, buildings should have a consistent, setback alignment along the street frontage. ● Buildings should be designed with a common architectural scheme. The intent should not be to create a uniform appearance, but rather a distinct sense of place.
Parking	<ul style="list-style-type: none"> ● All proposed new or additional off-street surface vehicle parking shall be located to the rear or side of the development’s principal building(s) or in a parking structure. ● Surface parking lots with more than 100 parking spaces shall be organized into smaller modules that contain fewer spaces each and are visually separated by buildings or landscaped swales ● All vehicle parking lots and structures shall provide clearly identified pedestrian routes between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas
Transparency	Where the façade of a principal building other than a single-family or two-family dwelling abuts or faces a street frontage or pedestrian way, or an adjoining transit station or public gathering space, a percentage of the street-level façade area shall be comprised of transparent window or door openings to allow views of interior spaces and merchandise so as to enhance safety and create a more inviting environment for pedestrians.
Open Space Design	Open space should be designed in a hierarchy of formal and informal spaces and used to enhance activity and identity. Formal open spaces consist of squares, greens, common areas, or other park-like settings where people may gather. Such areas should be bounded by streets and/or buildings. Informal open spaces are encouraged to be located throughout the zone, and take the form of walking paths, greenways, parks, passive recreation areas, and natural areas.

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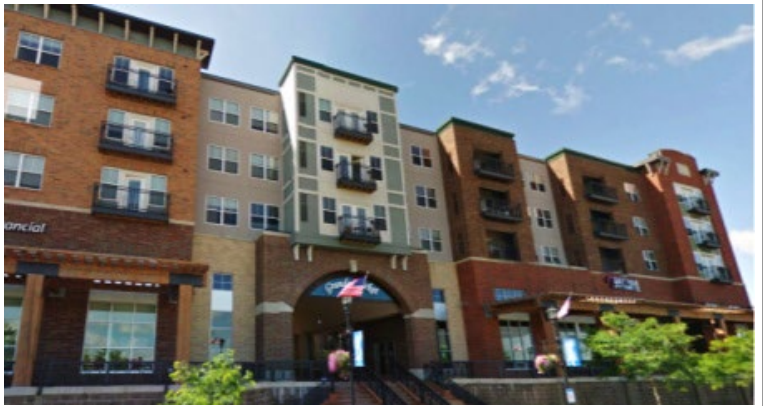
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27-4304. Other Planned Development Zone
(a) Mixed-Use Planned Development (MU-PD) Zone

(1) Purposes

The purposes of the Mixed-Use Planned Development (MU-PD) Zone are :

- (A) To accommodate and promote the establishment of high-quality, mixed-use development that will foster economic development, reduce automobile dependency, support walkable and bikeable areas , and provide opportunities for alternative modes of travel;
- (B) To provide the mix of uses and densities/intensities needed to support mixed-use development;
- (C) To accommodate and promote compact, pedestrian-friendly, mixed-use development that encourages a dynamic live, work, shop, and play environment that serves as an economic driver for the County;
- (D) To include a well-integrated mix of complementary high-activity uses—including supportive commercial, residential, civic, recreation, and employment uses;
- (E) To provide multiple, direct, and safe vehicular, bicycle, and pedestrian connections between the uses, and prioritizes transit, pedestrian, and bicyclist access;
- (F) To incorporate buildings, open spaces, and other site [elements] features that are arranged and designed to create an inviting, walkable, safe, and socially-interactive environment;
- (G) To include distinctive, attractive, and engaging public spaces that help create an identity and sense of place for the zone;
- (H) To provide a range of housing options;
- (I) To permit a flexible response to the market and promotes economic vitality;
- (J) To encourage innovation in the planning and design of new and infill development; and
- (K) To implement County policies, as specified in approved Area Master Plans and Sector Plans, for mixed-use development at appropriate locations to meet community needs.



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(3) Intensity and Dimensional Standards

Standard (1)	All Uses
Lot area, min. max. (sf.)	To be established in PD Basic Plan and PD Conditions of Approval (see Section 27-4301(d))
Lot width, min. (ft)	
Density, min. (du/net lot area) (2)	6.00
[Floor area ratio (FAR), min. (3)]	[0.50]

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(3) Intensity and Dimensional Standards	
Standard (1)	All Uses
Density, max. (net lot area) (2)	To be established in PD Basic Plan (see Section 27-4301(d))
Floor area ratio (FAR), max. (3)	
Lot coverage, min. max. (% of net lot area)	
Front yard depth, min. (ft.)	
Side yard depth, min. (ft.)	
Rear yard depth, min. (ft.)	
Principal and accessory structure height, max. (ft.)	
<p>Notes: sf = square feet; ft. = feet; du = dwelling unit; ac = acre</p> <p>(1) See measurement rules and allowed exceptions in Section 27-2200, Measurement and Exceptions of Intensity and Dimensional Standards.</p> <p>(2) Applicable to residential development and the residential component of mixed-use development.</p> <p>(3) Applicable to nonresidential development.</p>	

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(4) Other Standards	
Minimum <u>and Maximum</u> Area Thresholds	<ul style="list-style-type: none"> ● The minimum area for an MU-PD Zone is [5] <u>2</u> gross acres, unless the District Council finds a proposed zone of less than [5] <u>2</u> gross acres is consistent with and achieves the purposes of the MU-PD Zone. ● <u>The maximum area for an MU-PD Zone is 40 gross acres inside the Capital Beltway.</u> ● <u>The maximum area for an MU-PD Zone is 30 gross acres outside the Capital Beltway.</u>
Location Standards	An MU-PD Zone may not be located within (1) any Rural and Agricultural base zone, (2) any Residential base zone, or (3) land classified within a Neighborhood Center, a Town Center, a Local Transit Center, or a Regional Transit District as designated on the Growth Policy Map in the General Plan or the applicable Area Master Plan or Sector Plan, as may be amended from time to time.
Use Mixing	The zone [shall] <u>may</u> be designed to provide a mix of uses. The integration of residential and nonresidential uses is strongly encouraged to allow residents to meet more of their daily needs within the zone. In addition, provision of a variety of housing options shall occur in the zone.
Vertical Mixing of Residential and Nonresidential Uses	The vertical mixing of residential uses with nonresidential uses within a single project or building, with residential development on upper floors, is strongly encouraged.

(4) Other Standards	
Horizontal Mixing of Residential and Nonresidential	The horizontal mixing of stand-alone residential developments and adjacent stand-alone nonresidential or mixed-use developments in the zone is allowed, provided the developments are well-integrated in terms of complementary uses, access and circulation, and compatible design.
Shopping Centers	Shopping centers shall be a minimum of two stories (multistory), and no building shall have a footprint that exceeds 50,000 sf.
Blocks and Alleys	The zone should be laid out in blocks, streets, and alleys, to the maximum extent practicable.
Streets	Streets shall be organized according to a hierarchy based on function, capacity, and design speed. They should terminate at other streets within the development and connect to existing and projected through streets outside the development. Street stubs should be provided to adjacent open land to provide for future connections. Gated streets are prohibited.
Parking Location	<ul style="list-style-type: none"> • Along any street frontage with a sidewalk, all proposed new or additional off-street surface vehicle parking shall be located to the rear or side of the development’s principal building(s), or in a parking structure. • All vehicle parking lots and structures shall provide clearly identified pedestrian routes between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas
Private Sidewalks and Private Street Trees	<ul style="list-style-type: none"> • Sidewalks shall be located on both sides of every street, with a planting strip between the curb and the sidewalk, as established in the PD Basic Plan. Street trees shall be spaced between 40-50 feet on center. • Sidewalks shall be at least 10 feet wide along street frontages, but may be increased in width as part of the approval of the PD Basic Plan and zone. • Sidewalks shall maintain a pedestrian "clear zone" a minimum width of 5 ft that is unobstructed by any permanent or nonpermanent object. • At least one walkway from an adjacent sidewalk shall be provided to each pedestrian entrance.
Building Configuration	<ul style="list-style-type: none"> • Surface parking lots with more than 100 parking spaces shall be organized into smaller modules that contain 50 or fewer spaces, each visually separated by buildings or landscaped swales • To the maximum extent practicable, buildings should be used to define the street edge and the distinction between the public domain of the street and the private space of individual lots. Buildings should have a consistent setback alignment along the street frontage. • Buildings should be designed with a common architectural scheme and landscaping to support that identity. The intent should not be to create a uniform appearance, but rather a distinct sense of place.

(4) Other Standards	
Open Space Design	Open space should be designed in a hierarchy of formal and informal spaces and used to enhance activity and identity. Formal open spaces consist of squares, greens, common areas, or other park-like settings where people may gather. Such areas should be bounded by streets and/or buildings. Informal open spaces are encouraged to be located throughout the zone, and take the form of walking paths, greenways, parks, passive recreation areas, and natural areas.

(b) Industrial/Employment Planned Development (IE-PD) Zone

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(4) Other Standards	
Minimum Area Threshold	The minimum area for an IE-PD Zone is 5 gross acres, unless the District Council finds a proposed zone of less than 5 gross acres is consistent with and achieves the purposes of the IE-PD Zone.
Location Standards	An IE-PD Zone may only be located on lands designated within : (1) the Employment Areas on the Growth Policy Map of the General Plan or the applicable Area Master Plan or Sector Plan, as may be amended from time to time, (2) the Industrial/Employment (IE) Zone, or (3) the Industrial, Heavy (IH) Zone.
Street Access	Each lot and attached unit in the development shall have [direct] <u>safe and adequate</u> access to a public street.

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SUBTITLE 27.ZONING.

PART 27-4 ZONES AND ZONE REGULATIONS

SECTION 27-4400 OVERLAY ZONES

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27-4402. Policy Area Overlay Zones

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(c) Military Installation Overlay (MIO) Zone

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(5) Modified Performance, Intensity, and Development Standards in the MIO Zone

Irrespective of the standards applicable in the underlying base zone, development in the MIO Zone shall be subject to the following modified or additional performance, intensity, and development standards.

(A) General Performance Standards

In the MIO Zone, development shall, to the greatest extent possible, not:

(i) Release into the air any substance, such as steam, dust, or smoke which would impair visibility or otherwise interfere with the operation of aircraft;

(ii) Produce light emissions, either direct or indirect (reflective), which would interfere with pilot vision;

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- (iii) Produce electrical emissions which would interfere with aircraft communication systems or navigation equipment;
- (iv) Attract large numbers of birds; or
- (v) Include the sales, handling, above-ground storage, refining, fabrication, or manufacturing of:
 - (aa) Explosives, fireworks, or gunpowder;
 - (bb) Fertilizers, pesticides, or insecticides;
 - (cc) Petroleum, gas, and related products (other than gas station, commercial vehicle repair and maintenance, or personal vehicle repair and maintenance [or vehicle repair and service station]), and liquid gas storage; or
 - (dd) Other products constituting a potential hazard by fire, explosion, or other means, should an aircraft accident occur.

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SUBTITLE 27. ZONING.
PART 27-5 USE REGULATIONS
SECTION 27-5100 PRINCIPAL USES

27-5101. Principal Use Tables

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(c) Principal Use Table for Rural and Agricultural, and Residential Base Zones

Table 27-5101(c): Principal Use Table for Rural and Agricultural, and Residential Base Zones													
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited													
Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones							Use-Specific Standards	
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20		RMF-48
Rural and Agricultural Uses													
Agriculture/ Forestry Uses	Agriculture	P	P	P	P	P	X	X	X	X	X	X	
	Community garden	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(1)(A)
	Forestry	P	P	P	P	P	X	X	X	X	X	X	
	Keeping of horses or ponies	P	P	P	P	P	X	X	X	X	X	X	
	Medical cannabis grower and/or processor	X	P	P	X	X	X	X	X	X	X	X	27-5102(b)(1)(B)
	Nursery and Garden Center	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Urban agriculture	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(1)(C)
Agriculture/ Forestry Related Uses	Agriculture research facility	P	SE	SE	X	X	X	X	X	X	X	X	Refer to special exception standards
	Equestrian center	P	P	P	SE	SE	X	X	X	X	X	X	Refer to special exception standards
	Farm-based alcohol production	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(2)(A)
	Farm market	P	P	P	P	P	P	P	P	P	P	P	
	Farm supply sales or farm machinery/implement sales, rental, or repair	P	P	P	SE	SE	X	X	X	X	X	X	Refer to special exception standards

Table 27-5101(c): Principal Use Table for Rural and Agricultural, and Residential Base Zones													
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		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
	Food hub	P	P	P	SE	SE	X	X	X	X	X	X	Refer to special exception standards
	Riding stable	P	P	P	P	P	X	X	X	X	X	X	
	Sawmill	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(b)(2)(B) and [R]refer to special exception standards</u>
Open Space Uses	Arboretum or botanical garden, park or greenway, or public water-oriented recreational and educational area	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(3)(A)
Residential Uses													
Household Living Uses	Artists' residential studios	X	X	X	X	X	X	P	P	P	P	P	<u>27-5102(c)(1)(A) and refer to special exception standards</u>
	Conversion of a single-family detached dwelling to add a maximum of two (2) additional dwelling units	X	X	X	SE	SE	SE	SE	SE	X	X	X	Refer to special exception standards
	Dwelling, live-work	X	X	X	X	X	X	X	P	P	P	P	<u>27-5102(c)(1)(B) and refer to special exception standards</u>
	Dwelling, multifamily	X	X	X	X	X	X	X	X	P	P	P	<u>27-5102(c)(1)(D) and refer to special exception standards</u>
	Dwelling, single-family detached	P	P	P	P	P	P	P	P	P	X	X	
	Dwelling, three-family	X	X	X	X	X	X	X	P	P	P	X	
	Dwelling, townhouse	X	X	X	X	X	X	X	P	P	P	X	<u>27-5102(c)(1)(F)</u>
	Dwelling, two-family	X	X	X	X	X	X	X	P	P	P	X	<u>27-5102(c)(1)(G)</u>
	[Elderly housing (single-family attached dwellings)]	[X]	[X]	[X]	[X]	[SE]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]

Table 27-5101(c): Principal Use Table for Rural and Agricultural, and Residential Base Zones														
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Principal Use Category	Principal Use Type		Rural and Agricultural Base Zones			Residential Base Zones							Use-Specific Standards	
			ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20		RMF-48
	[Elderly housing (single-family detached dwellings)]		[X]	[X]	[X]	[SE]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]
	Manufactured home park		X	X	X	X	X	X	X	X	X	X	X	27-5102(c)(1)(E)
	Mobile home		SE	SE	SE	SE	X	X	X	X	X	X	X	<u>27-5102(c)(1)(C)</u> and [R]refer to special exception standards
Group Living Uses	Apartment housing for elderly or physically disabled families		X	X	X	X	SE	SE	SE	SE	P	P	P	Refer to special exception standards
	Assisted living facility	≤ 8 elderly or handicapped residents	P	P	P	P	P	P	P	P	P	P	P	27-5102(c)(2)(A) and refer to special exception standards
		> 8 elderly or handicapped residents	[SE] X	[SE] X	[SE] X	[SE] X	SE	SE	SE	SE	P	P	P	
	Boarding or rooming house		SE	SE	SE	X	SE	X	X	X	X	X	X	27-5102(c)(2)(D) and refer to special exception standards
	[Congregate living facility]		[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[X]	[X]	[Refer to special exception standards]
	Convent or monastery		P	P	P	P	P	P	P	P	P	P	P	
	Fraternity or sorority house		X	X	X	X	X	X	X	X	X	SE	P	Refer to special exception standards
	Group residential facility		P	P	P	P	P	P	P	P	P	P	P	27-5102(c)(2)(B)
	Planned retirement community		SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
Private dormitory		X	X	X	X	X	X	X	X	P	P	P	27-5102(c)(2)(C)	
Public, Civic, and Institutional Uses														
Communication Uses	Antenna		P	P	P	P	P	P	P	P	P	P	P	27-5102(d)(1)(A)
	Broadcasting studio and newspaper/periodical publishing		P	P	P	P	P	P	P	P	P	P	P	

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards		
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48			
	Tower, pole, or monopole	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(d)(1)(B) and [R]</u> refer to special exception standards	
Community Service Uses	Adaptive use of a Historic Site	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>Refer to special exception standards</u>	
	Adult day care center	X	SE	SE	SE	SE	SE	SE	SE	P	P	P	P	<u>27-5102(d)(2)(D) and [R]</u> refer to special exception standards	
	Cultural facility	SE	SE	P	P	P	P	P	P	P	P	P	P	<u>[27-5102(d)(2)(D) and r]</u> Refer to special exception standards	
	Day care center for children	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(d)(2)(A) and [R]</u> refer to special exception standards	
	Eleemosynary or philanthropic institution	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards	
	Emergency services facility	P	P	P	P	P	P	P	P	P	P	P	P	Refer to special exception standards	
	[Family child care home, large]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]		
	[Family child care home, small]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	[P]	<u>[27-5102(d)(2)(B)]</u>
	Place of worship located on a lot less than 1 acre in size	X	X	X	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>[27-5102(d)(2)(B)] 27-5102(d)(2)(C) and refer to special exception standards</u>
	Place of worship located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size.	X	X	X	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	
	Place of worship located on a lot between 1 and 2 acres in size	X	X	X	P	P	P	P	P	P	P	P	P	P	
Place of worship located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size	X	X	X	P	P	P	P	P	P	P	P	P	P		
Place of worship, all others	SE	P	P	P	P	P	P	P	P	P	P	P	P		

Table 27-5101(c): Principal Use Table for Rural and Agricultural, and Residential Base Zones														
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited														
Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards	
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48		
Educational Uses	Adaptive reuse of a surplus public school	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	College or university	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(d)(3)(A)</u> and [R]refer to special exception standards
	<u>Driving school</u>	X	X	X	X	X	X	X	X	X	X	X	P	<u>27-5102(d)(3)(D)</u>
	Private school	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(d)(3)(B)</u> and [R]refer to special exception standards
	Vocational or trade school	X	X	X	X	X	X	X	X	X	X	X	X	
	Water-dependent research facility or activity operated by a government or educational institution	SE	X	X	X	X	X	X	X	X	X	X	X	X
Health Care Uses	Hospital	X	SE	SE	SE	SE	X	X	X	SE	SE	SE	SE	Refer to special exception standards
	Health campus	X	X	X	X	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Medical or dental office or lab	X	X	X	X	X	X	X	X	P	P	P	P	
	Medical/residential campus	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Methadone treatment center	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Nursing or care home	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5012(d)(4)(A)</u> and [R]refer to special exception standards

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P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited													
Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Transportation Uses	Airfield, Airpark, Airport or Airstrip	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Park and ride facility	X	X	X	X	X	X	X	X	SE	SE	SE	Refer to special exception standards
	Parking facility	X	X	X	X	X	X	X	X	SE	P	P	27-5102(d)(5)(A) and refer to special exception standards
	Parking of commercial vehicles	SE	SE	SE	X	X	X	X	X	X	X	X	Refer to special exception standards
	Transit station or terminal	X	X	X	X	X	X	X	X	SE	SE	SE	Refer to special exception standards
Utility Uses	Solar energy systems, large-scale	X	P	P	SE	SE	X	X	X	X	X	X	27-5102(d)(6)(A) and refer to special exception standards
	Public utility uses or structures, major	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(d)(6)(B)</u> and [R]refer to special exception standards
	Public utility uses or structures, minor	P	P	P	P	P	P	P	P	P	P	P	
	Wind energy conversion system, large-scale	X	SE	SE	X	X	X	X	X	X	X	X	<u>27-5102(d)(6)(C)</u> and [R]refer to special exception standards
Commercial Uses													
Adult Uses	Adult book or video store	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(2)
	Adult entertainment	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(2)

Table 27-5101(c): Principal Use Table for Rural and Agricultural, and Residential Base Zones													
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited													
Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Animal Care Uses	Animal shelter	X	SE	SE	X	X	X	X	X	X	P	P	27-5102(e)(3)(A) and refer to special exception standards
	Kennel of a lot having a net area of 20,000 sq. ft. or less	X	SE	SE	SE	SE	X	X	X	X	X	X	27-5102(e)(3)(D) and [R]refer to special exception standards
	Kennel on a lot having a net area of more than 20,000 sq. ft.	SE	P	P	P	SE	X	X	X	X	X	X	27-5102(e)(3)(E) and refer to special exception standards
	Pet grooming establishment	X	P	P	P	P	X	X	X	X	X	X	27-5102(e)(3)(B)
	Veterinary hospital or clinic	X	P	P	SE	SE	X	X	X	X	SE	SE	27-5102(e)(3)(C) and refer to special exception standards
Arts and Artisanal Production Uses	Art gallery	X	X	P	P	P	P	P	P	P	P	P	
	Art, photography, music, dance, yoga, pilates, or martial arts studio or schools	X	X	X	X	X	X	X	SE	X	P	P	Refer to special exception standards
	Manufacturing, artisan or maker	X	X	X	X	X	X	X	SE	X	P	P	Refer to special exception standards
	Tattoo or body piercing establishment	X	X	X	X	X	X	X	X	X	X	X	
Business Support Service Uses	Qualified data center	X	[X] P	X	X	P	X	X	X	X	X	X	27-5102(e)(4)(B)
	All other business support services	X	X	X	X	X	X	X	X	X	P	P	27-5102(e)(4)
Eating or Drinking Establishment Uses	Alcohol production facility, small-scale; shared commercial kitchen; Restaurant; and Restaurant, quick-service (without drive-through)	X	X	X	X	X	X	X	X	X	P	P	27-5102(e)(5)
	<u>Catering establishment</u>	X	X	X	X	X	X	X	X	X	X	X	
	Catering or food processing for off-site consumption	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(5)(C)
	Restaurant, quick-service (with drive-through)	X	X	X	X	X	X	X	X	X	P	P	27-5102(e)(5)(A)

Table 27-5101(c): Principal Use Table for Rural and Agricultural, and Residential Base Zones													
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited													
Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Funeral and Mortuary Service Uses	Cemetery or crematory	SE	SE	SE	SE	SE	SE	SE	X	SE	X	X	Refer to special exception standards
	Funeral parlor or undertaking establishment	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(e)(6)(A) and (R) refer to special exception standards</u>
	All other funeral and mortuary uses	X	X	X	X	X	X	X	X	X	SE	SE	Refer to special exception standards
Office Uses	Contractor’s office	X	X	X	X	X	X	X	X	X	P	P	
	Office, general business and professional	X	X	X	X	X	X	X	X	P	P	P	
	Office park	X	X	X	X	X	X	X	X	X	X	X	
Personal Service Uses	Massage establishment	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Model studio	X	X	X	X	X	X	X	X	X	X	X	<u>[27-5102(e)(7)(B)] Refer to special exception standards</u>
	All other personal service uses	X	X	X	X	X	X	X	X	P	P	P	27-5102(e)(7)
Recreation/ Entertainment Uses	Amusement park	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Arena, stadium, or amphitheater	X	X	X	X	X	X	X	X	X	X	X	<u>27-5102(e)(8)(A) and refer to special exception standards</u>
	Cinema	X	X	X	X	X	X	X	X	X	X	P	
	Club or lodge, private	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Commercial recreation attraction	SE	X	SE	X	X	X	X	X	X	X	X	Refer to special exception standards

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
	Commercial recreational facilities (privately owned) on land leased from a public agency	SE	SE	SE	SE	X	X	X	X	X	X	X	Refer to special exception standards
	Country club	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Entertainment establishment	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(8)(B)
	Golf course	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Golf driving range	X	SE	SE	SE	SE	X	X	X	X	X	X	Refer to special exception standards
	Nightclub	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(8)(B) and refer to special exception standards
	Nonprofit recreational use	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Performance arts center	X	X	X	X	X	X	P	P	P	P	P	Refer to special exception standards
	Racetrack, pari-mutuel	X	SE	SE	X	SE	X	X	X	X	X	X	[27-5102(e)(8)] Refer to special exception standards
	Recreation facility, indoor	X	P	P	P	P	P	P	P	P	P	P	27-5102(e)(8) and refer to special exception standards
	Recreation facility, outdoor	X	SE	SE	SE	SE	SE	SE	P	P	P	P	27-5102(e)(8)(C) and refer to special exception standards

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P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited														
Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards	
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48		
	Recreational or entertainment establishment of a commercial nature	X	X	X	X	X	X	X	X	X	X	X	X	<u>27-5102(e)(8)(C)</u> and [R]refer to special exception standards
	Rifle, pistol, or skeet shooting range: indoor	X	X	SE	X	SE	X	X	X	X	X	X	X	<u>27-5102(e)(8)(D)</u> and [R]refer to special exception standards
	Rifle, pistol, or skeet shooting range: outdoor; lot area ≤ 20 acres	X	SE	SE	X	SE	X	X	X	X	X	X	X	Refer to special exception standards
	Rifle, pistol, or skeet shooting range: outdoor; lot area > 20 acres	SE	SE	SE	X	SE	X	X	X	X	X	X	X	Refer to special exception standards
	Skating facility	SE	SE	SE	X	SE	X	X	X	X	X	X	X	<u>27-5102(e)(8)(E)</u> and refer to special exception standards
	Waterfront entertainment/retail complex	[X] P	[X] P	[X] P	[X] P	[X] P	[X] P	X	X	X	X	X	X	
Retail Sales and Service Uses	Automated teller machine (ATM), freestanding	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(9)(A)
	Bank or other financial institution	X	X	X	X	X	X	X	X	X	P	P	P	27-5102(e)(9)(B)
	Check cashing business	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Combination retail	X	X	X	X	X	X	X	X	X	X	X	X	<u>27-5102(e)(9)(C)</u> and [R]refer to special exception standards
	Consumer goods establishment	X	X	X	X	X	X	X	X	X	P	P	P	
	Convenience store	X	X	X	X	X	X	X	X	X	P	P	P	27-5102(e)(9)(D)
	Drug store or pharmacy	X	X	X	X	X	X	X	X	P	P	P	P	27-5102(e)(9)(E)
	Farmers’ market	P	P	P	P	P	X	X	X	P	P	P	P	27-5102(e)(9)(F)
	Food and market hall	X	X	X	X	X	X	X	X	X	X	X	X	

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
	Grocery store or food market	X	X	X	X	X	X	X	X	P	P	P	
	Manufactured or modular home sales	X	X	X	X	X	X	X	X	X	X	X	
	Medical cannabis dispensary	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Pawnshop	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Tobacco shop, electronic cigarette shop or retail tobacco business	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
Vehicle Sales and Service Uses	Commercial fuel depot	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(A) and refer to special exception standards
	Commercial vehicle repair and maintenance	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Commercial vehicle sales and rental and Personal vehicle sales and rental	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(D) and refer to special exception standards
	Gas station	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	<u>Heavy equipment sales, rental, servicing, or storage</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	
	Personal vehicle repair and maintenance	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(C) and refer to special exception standards
	Taxi or limousine service facility	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(E)
	[Vehicle and trailer rental display]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]
	Vehicle parts or tire store	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(F)

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards	
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48		
	Vehicle paint finishing shop and vehicle or trailer storage yard	X	X	X	X	X	X	X	X	X	X	X	X	
	Vehicle towing and wrecker service	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(G) and refer to special exception standards
Visitor Accommodation Uses	Bed and breakfast (as accessory to single-family dwelling)	P	P	P	P	P	P	P	P	P	P	X	X	27-5102(e)(11)(A)
	Country inn	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	X	X	Refer to special exception standards
	Hotel or motel	X	X	X	X	SE	X	X	X	X	X	X	X	27-5102(e)(11)(B) and [R]refer to special exception standards
	Recreational campground	SE	SE	SE	X	SE	X	X	X	X	X	X	X	27-5102(e)(11)(C) and [R]refer to special exception standards
Water-Related Uses	Boat sales, rental, service, or repair	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(12)(A) and refer to special exception standards
	Boat storage yard	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(12)(B) and refer to special exception standards)
	Marinas and marina expansions	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Waterfront boat fuel sales	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
Industrial Uses														

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards	
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48		
Extraction Uses	Sand and gravel wet-processing	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(f)(2)(A) and [R]</u> refer to special exception standards
	Surface mining	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
Industrial Service Uses	Bulk storage of gasoline	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Contractor’s yard, photographic processing plant	X	X	X	X	X	X	X	X	X	X	X	X	
	Dry-cleaning, laundry, or carpet-cleaning plant	X	X	X	X	X	X	X	X	X	X	X	X	
	Fuel oil or bottled gas distribution	X	X	X	X	X	X	X	X	X	X	X	X	
	Landscaping contractor’s business	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	Refer to special exception standards
	Printing or similar reproduction facility, small engine repair shop	X	X	X	X	X	X	X	X	X	X	X	X	<u>Refer to special exception standards</u>
	Liquid gas storage	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Research and development	X	X	X	X	X	X	X	X	X	X	X	X	
	Slaughterhouse	X	X	X	X	X	X	X	X	X	X	X	X	
Manufacturing Uses	Abrasives and asbestos products manufacturing	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Alcohol production facility, large-scale	X	X	X	X	X	X	X	X	X	X	X	X	<u>Refer to special exception standards</u>
	Asphalt mixing plant	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
	Beverage bottling	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Cement manufacturing	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Concrete batching plant	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Concrete or brick products manufacturing	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(3)(A)
	Food processing	X	SE	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Heavy armament fabrication	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Manufacturing, assembly, or fabrication, light	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Manufacturing, assembly, or fabrication, heavy	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(3)(D) and refer to special exception standards
	Paper and paperboard products	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(3)(C) and[R]refer to special exception standards
Warehouse and Freight Movement Uses	Cold storage plant or distribution warehouse	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Consolidated storage	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(4)(A) and refer to special exception standards

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
	Motor freight facility	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Outdoor storage (as a principal use)	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(4)(B) and refer to special exception standards
	Storage warehouse	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Warehouse showroom	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(4)(C) and refer to special exception standards
Resource Recovery and Waste Management Uses	Class 3 fill	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Composting facility	P	P	P	X	X	X	X	X	X	X	X	
	Concrete recycling facility	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Electronic recycling facility	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Junkyard	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Paper recycling collection center	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Recycling collection center	X	P	P	P	P	P	P	P	P	P	P	27-5102(f)(5)(A) and refer to special exception standards

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Principal Use Category	Principal Use Type	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
		ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
	Recycling of non-ferrous metals	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Recycling plant	X	X	X	X	SE	X	X	X	X	X	X	<u>27-5102(f)(5)(B) and [R]</u> refer to special exception standards
	Sanitary landfill; rubble fill	SE	SE	SE	SE	SE	X	X	X	X	X	X	Refer to special exception standards
	Solid waste processing facility	X	X	X	X	X	X	X	X	X	X	X	<u>27-5102(f)(5)(C) and [R]</u> Refer to special exception standards
	Solid waste transfer station	X	X	X	X	X	X	X	X	X	X	X	<u>27-5102(f)(5)(D) and [R]</u> Refer to special exception standards
	[Temporary rubble (construction and demolition debris) landfill]	[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[SE]	[Refer to special exception standards]
	Vehicle salvage yard	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
Wholesale Uses	Food or beverage distribution at wholesale	X	X	X	X	X	X	X	X	X	X	X	Refer to special <u>exception standards</u>
	All other wholesale uses	X	X	X	X	X	X	X	X	X	X	X	

(d) Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones

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Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																	
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																	
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones								Other Base Zones	Use-Specific Standards	
							NAC	TAC		LTO		RTO-L		RTO-H			
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge		RMH
Rural and Agricultural Uses																	
Agriculture/Forestry Uses	Agriculture	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(1)(A)
	Forestry	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Keeping of horses or ponies	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Medical cannabis grower and/or processor	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(b)(1)(B)
	Nursery and [G]arden [C]enter	X	X	X	[X] P	[X] P	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Urban agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(1)(C)
Agriculture/ Forestry Related Uses	Agriculture research facility	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Equestrian center	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Farm-based alcohol production	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	27-5102(b)(2)(A)
	Farm market	P	P	P	P	P	X	X	X	X	X	X	X	X	X	P	
	Farm supply sales or farm machinery/implement sales, rental, or repair	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Food hub	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Riding stable	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	
	Sawmill	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	27-5102(b)(2)(B) and refer to special exception standards

Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																		
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																		
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H		RMH		
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Open Space Uses	Arboretum or botanical garden, park or greenway, or public water-oriented recreational and educational area	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(b)(3)(A)
Residential Uses																		
Household Living Uses	Artists' residential studios	P	P	P	P	SE	P	P	P	P	P	P	P	P	P	P	X	27-5102(c)(1)(A) and refer to special exception standards
	Conversion of a single-family detached dwelling to add a maximum of two (2) additional dwelling units	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Dwelling, live-work	P	P	P	P	SE	P	P	P	P	P	X	P	X	P	X	X	27-5102(c)(1)(B) and refer to special exception standards
	Dwelling, multifamily	P	P	P	P	SE	P	P	P	P	P	P	P	P	P	P	X	27-5102(c)(1)(D) and refer to special exception standards
	Dwelling, single-family detached	P	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
	Dwelling, three-family	P	X	X	X	X	P	P	P	[P] X	P	X	P	X	P	X	X	
	Dwelling, townhouse	P	X	P	X	X	P	P	P	[P] X	P	X	P	X	P	X	X	
	Dwelling, two-family	P	X	X P	X	X	[X] P	[X] P	[X] P	X	[X] P	X	[X] P	X	[X] P	X	X	
	[Elderly housing (single-family attached dwellings)]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]
	[Elderly housing (single-family detached dwellings)]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]

Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																			
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																			
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards	
		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H		RMH			
								Core	Edge	Core	Edge	Core	Edge	Core	Edge				
	Manufactured home park	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(c)(1)(E)	
	Mobile home	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P 27-5102(c)(1)(C) and refer to special exception standards	
Group Living Uses	Apartment housing for elderly or physically disabled families	X	X	P	X	X	P	SE	P	P	P	P	P	P	P	P	X	Refer to special exception standards	
	Assisted living facility	≤ 8 elderly or handicapped residents	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(c)(2)(A) and refer to special exception standards
		> 8 elderly or handicapped residents	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	X	Refer to special exception standards
	Boarding or rooming house	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(c)(2)(D) and refer to special exception standards
	[Congregate living facility]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]	
	Convent or monastery	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	X	
	Fraternity or sorority house	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Group residential facility	X	X	X	X	X	P	X	P	X	P	X	P	X	P	X	P	X	27-5102(c)(2)(B)
	Planned retirement community	X	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Private Dormitory	X	X	P	X	X	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(c)(2)(C)
Public, Civic, and Institutional Uses																			
Communication Uses	Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(d)(1)(A)	

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							NAC	TAC		LTO		RTO-L		RTO-H				
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge	RMH		
	Broadcasting studio and Newspaper/periodical publishing establishment	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Tower, pole, or monopole	SE	SE	SE	[SE] P	[SE] P	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(d)(1)(B) and [R]</u> refer to special exception standards	
Community Service Uses	Adaptive use of a Historic Site	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards	
	Adult day care center	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	<u>27-5102(d)(2)(D) and refer to special exception standards</u>	
	Cultural facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>Refer to special exception standards</u>	
	Day care center for children	SE	SE	SE	SE	SE	P	P	P	P	P	P	P	P	P	X	<u>27-5102(d)(2)(A) and refer to special exception standards</u>	
	Eleemosynary or philanthropic institution	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	Refer to special exception standards
	Emergency services facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>Refer to special exception standards</u>
	[Family child care home, large]	[P]	[P]	[P]	[P]	[P]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[<u>27-5102(d)(2)(B)</u>]
	[Family child care home, small]	[P]	[P]	[P]	[P]	[P]	[P]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[<u>27-5102(d)(2)(B)</u>]

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							NAC	TAC		LTO		RTO-L		RTO-H				
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge	Core		
	Place of worship located on a lot less than 1 acre in size	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(d)(2)(C) and refer to special exception standards
	Place of worship located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Place of worship located on a lot between 1 and 2 acres in size	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Place of worship located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Place of worship, all others	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Educational Uses	Adaptive reuse of a surplus public school	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	College or university	X	P	P	P	SE	P	P	P	P	P	P	P	P	P	P	X	27-5102(d)(3)(A) and refer to special exception standards
	<u>Driving school</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>27-5102(d)(3)(D)</u>	
	Private school	X	P	P	SE	SE	P	P	P	P	P	P	P	P	P	P	X	27-5102(d)(3)(B) and refer to special exception standards
	Vocational or trade school	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	

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							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Water dependent research facility or activity operated by government or educational institution	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(d)(3)(C) and refer to special exception standards
Health Care Uses	Hospital	X	P	P	P	X	X	P	P	P	P	P	P	P	P	P	X	Refer to special exception standards
	Health campus	X	P	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Medical or dental office or lab	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	
	Medical/residential campus	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Methadone treatment center	X	SE	SE	SE	SE	X	X	SE	X	SE	X	SE	X	SE	X	SE	Refer to special exception standards
	Nursing or care home	X	P	P	P	X	X	P	P	P	P	P	P	P	P	P	P	X
Transportation Uses	Airfield, Airpark, Airport, or Airstrip	X	SE	SE	SE	SE	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	X	Refer to special exception standards
	Park and ride facility	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	Refer to special exception standards
	Parking facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(d)(5)(A) and refer to special exception standards

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Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H		RMH		
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Parking of commercial vehicles	X	[X] P	[X] P	[X] P	[X] P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Transit station or terminal	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Refer to special exception standards
Utility Uses	Solar energy systems, large-scale	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(d)(6)(A) and refer to special exception standards
	Public utility uses or structures, major	X	P	SE	SE	P	X	X	SE	X	SE	X	SE	X	SE	X	SE	27-5102(d)(6)(B) and refer to special exception standards
	Public utility uses or structures, minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Wind energy conversion system, large-scale	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	X
Commercial Uses																		
Adult Uses	Adult Book or Video Store	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(2)
	Adult Entertainment	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(2)
Animal Care Uses	Animal shelter	X	P	P	P	P	P	P	P	P	P	X	X	X	X	X	X	27-5102(e)(3)(A) and refer to special exception standards
	Kennel of a lot having a net area of 20,000 sq. ft. or less	X	SE	SE	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(3)(D) and refer to special exception standards

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		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H		RMH		
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Kennel on a lot having a net area of more than 20,000 sq. ft.	X	SE	SE	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(3)(E) and refer to special exception standards
	Pet grooming establishment	X	P	P	P	P	P	P	P	P	P	X	P	X	P	X	X	27-5102(e)(3)(B)
	Veterinary hospital or clinic	X	P	P	P	P	P	P	P	P	P	X	P	X	P	X	X	27-5102(e)(3)(C) and refer to special exception standards
Arts and Artisanal Production Uses	Art gallery	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Art, photography, music, dance, yoga, pilates, or martial arts studio or schools	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	Refer to special exception standards
	Manufacturing, artisan or maker	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	Refer to special exception standards
	Tattoo or body piercing establishment	P	P	P	X	X	P	P	P	P	P	P	P	P	P	P	X	
Business Support Service Uses	Qualified data center	X	X	P	P	P	P	[X] P	[X] P	X	X	X	X	X	X	X	X	27-5102(e)(4)(B)
	All other business support service uses	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(e)(4)
Eating or Drinking Establishment Uses	Alcohol production facility, small-scale; shared commercial kitchen; Restaurant; and Restaurant, quick-service (without drive-through)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(e)(5)
	Catering establishment	X	X	P	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Catering or food processing for off-site consumption	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(5)(C)
	Restaurant, quick-service (with drive-through)	X	P	P	P	X	X	X	P	X	X	X	X	X	X	X	X	X

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							NAC	TAC		LTO		RTO-L		RTO-H				
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge	Core		
Funeral and Mortuary Services Uses	Cemetery or crematory	X	SE	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Funeral parlor or undertaking establishment	X	SE	SE	P	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(6)(A) and refer to special exception standards
	All other funeral and mortuary uses	X	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
Office Uses	Contractor’s office	X	P	P	P	P	X	X	P	X	X	X	X	X	X	X	X	
	Office, general business and professional	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Office park	X	P	P	P	P	X	X	X	X	X	X	X	X	X	X	X	
Personal Service Uses	Massage establishment	X	SE	SE	[X] P	[X] P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Model studio	X	SE	X	X	SE	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	All other personal service uses	P	P	P	[X] P	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(7)
Recreation/ Entertainment Uses	Amusement park	X	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Arena, stadium, or amphitheater	X	SE	SE	SE	X	X	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	27-5102(e)(8)(A) and [R] refer to special exception standards
	Cinema	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	
	Club or lodge, private	P	P	SE	P	P	P	P	P	P	P	P	P	P	P	P	P	Refer to special exception standards

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		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H		RMH		
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Commercial recreation attraction	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Commercial recreational facilities (privately owned) on land leased from a public agency	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Country club	X	P	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Entertainment establishment	X	X	P	X	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(8)(B)
	Golf course	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Golf driving range	X	SE	SE	[X] P	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Nightclub	X	SE	SE	X	P	SE	P	P	P	P	P	P	P	P	P	P	27-5102(e)(8)(B) and refer to special exception standards
	Nonprofit recreational use	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Performance arts center	P	P	P	[X] P	X	P	P	P	P	P	P	P	P	P	P	P	Refer to special exception standards
	Racetrack, pari-mutuel	X	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	SE	Refer to special exception standards
	Recreation facility, indoor	X	P	P	P	X	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(8) and refer to special exception standards

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		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H				
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Recreation facility, outdoor	X	P	P	P	X	X	X	P	X	P	X	P	X	X	P	27-5102(e)(8)(C) and refer to special exception standards	
	Recreational or entertainment establishment of a commercial nature	X	P	P	X	X	P	P	P	P	P	P	P	P	P	X	27-5102(e)(8)(C) and refer to special exception standards	
	Rifle, pistol, or skeet shooting range: indoor	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	27-5102(e)(8)(D) and refer to special exception standards	
	Rifle, pistol, or skeet shooting range: outdoor; lot area ≤ 20 acres	X	SE	X	SE	SE	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	
	Rifle, pistol, or skeet shooting range: outdoor; lot area > 20 acres	X	SE	X	SE	SE	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	
	Skating facility	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	27-5102(e)(8)(E) and refer to special exception standards	
	Waterfront entertainment/retail complex	X	X	X	X	X	X	X	X	X	X	P	P	P	P	X		
Retail Sales and Service Uses	Automated teller machine (ATM), freestanding	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(9)(A)	
	Bank or other financial institution	P	P	P	[X] P	[X] P	P	P	P	P	P	P	P	P	P	X	27-5102(e)(9)(B)	
	Check cashing business	X	SE	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	Refer to special exception standards	

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							NAC	TAC		LTO		RTO-L		RTO-H				
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge	Core	Edge	
	Combination retail	X	X	SE	X	X	X	P	P	SE	SE	SE	SE	SE	SE	X	27-5102(e)(9)(C) and refer to special exception standards	
	Consumer goods establishment	P	P	P	[X] P	X	P	P	P	P	P	P	P	P	P	X		
	Convenience store	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(e)(9)(D)	
	Drug store or pharmacy	P	X	P	X	X	P	P	P	P	P	P	P	P	P	X	27-5102(e)(9)(E)	
	Farmers' market	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	27-5102(e)(9)(F)	
	Food and market hall	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X		
	Grocery store or food market	P	P	P	X	X	P	P	P	P	P	P	P	P	P	X		
	Manufactured or modular home sales	X	P	P	X	P	X	X	P	X	X	X	X	X	X	X		
	Medical cannabis dispensary	X	X	SE	X	X	X	X	X	X	SE	X	SE	X	SE	X	Refer to special exception standards	
	Pawnshop	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	
Tobacco shop, electronic cigarette shop or retail tobacco business	X	[SE] X	[SE] X	X	[X] SE	X	[SE] X	[SE] X	[SE] X	[SE] X	[SE] X	[SE] X	[SE] X	[SE] X	X	Refer to special exception standards		
Vehicle Sales and Service Uses	Commercial fuel depot	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(A) and refer to special exception standards	
	Commercial vehicle repair and maintenance	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	

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Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H		RMH		
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Commercial vehicle sales and rental and Personal vehicle sales and rental	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(D) and refer to special exception standards
	Gas station	X	SE	SE	SE	SE	SE	X	SE	X	SE	X	SE	X	SE	X	X	Refer to special exception standards
	<u>Heavy equipment sales, rental, servicing, or storage</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	
	Personal vehicle repair and maintenance	X	P	P	P	P	SE	X	P	X	X	X	X	X	X	X	X	27-5102(e)(10)(C) and refer to special exception standards
	Taxi or limousine service facility	X	P	P	P	[X] <u>P</u>	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(10)(E)
	[Vehicle and trailer rental display]	[X]	[SE]	[SE]	[SE]	[SE]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]
	Vehicle parts or tire store	X	P	[SE] <u>P</u>	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(10)(F) [and refer to special exception standards]
	Vehicle paint finishing shop and vehicle or trailer storage yard	X	X	X	X	P	X	X	P	X	X	X	X	X	X	X	X	
	Vehicle towing and wrecker service	X	P	SE	[SE] <u>P</u>	P	X	X	SE	X	[SE] <u>X</u>	X	[SE] <u>X</u>	X	[SE] <u>X</u>	X	X	27-5102(e)(10)(G) and refer to special exception standards

Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																		
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																		
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H		RMH		
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Visitor Accommodation Uses	Bed and breakfast (as accessory to single-family dwelling)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(11)(A)
	Country inn	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Hotel or motel	X	P	P	SE	SE	P	P	P	P	P	P	P	P	P	P	P	27-5102(e)(11)(B) and refer to special exception standards
	Recreational campground	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	X	SE	27-5102(e)(11)(C) and refer to special exception
Water-Related Uses	Boat sales, rental, service, or repair	X	P	SE	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(12)(A) and refer to special exception standards
	Boat storage yard	X	P	X	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(e)(12)(B) and refer to special exception standards
	Marinas and marina expansions	X	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Waterfront boat fuel sales	X	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
Industrial Uses																		

Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones RMH	Use-Specific Standards
		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H				
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Extraction Uses	Sand and gravel wet-processing	X	SE	SE	SE	P	X	X	X	X	X	X	X	X	X	X	SE	27-5102(f)(2)(A) and refer to special exception standards
	Surface mining	X	SE	SE	SE	[X] SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
Industrial Service Uses	Bulk storage of gasoline	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Contractor's yard, photographic processing plant	X	P	X	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Dry-cleaning, laundry, or carpet-cleaning plant	X	P	X	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Fuel oil or bottled gas distribution	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X	
	Landscaping contractor's business	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Printing or similar reproduction facility, small engine repair shop	X	P	SE	P	P	X	X	P	X	X	X	X	X	X	X	X	Refer to special exception standards
	Liquid gas storage	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Research and development	X	P	P	P	P	P	P	P	P	P	P	P	P	P	P	X	
	Slaughterhouse	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	X
Manufacturing Uses	Abrasives and asbestos products manufacturing	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Alcohol production facility, large-scale	X	SE	X	P	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards

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P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																		
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
							NAC	TAC		LTO		RTO-L		RTO-H				
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge	RMH		
	Asphalt mixing plant	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Beverage bottling	X	SE	X	P	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Cement manufacturing	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Concrete batching plant	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Concrete or brick products manufacturing	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(3)(A)
	Food processing	X	X	X	X	SE	X	X	P	X	X	X	X	X	X	X	X	Refer to special exception standards
	Heavy armament fabrication	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Manufacturing, assembly or fabrication, light	X	SE	P	P	P	P	P	P	X	P	X	X	X	X	X	X	Refer to special exception standards
	Manufacturing, assembly or fabrication, heavy	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(3)(D) and refer to special exception standards
	Paper and paperboard products	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(3)(C) and refer to special exception standards
Warehouse and Freight Movement Uses	Cold storage plant or distribution warehouse	X	X	X	[SE] P	P	X	X	P	X	X	X	X	X	X	X	X	Refer to special exception standards

Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																		
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																		
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H				
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
RMH																		
	Consolidated storage	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(4)(A) and refer to special exception standards
	Motor freight facility	X	X	X	[SE] P	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Outdoor storage (as a principal use)	X	SE	X	P	P	X	X	X	X	X	X	X	X	X	X	X	27-5102(f)(4)(B) and refer to special exception standards
	Storage warehouse	X	SE	X	P	P	X	X	P	X	X	X	X	X	X	X	X	Refer to special exception standards
	Warehouse showroom	X	SE	X	P	P	X	X	P	X	X	X	X	X	X	X	X	27-5102(f)(4)(C) and refer to special exception standards
Resource Recovery and Waste Management Uses	Class 3 fill	X	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Composting facility	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	X	
	Concrete recycling facility	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Electronic recycling facility	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Junkyard	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Paper recycling collection center	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards

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Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones										Other Base Zones	Use-Specific Standards
		CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H		RMH		
								Core	Edge	Core	Edge	Core	Edge	Core	Edge			
	Recycling collection center	X	SE	SE	P	P	X	X	P	X	P	X	P	X	P	P	27-5102(f)(5)(A) and refer to special exception standards	
	Recycling of non-ferrous metals	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	
	Recycling plant	X	X	X	SE	P	X	X	X	X	X	X	X	X	X	X	27-5102(f)(5)(B) and refer to special exception standards	
	Sanitary landfill; rubble fill	X	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	
	Solid waste processing facility	X	X	X	X	P	X	X	X	X	X	X	X	X	X	X	<u>27-5102(f)(5)(C) and [R]</u> Refer to special exception standards	
	Solid waste transfer station	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X	<u>27-5102(f)(5)(D) and [R]</u> Refer to special exception standards	
	[Temporary rubble (construction and demolition debris) landfill]	[SE]	[SE]	[SE]	[SE]	[SE]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]	
	Vehicle salvage yard	X	X	X	SE	SE	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	
Wholesale Uses	Food or beverage distribution at wholesale	X	P	SE	P	P	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards	
	All other wholesale uses	X	X	X	P	P	X	X	X	X	X	X	X	X	X	X		

1 (e) Principal Use Table for Planned Development Zones

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Rural and Agricultural Uses									
Agriculture/Forestry Uses	Agriculture	X	X	X	X	X	X	X	
	Community garden	A	A	A	A	A	A	A	27-5102(b)(1)(A)
	Forestry	A	X	X	X	X	X	X	
	Keeping of horses or ponies	X	X	X	X	X	X	X	
	Medical cannabis grower and/or processor	X	X	X	X	X	X	X	<u>27-5102(b)(1)(B)</u>
	Nursery and Garden Center	X	X	X	X	X	X	X	<u>Refer to special exception standards</u>
	Urban agriculture	A	X	X	X	X	A	A	<u>27-5102(b)(1)(C)</u>
Agriculture/Forestry Related Uses	Agriculture research facility	A	X	X	X	X	X	X	<u>Refer to special exception standards</u>
	Equestrian center	A	X	X	X	X	X	X	<u>Refer to special exception standards</u>
	Farm-based alcohol production	X	X	X	X	X	X	X	27-5102(b)(2)(A)
	Farm market	A	X	X	X	X	A	A	
	Farm supply sales or farm machinery/implement sales, rental, or repair	X	X	X	X	X	X	X	<u>Refer to special exception standards</u>
	Food hub	X	X	X	X	X	X	X	<u>Refer to special exception standards</u>
	Riding stable	A	X	X	X	X	X	X	
	Sawmill	SE	X	X	X	X	X	X	<u>27-5102(b)(2)(B) and [R]refer to special exception standards</u>
Open Space Uses	Arboretum or botanical garden, park or greenway, or public water-oriented recreational and educational area	A	A	A	A	A	A	A	27-5102(b)(3)(A)
Residential Uses									

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		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD		
Household Living Uses	Artists' residential studios	X	A	A	A	A	A	A	X	27-5102(c)(1)(A) and refer to special exception standards
	Conversion of a single-family detached dwelling to add a maximum of two (2) additional dwelling units	SE	X	X	X	X	X	X	X	Refer to special exception standards
	Dwelling, live-work	A	A	A	A	A	A	A	A	27-5102(c)(1)(B) and refer to special exception standards
	Dwelling, multifamily	A	A	A	A	A	A	A	A	27-5102(c)(1)(D) and refer to special exception standards
	Dwelling, single-family detached	A	[A] X	A	X	X	A	X		
	Dwelling, three-family	A	A	A	A	A	A	A		
	Dwelling, townhouse	A	A	A	A	A	A	A		27-5102(c)(1)(F)
	Dwelling, two-family	A	A	A	A	A	A	X		27-5102(c)(1)(G)
	[Elderly housing (single-family attached dwellings)]	[SE]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]
	[Elderly housing (single-family detached dwellings)]	[SE]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]
	Manufactured home park	X	X	X	X	X	X	X	X	27-5102(c)(1)(E)
Mobile home	X	X	X	X	X	X	X	X	27-5102(c)(1)(C) and refer to special exception standards	
Group Living Uses	Apartment housing for elderly or physically disabled families	A	A	A	A	A	A	X		Refer to special exception standards
	Assisted living facility	≤ 8 elderly or handicapped residents	X	X	X	X	X	[X] A	X	27-5102(c)(2)(A) and refer to special exception standards
		> 8 elderly or handicapped residents	X	X	A	A	A	[X] A	X	

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		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Boarding or rooming house	SE	X	X	X	X	X	X	<u>27-5102(c)(2)(D)</u> and [R]refer to special exception standards
	[Congregate living facility]	[SE]	[X]	[X]	[X]	[X]	[X]	[X]	[Refer to special exception standards]
	Convent or monastery	X	X	X	X	X	X	X	
	Fraternity or sorority house	X	X	X	X	X	X	X	Refer to special exception standards
	Group residential facility	A	X	X	X	X	[X] <u>A</u>	X	27-5102(c)(2)(B)
	Planned retirement community	SE	X	X	X	X	SE	SE	Refer to special exception standards
	Private Dormitory	X	X	X	X	X	X	X	27-5102(c)(2)(C)
Public, Civic, and Institutional Uses									
Communication Uses	Antenna	A	A	A	A	A	A	A	27-5102(d)(1)(A)
	Broadcasting studio and newspaper/periodical publishing establishment	A	A	A	A	A	A	A	
	Tower, pole, or monopole	SE	SE	SE	SE	SE	SE	SE	<u>27-5102(d)(1)(B)</u> and [R]refer to special exception standards
Community Service Uses	Adaptive use of a Historic Site	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	Adult day care center	A	A	A	A	A	A	X	27-5102(d)(2)(D) and refer to special exception standards
	Cultural facility	A	A	A	A	A	A	X	<u>Refer to special exception standards</u>
	Day care center for children	SE	A	A	A	A	A	SE	27-5102(d)(2)(A) and refer to special exception standards
	Eleemosynary or philanthropic institution	X	X	X	X	X	X	X	Refer to special exception standards

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		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Emergency services facility	A	A	A	A	A	A	A	Refer to special exception standards
	[Family child care home, large]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[27-5102(d)(2)(B)]
	[Family child care home, small]	[A]	[X]	[X]	[X]	[X]	[A]	[X]	[27-5102(d)(2)(B)]
	Place of worship located on a lot less than 1 acre in size	A	A	A	A	A	A	A	27-5102(d)(2)(C) and refer to special exception standards
	Place of worship located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size.	A	A	A	A	A	A	A	
	Place of worship located on a lot between 1 and 2 acres in size	A	A	A	A	A	A	A	
	Place of worship located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size	A	A	A	A	A	A	A	
	Place of worship, all others	A	A	A	A	A	A	A	
Educational Uses	Adaptive reuse of a surplus public school	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
	College or university	A	A	A	A	A	A	A	27-5102(d)(3)(A) and refer to special exception standards
	<u>Driving school</u>	<u>X</u>	<u>A</u>	<u>A</u>	<u>X</u>	<u>X</u>	<u>A</u>	<u>A</u>	<u>27-5102(d)(3)(D)</u>
	Private school	A	A	A	A	A	A	X	27-5102(d)(3)(B) and refer to special exception standards
	Vocational or trade school	X	A	A	A	A	A	A	
	Water dependent research facility or activity operated by a government or educational institution	X	X	X	X	X	A	X	27-5102(d)(3)(C) and refer to special exception standards
Health Care Uses	Hospital	X	X	A	A	A	A	X	Refer to special exception standards
	Health campus	SE	X	X	X	X	X	X	Refer to special exception standards

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		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Medical or dental office or lab	X	X	A	A	A	A	A	
	Medical/residential campus	SE	X	X	X	X	X	X	Refer to special exception standards
	Methadone treatment center	X	X	X	X	X	X	X	Refer to special exception standards
	Nursing or care home	A	A	A	A	A	A	X	27-5102(d)(4)(A) and refer to special exception standards
Transportation Uses	Airfield, Airpark, Airport or Airstrip	X	X	X	X	X	X	X	Refer to special exception standards
	Park and ride facility	X	X	A	A	A	A	A	Refer to special exception standards
	Parking facility	X	A	A	A	A	A	A	27-5102(d)(5)(A) and refer to special exception standards
	Parking of commercial vehicles	X	X	X	X	X	X	X	Refer to special exception standards
	Transit station or terminal	X	A	A	A	A	A	A	Refer to special exception standards
Utility Uses	Solar energy systems, large-scale	X	X	X	X	X	X	A	27-5102(d)(6)(A) and refer to special exception standards
	Public utility uses or structures, major	SE	X	X	X	X	X	SE	27-5102(d)(6)(B) and [R]refer to special exception standards
	Public utility uses or structures, minor	A	A	A	A	A	A	A	
	Wind energy conversion system, large-scale	X	X	X	X	X	X	A	27-5102(d)(6)(C) and refer to special exception standards
Commercial Uses									
Adult Uses	Adult book or video store	X	X	X	X	X	X	X	27-5102(e)(2)
	Adult entertainment	X	X	X	X	X	X	X	27-5102(e)(2)

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		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Animal Care Uses	Animal shelter	A	A	A	A	A	A	X	27-5102(e)(3)(A) and refer to special exception standards
	Kennel of a lot having a net area of 20,000 sq. ft. or less	X	X	X	X	X	SE	A	27-5102(e)(3)(D) and refer to special exception standards
	Kennel on a lot having a net area of more than 20,000 sq. ft.	X	X	X	X	X	SE	A	27-5102(e)(3)(E) and refer to special exception standards
	Pet grooming establishment	A	A	A	A	A	A	X	27-5102(e)(3)(B)
	Veterinary hospital or clinic	A	A	A	A	A	A	X	27-5102(e)(3)(C) and refer to special exception standards
	[All similar uses]								
Arts and Artisanal Production Uses	Art gallery	X	X	X	X	X	X	X	
	Art, photography, music, dance, yoga, pilates, or martial arts studio or schools	A	A	A	A	A	A	A	Refer to special exception standards
	Manufacturing, artisan or maker	X	A	A	A	A	A	A	Refer to special exception standards
	Tattoo or body piercing establishment	X	X	X	X	X	X	X	
Business Support Service Uses	Qualified data center	X	X	[X] A	X	X	X	A	27-5102(e)(4)(B)
	All other business support services	X	X	A	A	A	A	A	27-5102(e)(4)
Eating or Drinking Establishment Uses	Alcohol production facility, small-scale; shared commercial kitchen; Restaurant; and Restaurant, quick-service (without drive-through)	A	A	A	A	A	A	A	27-5102(e)(5)
	<u>Catering establishment</u>	X	X	X	X	X	A	A	
	Catering or food processing for off-site consumption	A	A	A	A	A	A	A	27-5102(e)(5)(C)
	Restaurant, quick-service (with drive-through)	A	X	X	X	X	X	A	27-5102(e)(5)(A)
Funeral and Mortuary Service Uses	Cemetery or crematory	SE	X	X	X	X	X	SE	Refer to special exception standards

Table 27-5101(e): Principal Use Table for Planned Development Zones									
A = Permitted, unless the District Council prohibits the use in the PD Basic Plan									
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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Funeral parlor or undertaking establishment	SE	X	X	X	X	SE	X	<u>27-5102(e)(6)(A) and [(R)]refer to special exception standards</u>
	All other funeral and mortuary uses	X	X	A	A	A	A	X	<u>Refer to special exception standards</u>
Office Uses	Contractor’s office	X	A	A	A	A	A	A	
	Office, general business and professional	A	A	A	A	A	A	A	
	Office park	X	A	A	A	A	A	A	
Personal Service Uses	Massage establishment	X	X	X	X	X	SE	X	Refer to special exception standards
	Model studio	X	X	X	X	X	X	X	<u>[27-5102(e)(7)(B)] Refer to special exception standards</u>
	All other personal service uses	A	A	A	A	A	A	X	27-5102(e)(7)
Recreation/ Entertainment Uses	Amusement park	X	X	X	X	X	X	X	Refer to special exception standards
	Arena, stadium, or amphitheater	X	X	A	A	A	X	X	<u>27-5102(e)(8)(A) and refer to special exception standards</u>
	Cinema	A	A	A	A	A	A	X	
	Club or lodge, private	X	X	X	X	X	X	X	Refer to special exception standards
	Commercial recreation attraction	X	X	X	X	X	X	X	Refer to special exception standards
	Commercial recreational facilities (privately owned) on land leased from a public agency	X	X	X	X	X	X	X	Refer to special exception standards
	Country club	X	X	X	X	X	X	X	<u>Refer to special exception standards</u>
	Entertainment establishment	X	A	A	A	A	A	X	27-5102(e)(8)(B)
Golf course	A	X	X	X	X	X	SE	X	Refer to special exception standards

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Golf driving range	A	X	X	X	X	X	X	Refer to special exception standards
	Nightclub	X	X	A	A	A	A	A	27-5102(e)(8)(B) and refer to special exception standards
	Nonprofit recreational use	SE	X	X	X	X	X	X	Refer to special exception standards
	Performance arts center	X	A	A	A	A	A	X	Refer to special exception standards
	Racetrack, pari-mutuel	X	X	X	X	X	SE	X	Refer to special exception standards
	Recreation facility, indoor	A	A	A	A	A	A	X	27-5102(e)(8) and refer to special exception standards
	Recreation facility, outdoor	A	X	A	A	A	A	A	27-5102(e)(8)(C) and refer to special exception standards
	Recreational or entertainment establishment of a commercial nature	X	A	A	A	A	A	X	27-5102(e)(8)(C) and refer to special exception standards
	Rifle, pistol, or skeet shooting range: indoor	X	X	X	X	X	X	A	27-5102(e)(8)(D) and refer to special exception standards
	Rifle, pistol, or skeet shooting range: outdoor; lot area ≤ 20 acres	X	X	X	X	X	X	SE	Refer to special exception standards
	Rifle, pistol, or skeet shooting range: outdoor; lot area > 20 acres	X	X	X	X	X	X	X	Refer to special exception standards
	Skating facility	X	X	X	X	X	A	A	27-5102(e)(8)(E) and refer to special exception standards
	Waterfront entertainment/retail complex	X	X	A	A	A	A	X	

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Retail Sales and Service Uses	Automated teller machine (ATM), freestanding	X	A	A	A	A	A	A	27-5102(e)(9)(A)
	Bank or other financial institution	X	X	X	X	X	X	X	27-5102(e)(9)(B)
	Check cashing business	X	SE	SE	X	X	SE	SE	Refer to special exception standards
	Combination retail	X	X	A	A	A	A	X	27-5102(e)(9)(C) and refer to special exception standards
	Consumer goods establishment	A	A	A	A	A	A	A	
	Convenience store	A	A	A	A	A	A	A	27-5102(e)(9)(D)
	Drug store or pharmacy	X	A	A	A	A	A	X	27-5102(e)(9)(E)
	Farmers' market	A	A	A	A	A	A	A	27-5102(e)(9)(F)
	Food and market hall	X	A	A	A	A	A	A	
	Grocery store or food market	A	A	A	A	A	A	A	
	Manufactured or modular home sales	X	X	X	X	X	X	X	
	Medical cannabis dispensary	X	X	X	X	SE	SE	X	Refer to special exception standards
Pawnshop	X	X	X	X	X	SE	X	Refer to special exception standards	
Tobacco shop, electronic cigarette shop or retail tobacco business	X	X	[SE] X	[SE] X	[SE] X	X	X	Refer to special exception standards	
Vehicle Sales and Service Uses	Commercial fuel depot	X	X	X	X	X	X	X	27-5102(e)(10)(A) and refer to special exception standards
	Commercial vehicle repair and maintenance	X	X	X	X	X	X	X	Refer to special exception standards
	Commercial vehicle sales and rental and Personal vehicle sales and rental	X	X	X	X	X	X	X	27-5102(e)(10)(D) and refer to special exception standards
	Gas station	X	X	SE	X	X	SE	SE	Refer to special exception standards

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	<u>Heavy equipment sales, rental, servicing, or storage</u>	X	X	X	X	X	X	X	
	Personal vehicle repair and maintenance	X	X	A	X	X	A	X	27-5102(e)(10)(C) <u>and refer to special exception standards</u>
	Taxi or limousine service facility	X	X	A	A	A	A	A	27-5102(e)(10)(E)
	[Vehicle and trailer rental display]	[X]	[X]	[X]	[X]	[X]	[SE]	[SE]	[Refer to special exception standards]
	Vehicle parts or tire store	X	X	X	X	X	X	X	27-5102(e)(10)(F)
	Vehicle paint finishing shop and vehicle or trailer storage yard	X	X	X	X	X	X	X	
	Vehicle towing and wrecker service	X	X	X	X	X	X	X	27-5102(e)(10)(G) <u>and refer to special exception standards</u>
Visitor Accommodation Uses	Bed and breakfast (as accessory to single-family dwelling)	A	X	X	X	X	X	X	27-5102(e)(11)(A)
	Country inn	SE	X	X	X	X	SE	X	Refer to special exception standards
	Hotel or motel	X	A	A	A	A	A	A	27-5102(e)(11)(B) <u>and refer to special exception standards</u>
	Recreational campground	X	X	X	X	X	X	X	27-5102(e)(11)(C) <u>and refer to special exception standards</u>
Water-Related Uses	Boat sales, rental, service, or repair	X	X	X	X	X	X	X	27-5102(e)(12)(A) <u>and refer to special exception standards</u>
	Boat storage yard	X	X	X	X	X	X	X	27-5102(e)(12)(B) <u>and refer to special exception standards</u>
	Marinas and marina expansions	X	X	X	X	X	X	X	Refer to special exception standards

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Waterfront boat fuel sales	X	X	X	X	X	X	X	Refer to special exception standards
Industrial Uses									
Extraction Uses	Sand and gravel wet-processing	SE	X	X	X	X	SE	SE	27-5102(f)(2)(A) and [R]refer to special exception standards
	Surface mining	X	X	X	X	X	X	X	Refer to special exception standards
Industrial Service Uses	Bulk storage of gasoline	X	X	X	X	X	X	SE	Refer to special exception standards
	Contractor’s yard, photographic processing plant	X	X	X	X	X	X	X	
	Dry-cleaning, laundry, or carpet-cleaning plant	X	X	X	X	X	X	X	
	Fuel oil or bottled gas distribution	X	X	X	X	X	X	X	
	Landscaping contractor’s business	X	X	X	X	X	X	X	Refer to special exception standards
	Printing or similar reproduction facility, small engine repair shop	X	X	X	X	X	X	X	Refer to special exception standards
	Liquid gas storage	X	X	X	X	X	X	SE	Refer to special exception standards
	Research and development	X	A	A	A	A	A	A	
Slaughterhouse	X	X	X	X	X	X	X		
Manufacturing Uses	Abrasives and asbestos products manufacturing	X	X	X	X	X	X	X	Refer to special exception standards
	Alcohol production facility, large-scale	X	X	A	A	A	A	A	Refer to special exception standards
	Asphalt mixing plant	X	X	X	X	X	X	X	Refer to special exception standards
	Beverage bottling	X	X	A	A	A	A	A	Refer to special exception standards

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
	Cement manufacturing	X	X	X	X	X	X	X	Refer to special exception standards
	Concrete batching plant	X	X	X	X	X	X	X	Refer to special exception standards
	Concrete or brick products manufacturing	X	X	[A] X	[A] X	[A] X	[A] X	A	27-5102(f)(3)(A)
	Food processing	X	X	X	X	X	X	X	Refer to special exception standards
	Heavy armament fabrication	X	X	X	X	X	X	SE	Refer to special exception standards
	Manufacturing, assembly, or fabrication, light	X	X	A	A	A	A	A	Refer to special exception standards
	Manufacturing, assembly, or fabrication, heavy	X	X	X	X	X	X	A	<u>27-5102(f)(3)(D) and refer to special exception standards</u>
	Paper and paperboard products	X	X	X	X	X	X	SE	<u>27-5102(f)(3)(C) and refer to special exception standards</u>
Warehouse and Freight Movement Uses	Cold storage plant or distribution warehouse	X	X	X	X	X	X	A	<u>Refer to special exception standards</u>
	Consolidated storage	X	X	X	X	X	X	A	27-5102(f)(4)(A) and refer to special exception standards
	Motor freight facility	X	X	X	X	X	X	A	<u>Refer to special exception standards</u>
	Outdoor storage (as a principal use)	X	X	X	X	X	X	X	<u>27-5102(f)(4)(B) and refer to special exception standards</u>
	Storage warehouse	X	X	X	X	X	X	A	<u>Refer to special exception standards</u>
	Warehouse showroom	X	X	X	X	X	X	A	<u>27-5102(f)(4)(C) and refer to special exception standards</u>

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Resource Recovery and Waste Management Uses	Class 3 fill	SE	X	X	X	X	SE	SE	Refer to special exception standards
	Composting facility	X	X	X	X	X	X	X	
	Concrete recycling facility	X	X	X	X	X	X	SE	Refer to special exception standards
	Electronic recycling facility	X	X	X	X	X	X	SE	Refer to special exception standards
	Junkyard	X	X	X	X	X	X	SE	Refer to special exception standards
	Paper recycling collection center	X	X	X	X	X	X	SE	Refer to special exception standards
	Recycling collection center	A	A	A	A	A	X	A	27-5102(f)(5)(A) and refer to special exception standards
	Recycling of non-ferrous metals	X	X	X	X	X	X	SE	Refer to special exception standards
	Recycling plant	X	X	X	X	X	X	X	27-5102(f)(5)(B) and refer to special exception standards
	Sanitary landfill; rubble fill	X	X	X	X	X	X	SE	Refer to special exception standards
	Solid waste processing facility	X	X	X	X	X	X	X	27-5102(f)(5)(C) and [R]Refer to special exception standards
	Solid waste transfer station	X	X	X	X	X	X	X	27-5102(f)(5)(D) and [R]Refer to special exception standards
	[Temporary rubble (construction and demolition debris) landfill]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	
Vehicle salvage yard	X	X	X	X	X	X	SE	Refer to special exception standards	

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Principal Use Category	Principal Use Type	Planned Development Zones							Use-Specific Standards
		R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Wholesale Uses	Food or beverage distribution at wholesale	X	X	X	X	X	X	X	Refer to special exception standards
	All other wholesale uses	X	X	X	X	X	X	X	

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(f) Principal Use Table for Overlay Zones

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Principal Use Category	Principal Use Type	CBCAO Zones (1)			APAO Zones							MIO Zones (2)			Use Specific Standards
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
Rural and Agricultural Uses															
Agriculture/Forestry Uses	Agriculture														
	Community garden														27-5102(b)(1)(A)
	Forestry														
	Keeping of horses or ponies														
	Medical cannabis grower and/or processor														27-5102(b)(1)(B)
	Nursery and Garden Center	X	X	X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Urban agriculture														27-5102(b)(1)(C)
Agriculture/Forestry Related Uses	Agriculture research facility														Refer to special exception standards
	Equestrian center											X	X		Refer to special exception standards
	Farm-based alcohol production														27-5102(b)(2)(A)
	Farm market														

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Principal Use Category	Principal Use Type	CBCAO Zones (1)			APAO Zones							MIO Zones (2)			Use Specific Standards	
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA		
	Farm supply sales or farm machinery/implement sales, rental, or repair															Refer to special exception standards
	Food hub															Refer to special exception standards
	Riding stable															
	Sawmill															27-5102(b)(2)(B) and refer to special exception standards
Open Space Uses	Arboretum or botanical garden, park or greenway, or public water-oriented recreational and educational area															27-5102(b)(3)(A)
Residential Uses																
Household Living Uses	Artists' residential studios				X	X								X		27-5102(c)(1)(A) and refer to special exception standards
	Conversion of a single-family detached dwelling to add a maximum of two (2) additional dwelling units															Refer to special exception standards
	Dwelling, live-work				X	X								X		27-5102(c)(1)(B) and refer to special exception standards
	Dwelling, multifamily				X	X							X	X		27-5102(c)(1)(D) and refer to special exception standards
	Dwelling, single-family detached				X	X						X				
	Dwelling, three-family				X	X						X				
	Dwelling, townhouse				X							X				27-5102(c)(1)(F)
Dwelling, two-family				X	X						X				27-5102(c)(1)(G)	

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Principal Use Category	Principal Use Type	CBCAO Zones (1)			APAO Zones							MIO Zones (2)			Use Specific Standards		
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA			
	[Elderly housing (single-family attached dwellings)]															[Refer to special exception standards]	
	[Elderly housing (single-family detached dwellings)]															[Refer to special exception standards]	
	Manufactured home park				X	X					X					27-5102(c)(1)(E)	
	Mobile home				X	X					X					27-5102(c)(1)(C) and refer to special exception standards	
Group Living Uses	Apartment housing for elderly or physically disabled families											X	X			Refer to special exception standards	
	Assisted living facility	≤ 8 elderly or handicapped residents				X	X	X	X		X		X	X			27-5102(c)(2)(A) and refer to special exception standards
		> 8 elderly or handicapped residents				X	X	X	X		X		X	X			exception standards
	Boarding or rooming house				X	X					X		X			27-5102(c)(2)(D) and refer to special exception standards	
	[Congregate living facility]											[X]	[X]			[Refer to special exception standards]	
	Convent or monastery				X	X					X		X	X			
	Fraternity or sorority house				X	X					X		X	X		Refer to special exception standards	
	Group residential facility				X	X					X		X	X		27-5102(c)(2)(B)	

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Principal Use Category	Principal Use Type	CBCAO Zones (1)			APAO Zones							MIO Zones (2)			Use Specific Standards
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	Planned retirement community											X	X		Refer to special exception standards
	Private dormitory				X	X					X	X			27-5102(c)(2)(C)
Public, Civic, and Institutional Uses															
Communication Uses	Antenna														27-5102(d)(1)(A)
	Broadcasting studio and Newspaper/periodical publishing establishment														
	Tower, pole, or monopole														<u>27-5102(d)(1)(B) and [R]</u> refer to special exception standards
Community Service Uses	Adaptive use of a Historic Site														Refer to special exception standards
	Adult day care center				X	X	X	X		X		X	X		27-5102(d)(2)(D) and refer to special exception standards
	Cultural facility											X	X		<u>Refer to special exception standards</u>
	Day care center for children				X	X	X	X		X		X	X	X	27-5102(d)(2)(A) and refer to special exception standards
	Eleemosynary or philanthropic institution											X	X		Refer to special exception standards
	Emergency services facility											X	X		<u>Refer to special exception standards</u>
	[Family child care home, large]				[X]	[X]	[X]	[X]		[X]		[X]	[X]	[X]	[27-5102(d)(2)(B)]

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Principal Use Category	Principal Use Type	CBCAO Zones (1)			APAO Zones							MIO Zones (2)			Use Specific Standards
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	[Family child care home, small]				[X]	[X]	[X]	[X]		[X]		[X]	[X]	[X]	[27-5102(d)(2)(B)]
	Place of worship located on a lot less than 1 acre in size												X		27-5102(d)(2)(C) and refer to special exception standards
	Place of worship located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size.												X		
	Place of worship located on a lot between 1 and 2 acres in size												X		
	Place of worship located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size												X		
	Place of worship, all others												X		
Educational Uses	Adaptive reuse of a surplus public school														Refer to special exception standards
	College or university				X	X	X	X		X		X	X		27-5102(d)(3)(A) and refer to special exception standards
	Driving school											X	X		27-5102(d)(3)(D)
	Private school				X	X	X	X		X		X	X	X	27-5102(d)(3)(B) and refer to special exception standards
	Vocational or trade school				X	X	X	X		X		X	X		
	Water-dependent research facility or activity operated by a government or educational institution	P*	P*	P*									X	X	27-5102(d)(3)(C) and refer to special exception standards
Health Care Uses	Hospital				X	X	X	X		X		X	X		Refer to special exception standards

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Principal Use Category	Principal Use Type	CBCAO Zones (1)			APAO Zones							MIO Zones (2)			Use Specific Standards
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	Health campus														Refer to special exception standards
	Medical or dental office or lab														
	Medical/residential campus														Refer to special exception standards
	Methadone treatment center											X	X		Refer to special exception standards
	Nursing or care home											X	X		27-5102(d)(4)(A) and refer to special exception standards
Transportation Uses	Airfield, Airpark, Airport or Airstrip														Refer to special exception standards
	Park and ride facility														Refer to special exception standards
	Parking facility														27-5102(d)(5)(A) and refer to special exception standards
	Parking of commercial vehicles														Refer to special exception standards
	Transit station or terminal											X	X		Refer to special exception standards
Utility Uses	Solar energy systems, large-scale														27-5102(d)(6)(A) and refer to special exception standards

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	Public utility uses or structures, major														27-5102(d)(6)(B) and refer to special exception standards
	Public utility uses or structures, minor														
	Wind energy conversion system, large-scale				X	X	X	X	X	X	X	X	X	X	<u>27-5102(d)(6)(C) and refer to special exception standards</u>
Commercial Uses															
Adult Uses	Adult book or video store	X													27-5102(e)(2)
	Adult entertainment	X													27-5102(e)(2)
Animal Care Uses	Animal shelter	X													<u>27-5102(e)(3)(A) and refer to special exception standards</u>
	Kennel of a lot having a net area of 20,000 sq. ft. or less	X													27-5102(e)(3)(D) and refer to special exception standards
	Kennel on a lot having a net area of more than 20,000 sq. ft.	X													27-5102(e)(3)(E) and refer to special exception standards
	Pet grooming establishment	X													27-5102(e)(3)(B)
	Veterinary hospital or clinic	X													<u>27-5102(e)(3)(C) and refer to special exception standards</u>
Arts and Artisanal Production Uses	Art gallery														
	Art, photography, music, dance, yoga, pilates, or martial arts studio or schools														<u>Refer to special exception standards</u>

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA		
	Manufacturing, artisan or maker															<u>Refer to special exception standards</u>
	Tattoo or body piercing establishment															
Business Support Service Uses	Qualified data center															27-5102(e)(4)(B)
	All business support services	X														27-5102(e)(4)
Eating or Drinking Establishment Uses	Alcohol production facility, small-scale; shared commercial kitchen; Restaurant; and Restaurant, quick-service (without drive-through)	X											X			27-5102(e)(5)
	<u>Catering establishment</u>	<u>X</u>											<u>X</u>			
	Catering or food processing for off-site consumption															27-5102(e)(5)(C)
	Restaurant, quick-service (with drive-through)	X											X			27-5102(e)(5)(A)
Funeral and Mortuary Service Uses	Cemetery or crematory															<u>Refer to special exception standards</u>
	Funeral parlor or undertaking establishment															<u>27-5102(e)(6)(A) and [(R)]refer to special exception standards</u>
	All other funeral and mortuary uses	X										X	X			[27-5102(e)(6) and r]Refer to special exception standards
Office Uses	Contractor’s office	X														
	Office, general business and professional	X														
	Office park	X														
Personal Service Uses	Massage establishment	X													Refer to special exception standards	

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	Model Studio	X													[27-5102(e)(7)(B)] Refer to special exception standards
	All other personal service uses	X													27-5102(e)(7)
Recreation/ Entertainment Uses	Amusement park	X													Refer to special exception standards
	Arena, stadium, or amphitheater	X										X	X		27-5102(e)(8)(A) and refer to special exception standards
	Cinema	X										X	X		
	Club or lodge, private											X	X		Refer to special exception standards
	Commercial recreation attraction														Refer to special exception standards
	Commercial recreational facilities (privately owned) on land leased from a public agency														Refer to special exception standards
	Country club	X										X	X		Refer to special exception standards
	Entertainment establishment	X													27-5102(e)(8)(B)
	Golf course	X													Refer to special exception standards
	Golf driving range	X													Refer to special exception standards

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA		
	Nightclub	X											X	X		27-5102(e)(8)(B) and refer to special exception standards
	Nonprofit recreational use															Refer to special exception standards
	Performance arts center	X											X	X		Refer to special exception standards
	Racetrack, pari-mutuel															Refer to special exception standards
	Recreation facility, indoor	X											X	X		27-5102(e)(8) and refer to special exception standards
	Recreation facility, outdoor	X											X	X	X	27-5102(e)(8)((C)) and refer to special exception standards
	Recreational or entertainment establishment of a commercial nature	X											X	X		27-5102(e)(8)(C) and refer to special exception standards
	Rifle, pistol, or skeet shooting range: indoor	X														27-5102(e)(8)(D) and refer to special exception standards
	Rifle, pistol, or skeet shooting range: outdoor; lot area ≤ 20 acres	X														Refer to special exception standards
	Rifle, pistol, or skeet shooting range: outdoor; lot area > 20 acres	X														Refer to special exception standards

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	Skating facility	X													27-5102(e)(8)(E) and refer to special exception standards
	Waterfront entertainment/retail complex	X										X	X		
Retail Sales and Service Uses	Automated teller machine (ATM), freestanding	X													27-5102(e)(9)(A)
	Bank or other financial institution	X											X		27-5102(e)(9)(B)
	Check cashing business	X													Refer to special exception standards
	Combination retail	X											X		27-5102(e)(9)(C) and [R]refer to special exception standards
	Consumer goods establishment	X											X		[27-5102(e)(9)(C) and refer to special exception standards]
	Convenience store	X													27-5102(e)(9)(D)
	Drug store or pharmacy	X													27-5102(e)(9)(E)
	Farmers’ market	X												X	27-5102(e)(9)(F)
	Food and market hall	X												X	
	Grocery store or food market	X												X	
	Manufactured or modular home sales	X													
	Medical cannabis dispensary	X													Refer to special exception standards
Pawnshop	X													Refer to special exception standards	

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Principal Use Category	Principal Use Type	CBCAO Zones (1)			APAO Zones							MIO Zones (2)			Use Specific Standards
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	Tobacco shop, electronic cigarette shop or retail tobacco business	X													Refer to special exception standards
Vehicle Sales and Service Uses	Commercial fuel depot	X													27-5102(e)(10)(A) and refer to special exception standards
	Commercial vehicle repair and maintenance	X													Refer to special exception standards
	Commercial vehicle sales and rental and Personal vehicle sales and rental	X													27-5102(e)(10)(D) and refer to special exception standards
	Gas station	X													[27-5102(e)(10)(B) and r]Refer to special exception standards
	<u>Heavy equipment sales, rental, servicing, or storage</u>	X													
	Personal vehicle repair and maintenance	X													27-5102(e)(10)(C) and refer to special exception standards
	Taxi or limousine service facility	X													27-5102(e)(10)(E)
	[Vehicle and trailer rental display]	[X]													[Refer to special exception standards]
	Vehicle parts or tire store	X													27-5102(e)(10)(F)
Vehicle paint finishing shop and vehicle or trailer storage yard	X														

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Principal Use Category	Principal Use Type	CBCAO Zones (1)			APAO Zones							MIO Zones (2)			Use Specific Standards
		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	Vehicle towing and wrecker service	X													<u>27-5102(e)(10)(G) and refer to special exception standards</u>
Visitor accommodation Uses	Bed and breakfast (as accessory to single-family dwelling)														27-5102(e)(11)(A)
	Country Inn	X													Refer to special exception standards
	Hotel or motel	X										X	X		27-5102(e)(11)(B) and refer to special exception standards
	Recreational campground	X													27-5102(e)(11)(C) and refer to special exception standards
Water-Related Uses	Boat sales, rental, service, or repair	X													<u>27-5102(e)(12)(A) and refer to special exception standards</u>
	Boat storage yard	X	SE*	SE*											27-5102(e)(12)(B) and refer to special exception standards
	Marinas and marina expansions	SE*	SE*	SE*											Refer to special exception standards
	Waterfront boat fuel sales	X										X	X		<u>Refer to special exception standards</u>
Industrial Uses															

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
Extraction Uses	Sand and gravel wet-processing	X	SE*	SE*								X	X		<u>27-5102(f)(2)(A)</u> and [R]refer to special exception standards
	Surface mining	X	SE*	SE*								X	X		Refer to special exception standards
Industrial Service Uses	Bulk storage of gasoline	X	X												Refer to special exception standards
	Contractor’s yard, photographic processing plant	X	X												
	Dry-cleaning, laundry, or carpet-cleaning plant	X	X												
	Fuel oil or bottled gas distribution	X	X									X	X		
	Landscaping contractor’s business	X	X												Refer to special exception standards
	Printing or similar reproduction facility, small engine repair shop	X	X												<u>Refer to special exception standards</u>
	Liquid gas storage	X	X												Refer to special exception standards
	Research and development	X	X												
Slaughterhouse	X	X													
Manufacturing Uses	Abrasives and asbestos products manufacturing	X	X												Refer to special exception standards
	Alcohol production facility, large-scale	X	X												<u>Refer to special exception standards</u>

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	Asphalt mixing plant	X	X												Refer to special exception standards
	Beverage bottling	X	X												<u>Refer to special exception standards</u>
	Cement manufacturing	X	X												Refer to special exception standards
	Concrete batching plant	X	X									X	X		Refer to special exception standards
	Concrete or brick products manufacturing	X	X									X	X		27-5102(f)(3)(A)
	Food processing	X	X												<u>Refer to special exception standards</u>
	Heavy armament fabrication	X	X												Refer to special exception standards
	Manufacturing, assembly, or fabrication, light	X	X												<u>Refer to special exception standards</u>
	Manufacturing, assembly, or fabrication, heavy	X	X												<u>27-5102(f)(3)(D) and refer to special exception standards</u>
	Paper and paperboard products	X	X												<u>27-5102(f)(3)(C) and [R]refer to special exception standards</u>
Warehouse and Freight Movement Uses	Cold storage plant or distribution warehouse	X	X												<u>Refer to special exception standards</u>

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	HINA	
	Consolidated storage	X	X												27-5102(f)(4)(A) and refer to special exception standards
	Motor freight facility	X	X												<u>Refer to special exception standards</u>
	Outdoor storage (as a principal use)	X	X												27-5102(f)(4)(B) and refer to special exception standards
	Storage warehouse	X	X												<u>Refer to special exception standards</u>
	Warehouse showroom	X	X												27-5102(f)(4)(C) and refer to special exception standards
Resource Recovery and Waste Management Uses	Class 3 fill	X	X									X	X		Refer to special exception standards
	Composting facility	X	X									X	X		
	Concrete recycling facility	X	X									X	X		Refer to special exception standards
	Electronic recycling facility	X	X												<u>Refer to special exception standards</u>
	Junkyard	X	X												Refer to special exception standards
	Paper recycling collection center	X	X												Refer to special exception standards

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	Recycling collection center	X	X									X	X		27-5102(f)(5)(A) and refer to special exception standards
	Recycling of non-ferrous metals	X	X												Refer to special exception standards
	Recycling plant	X	X												27-5102(f)(5)(B) and refer to special exception standards
	Sanitary landfill; rubble fill	X	X	X								X	X		Refer to special exception standards
	Solid waste processing facility	X	X									X	X		27-5102(f)(5)(C) and [R] Refer to special exception standards
	Solid waste transfer station	X	X									X	X		27-5102(f)(5)(D) and [R] Refer to special exception standards
	[Temporary rubble (construction and demolition debris) landfill]	[X]	[X]									[X]	[X]		
	Vehicle salvage yard	X	X												Refer to special exception standards
Wholesale Uses	Food or beverage distribution at wholesale	X	X												Refer to special exception standards
	All other wholesale uses	X	X												

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		RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ	

NOTES:

- (1) Section 27-5102(e)(1), General CBAO Zone Use Standard Modifications, contains additional standards for uses in the CBCAO Zone.
- (2) Section 27-4402(c)(4), Modified Use Standards for MIO Zone, contains additional standards for uses in the MIO Zone.

* * * * *

1
2

1 **27-5102. Requirements for Permitted Principal Uses**

- 2 * * * * *
- 3 **(b) Agricultural Uses**
- 4 * * * * *

5 **(2) Agriculture/Forestry-Related Uses**

6 **(A) Farm-based Alcohol Production**

- 7 **(i)** This use shall be located on land at least two (2) acres in area.
- 8 **(ii)** Farm-based alcohol production shall not be permitted on a lot or open space
- 9 parcel within a subdivision that is subject to a governance structure and regulations (i.e., a homeowners'
- 10 association and recorded covenants).

11 **(iii)** Sampling and sale for on- and off-site consumption of products produced on
12 the premises is allowed as an accessory use, subject to the following:

13 **(aa)** Such activity shall comply with State and County alcohol laws and
14 regulations; and

15 **(bb)** Areas designated for [wine] tasting (tasting rooms) shall not occupy
16 more than 60 percent of the total gross floor area of the principal building used for the processing of
17 alcohol.

18 **(iv)** [Snack foods or prepackaged foods like sandwiches, soups, or salads, and
19 nonalcoholic beverages that are consumed on the premises are allowed] The sale of food is permitted on
20 the premises in accordance with State law; however, the farm-based alcohol production facility may not
21 include a grocery store or food market.

22 **(v)** A restaurant may be permitted as a special exception approved in accordance
23 with Section 27-3604, Special Exception, provided it is found to be compatible with the [rural] character
24 of the farm and the surrounding area.

25 **(vi)** Retail sales of merchandise or items other than alcohol are permitted if the
26 items sold are primarily associated with the farm-based alcohol production use (e.g., glassware and
27 souvenirs) or are locally produced goods that would be permitted to be sold at an artisans' and crafters'
28 market or farmers' market. Promotional or special events related to the farm-based alcohol production
29 facility—such as, but not limited to, wine festivals, publicly advertised functions, workshops, fund-raising
30 or charitable functions, weddings, receptions, social events, or cultural exhibits—where the number of
31 persons in attendance at any given time exceeds 200 persons shall be restricted to 12 events per calendar
32 year. Smaller functions with less attendance—such as, but not limited to, alcohol tastings, private parties,
33 production facility tours, meetings, or picnics—are permitted without limitation on the number of events.

1 (vii) The farm-based alcohol production use shall be compatible with the [rural]
2 character of the farm and the surrounding area.

3 * * * * *

4 (d) Public, Civic, and Institutional Uses

5 (1) Communication Uses

6 (A) Antenna

7 (i) Any telecommunication equipment building related to the antenna shall have
8 no more than 560 square feet of gross floor area and shall be screened by means of opaque landscaping
9 and/or berming in accordance with Section 27-6500, Landscaping.

10 (ii) Antennae associated with small wireless facilities within the public right-of-
11 way are exempt from the regulations of this Subsection and instead are subject to the requirements of
12 Subtitle 5A, Cable Television and Telecommunications, of the County Code.

13 (B) Tower, Pole, or Monopole

14 (1) A tower, pole, or monopole for the support of an antenna (electronic, radio,
15 television, transmitting, or receiving) may be permitted, subject to the following:

16 (A) In the IE and IH zones, the structure shall generally be set back from
17 all property lines and dwelling units a distance equal to the height of the structure (measured from its
18 base). The District Council may reduce the setback to no less than one-half (1/2) the height of the
19 structure based on certification from a registered engineer that the structure will meet the applicable
20 design standards for wind loads of the Electronic Industries Association (EIA) for Prince George's
21 County;

22 (B) On privately owned land, the structure shall not be used to support
23 lights or signs other than those required for aircraft warning or other safety purposes;

24 (C) Any tower or monopole which was originally used, but is no longer
25 used, for telecommunications purposes for a continuous period of one (1) year shall be removed by the
26 tower or monopole owner at the owner's expense; and

27 (D) Any related telecommunication equipment building shall be screened
28 by means of landscaping or berming to one hundred percent (100%) opacity.

29 * * * * *

30 (5) Transportation Uses

31 (A) Parking Facility

32 (i) Parking of motor vehicles shall be the primary use of the facility. Except as
33 otherwise expressly provided in this Ordinance, no other business shall be conducted in the parking

1 facility—including, but not limited to, repair, servicing, washing, or display of vehicles, or storage of
2 goods.

3 **(B) Parking of Commercial Vehicles**

4 **(1) A commercial vehicle having a manufacturer's gross vehicle weight**
5 **specification of greater than 17,000 pounds may be permitted, subject to the following:**

6 **(A) Where possible, the vehicle should be parked at least three hundred**
7 **(300) feet from any dwelling on any adjoining lot, existing at the time of application;**

8 **(B) The applicant shall demonstrate that the anticipated noise levels will**
9 **not be detrimental to the use of adjacent properties;**

10 **(C) The vehicle shall be adequately screened from adjacent residentially**
11 **zoned properties;**

12 **(D) The vehicle may only be parked overnight one night;**

13 **(E) The vehicle shall be related to the use(s) of the subject property; and**

14 **(F) The vehicle may not be used for advertisement of uses, goods, or**
15 **services offered on- or off-site.**

16 * * * * *

17 **(2) Community Service Uses**

18 * * * * *

19 **(B) [Family Child Care Home (Large or Small)] RESERVED**

20 **(i) The family child care home shall comply with all applicable State regulations**
21 **and be appropriately registered with the State prior to operation.]**

22 **(C) Place of Worship**

23 **(i) [All buildings shall be set back at least 25 feet from each lot line.**

24 **(ii)] Ingress and egress shall be located so as to direct traffic away from streets**
25 **that are internal to a residential subdivision, where possible.**

26 **[(iii)](ii) When possible, there should be [N]no parking spaces or loading areas**
27 **[shall be] located in the front yard.**

28 **[(iv)](iii) Places of worship located on a lot between 1 and 2 acres in size shall**
29 **require approval of a detailed site plan in accordance with Section 27-3605(d), Detailed Site Plan**
30 **Procedure.**

31 **[(v)](iv) Places of worship in the AG Zone shall only be permitted provided the**
32 **net lot area is at least 5 acres in size.**

33 **[(vi)](v) Places of worship in the IH Zone shall only be permitted provided:**

1 (aa) The place of worship is located in an existing freestanding building not
2 exceeding two stories in height;

3 (bb) If the building in which the place of worship is located contains other
4 uses, a separate entry to the place of worship must be provided for its use; and

5 (cc) At the time of issuance of the initial use and occupancy permit, the
6 place of worship shall be located within 1,000 feet of another existing place of worship.

7 [(vii)](vi) The maximum allowable lot coverage for the zone in which the use is
8 proposed shall not be increased.

9 * * * * *

10 (3) Educational Uses

11 * * * * *

12 (D) Driving School

13 (i) Driving schools offering Commercial Driver’s License (CDL) instruction
14 shall only be permitted in the IE and IH zones.

15 * * * * *

16 (6) Utility Uses

17 (A) Solar Energy Systems, Large-Scale

18 (i) Maximum lot coverage of the facility and any associated equipment shall not
19 exceed 65 percent.

20 (ii) Adequate access for maintenance of the facility shall be provided.

21 (iii) The facility shall not exceed a height of 20 feet.

22 (iv) The property owner shall be responsible for negotiating with other property
23 owners in the vicinity to establish any solar easement designed to protect solar access for the solar energy
24 systems and for recording any such solar easement in the Land Records of Prince George's County.

25 (v) In the Rural and Agricultural Area as designated on the Growth Policy Map in
26 the General Plan (as may be amended from time to time), the facility shall comply with requirements for
27 designated scenic or historic viewsheds.

28 (vi) Facilities located within a 10-mile radius of Joint Base Andrews, the
29 Brandywine communication site, or the Davidsonville communication site shall provide shielded inverter
30 equipment.

31 * * * * *

32 (e) Commercial Uses

33 * * * * *

34 (4) Business Support Service Uses

* * * * *

(B) Qualified Data Center

(i) A [Q]qualified [D]data [C]center shall include a site plan with any building permit application.

(ii) [Q]qualified [D]data [C]centers shall be exempt from detailed site plan approval.

(iii) [Q]qualified [D]data [C]centers shall not be permitted in:

(aa) Designated Regional Transit Districts, Local Transit Centers (Local), Neighborhood Centers (Local), or Campus Centers (Local) as designated by the County's Plan 2035 General Plan, as may be amended from time to time[.];

(bb) Along that portion of the Innovation Corridor located south of the Capital Beltway; and

(cc) Along that portion of US 1 located south of the Innovation Corridor to the border with Washington, D.C.

(dd) Notwithstanding [this] these requirements, [Q]qualified [D]data [C]centers may be permitted in the Bowie MARC Campus Center, as may be amended from time to time.

* * * * *

(iv) In the RR Zone, the following additional requirements shall apply:

(aa) A qualified data center shall be located on land with a minimum acreage of 25 acres in size, at least 4,000 feet from a regional park, and the use shall be within a structure that is at least 300 feet from any residential use and at least 500 feet from any place of worship.

* * * * *

(vi) In the AG Zone, the following additional requirements shall apply:

(aa) Approval of a detailed site plan shall be required;

(bb) The qualified data center shall be located on land with a minimum aggregate area of 125 acres, at least 4,000 feet from a regional park, and the use shall be within a structure(s) that is at least 200 feet from any residential dwelling unit.

(cc) The land must include or abut an existing 500 MW or greater power generating facility; and

(dd) In addition to the requirements for Qualified Data Centers in Section 27-5102(e)(4)(B)(iv) and the Detailed Site Plan Decision Standards as set forth in Section 27-3605(e), the detailed site plan shall provide for visual buffering and noise mitigation. At a minimum the detailed site plan will include the following:

1 (I) Visual buffering shall include visually solid screening of all
2 mechanical equipment from adjacent properties and existing and future public rights-of-way. Principal
3 buildings or existing vegetation may provide screening; and

4 (II) Noise must be mitigated to meet the residential standard as set
5 forth in Section 19-122 of this Code.

6 * * * * *

7 **(5) Eating or Drinking Establishment Uses**

8 **(A) Any Eating or Drinking Establishment Use**

9 **(i) Outdoor Dining**

10 **(aa) Regulations**

11 (I) Any establishment that added or expanded outdoor dining
12 pursuant to temporary authorization for outdoor seating provisions during the Covid-19 health crisis prior
13 to April 1, 2024 shall remain exempt from provisions concerning site plan conformance, minimum
14 setbacks, and minimum parking and shall not be subject to violation or enforcement action so long as the
15 establishment remains in compliance with the requirements of this Subsection.

16 (II) Any establishment providing or expanding outdoor dining after
17 April 1, 2024 shall be subject to provisions concerning site plan conformance and shall reflect the
18 location and other details of proposed outdoor dining on all applicable site plans, but shall not be subject
19 to minimum building setbacks or build-to lines, or minimum parking requirements, so long as the
20 establishment remains in compliance with the requirements of this Subsection.

21 (III) Any establishment that offers newly created or expanded outdoor
22 dining must comply with all State and County laws and regulations with the exception of the laws of this
23 Subtitle suspended herein.

24 **(bb) Procedures**

25 (I) The DPIE Director shall establish and administer an expedited
26 administrative process to authorize otherwise existing lawful uses in the Eating and Drinking
27 Establishment Uses Principal Use Category on adjacent exterior space or shared exterior space in Prince
28 George’s County, after compliance with all regulations stated in this Subsection and so long as the
29 establishment remains in compliance with the regulations stated herein.

30 **(cc) Enforcement**

31 (I) Notwithstanding any provision of this Subtitle or Subtitle 28,
32 Civil Monetary Fines or Penalties, of the County Code, Prince George’s County may rescind forthwith
33 any approval granted to an otherwise existing lawful use in the Eating and Drinking Establishment Uses

1 Principal Use Category to offer any newly created or expanded outdoor seating for failure to comply with
2 any State or County laws or regulations and any requirement stated herein.

3 (II) The enforcement of the requirements herein and all other State
4 and County laws and regulations for uses in the Eating and Drinking Establishment Uses Principal Use
5 Category shall be performed as required by State or County laws and regulations, with the assistance of
6 Prince George’s County law enforcement as needed.

7 (ii) A special exception as indicated in Tables 27-5201(b) through (e) shall not be
8 required for the principal use “Restaurant, Quick-Service (with Drive-Through)”. However, [I]f the
9 establishment includes drive-through service, it also shall comply with the accessory use standards in
10 Section 27-5203(b)(4), Drive-Through Service.

11 **(B) Alcohol Production Facility, Small-Scale**

12 **(i)** The minimum area of the eating, drinking, and entertainment area of the
13 alcohol production facility, small-scale, shall be 45 percent of the total square footage for the
14 establishment, or a minimum of 1,500 square feet, whichever is greater.

15 **(ii)** The establishment shall have building façade fenestration/transparency
16 through vision glass, doors, or active outdoor spaces along a minimum of 50 percent of the length of the
17 building side that fronts the street, unless the building in which it is located is an adaptive re-use, the
18 building makes compliance impracticable, or if the building is a County historic site, historic resource, or
19 [or within a County] historic district and this minimum standard would conflict with direction given by
20 the Historic Preservation Commission acting under Subtitle 29: Preservation of Historic Resources, of the
21 County Code.

22 **(iii)** Off-site distribution of manufactured beer is allowed, as long as it is done
23 from the rear of the building, and adequate loading and access for the activity is provided.

24 **(iv)** Crushing and fermentation operations are managed in such a way that by-
25 products are contained and disposed of in a way that does not result in spill-over impacts on adjacent
26 property, public spaces, or public rights-of-way.

27 **(v)** Outdoor storage is prohibited.

28 * * * * *

29 **(7) Personal Service Uses**

30 **(A) Dry-Cleaning or Laundry Drop-Off/Pick-Up Establishment**

31 **(i)** If the establishment includes drive-through service, it also shall comply with
32 the accessory use standards in Section 27-5203(b)(4), Drive-Through Service.

33 **(B) [Model Studio] Reserved.**

1 (i) Outdoor displays or advertising shall be limited to one (1) business sign, as
2 provided for in Section 27-61506(a), Permanent Real Estate Identification Sign;

3 (ii) The proprietor, owner, or personnel of the establishment shall prohibit access
4 to the premises by any person who is not yet eighteen (18) years old; and

5 (iii) The proposed use will not tend to create a nuisance for other uses on the
6 subject property, or for adjacent properties or neighborhood residents, because of traffic, parking
7 problems, noise, or lights on the subject property, and the hours of operation of the use.]

8 * * * * *

9 (9) Retail Sales and Service Uses

10 * * * * *

11 (C) Combination Retail

12 (i) No storage or shipping container shall be permitted in any setback, surface
13 parking lot, or other outdoor location unless it is part of an approved detailed site plan. Storage or
14 shipping containers shall be screened pursuant to the requirements for loading areas.

15 (ii) Except in the Transit-Oriented base and Planned Development zones, [T]the
16 site shall have frontage on, and direct vehicular access to, an existing arterial roadway or roadway of
17 higher classification. Secondary access shall not be permitted onto any residential street.

18 * * * * *

19 (10) Vehicle Sales and Service Uses

20 (A) Commercial Fuel Depot

21 (i) The subject property shall have at least 200 feet of frontage on, and direct
22 vehicular access to, a street with a right-of-way width of at least 70 feet.

23 (ii) Driveways shall be at least 30 feet wide unless a lesser width is allowed for a
24 one-way driveway by the Maryland State Highway Administration, the County Department of Public
25 Works and Transportation, or the relevant municipal public works department, whichever is applicable.

26 (iii) On a corner lot, a driveway may begin at a point not less than 150 feet from
27 the point of curvature (PC) of the curb return or the point of curvature of the edge of paving at an
28 intersection without curb and gutter.

29 (iv) Driveways shall be defined by curbing.

30 (v) Gasoline pumps and other service appliances shall be set back at least 25 feet
31 from the street right-of-way.

32 (vi) The storage or junking of wrecked motor vehicles (whether capable of
33 movement or not) is prohibited.

34 (vii) No storage or parking space shall be offered for rent.

1 (viii) Canopies over gas pumps shall have a maximum clearance height of [15] 18
2 feet above grade except where State or Federal law requires higher clearance.

3 * * * * *

4 (D) Commercial Vehicle Sales and Rental and Personal Vehicle Sales and Rental

5 (i) Private Automobile or Other Motor Vehicle Auction

6 * * * * *

7 (ii) Vehicle or Trailer Sales or Rental

8 (aa) The use shall have no more than one vehicle/trailer display pad for
9 every 100 feet of street frontage. A vehicle/trailer display pad shall not exceed 5,000 square feet in area
10 and may be elevated up to two feet above nearby displays or ground level.

11 (bb) No vehicles, trailers, or other similar items shall be displayed on the
12 top of a building.

13 (cc) No materials for sale or rent other than vehicles or trailers shall be
14 displayed between the principal structure and the adjoining street.

15 (iii) Vehicle and Trailer Rental Display

16 (aa) If the use is a totally separate business (not in connection with any
17 other business), it shall be subject to the following:

18 (I) The area devoted to rental purposes shall not be more than sixty
19 percent (60%) of the net lot area; and

20 (II) The display shall be set back at least thirty (30) feet from the
21 street line.

22 (bb) If the rental use is in conjunction with another use, it shall be subject to
23 the following:

24 (I) A special exception is required to validate the rental use,
25 irrespective of the commencement date of the use; and

26 (II) Off-street parking for the use shall be provided in addition to the
27 off-street parking required for the other business.

28 (cc) The display for rental purposes of motor vehicles (except dump
29 trucks), trailers, boats, camping trailers, or other vehicles may be permitted, subject to the following:

30 (I) Rental vehicles shall be parked on a hard-surfaced area, which is
31 resistant to erosion and adequately treated to prevent dust emission;

32 (II) The gross weight of trucks shall not exceed twenty thousand
33 (20,000) pounds each;

(III) In addition to the buffering requirements in the Landscape Manual, the use shall be screened from existing or proposed residential development by a six (6) foot high opaque wall or fence. The fence or wall shall not contain any advertising material, and shall be maintained in good condition. This screening may be modified by the District Council where the parking area is already effectively screened from residential property by natural terrain features, changes in grade, or other permanent, natural, or artificial barriers.

* * * * *

(f) Industrial Uses

* * * * *

(5) Resource Recovery and Waste Management Uses

(A) Recycling Collection Center

(i) The subject property shall front on and have direct vehicular access to an existing street with sufficient capacity to accommodate the type and amount of traffic expected to be generated by the proposed use.

(ii) All operations shall be confined to the interior of a wholly enclosed building. There shall be no outdoor storage.

(iii) The property shall be kept clean and free from debris.

(B) Recycling Plant

A recycling plant for textiles, rubber products, nonferrous metals, or miscellaneous materials may be permitted, subject to the following;

(i) All operations shall be confined to the interior of a wholly enclosed building;

(ii) There shall be no outside storage of materials used in the operation;

(iii) An impact statement shall be submitted explaining:

(aa) The scope of the operation;

(bb) The provisions proposed for control of any noxious odors;

(cc) The pollution control measures to be taken; and

(dd) The compatibility of the use with the surrounding area.

[(G)] (C) Solid Waste Processing Facility

[(iv)] (i) The collection, storage, and shipping of recyclable paper may be permitted, subject to the following:

(aa) The subject property shall have frontage on, and direct vehicular access to, an existing street with sufficient capacity to accommodate the type and amount of traffic expected to be generated by the proposed use;

1 (bb) All operations shall be confined to the interior of a wholly enclosed
2 building. There shall be no outdoor storage;

3 (cc) The property shall be kept clean and free from debris;

4 (dd) An impact statement shall be submitted explaining:

5 (I) The scope of the operation;

6 (II) The proposed hours of operation;

7 (III) The type and amount of traffic expected to be generated; and

8 (IV) The compatibility of the use with the surrounding area;

9 [(v)] (ii) The proposed use of the subject property shall be appropriate, given the
10 nature of development and uses of adjacent properties and in the general neighborhood.

11 [(H)] (D) **Solid Waste Processing Facility**

12 A solid waste transfer station may be permitted subject to the following:

13 [(vi)] (i) Hours of operation shall occur only between 7:00 a.m. and 6:00 p.m.;

14 [(vii)] (ii) The building associated with the use shall be set back at least five
15 hundred (500) feet from all property lines;

16 [(viii)] (iii) The applicant shall identify measures that will be taken to control any
17 noxious and offensive odors;

18 [(ix)] (iv) All activities pertinent to the transferring of solid waste shall be
19 conducted in a wholly enclosed building which has an impervious surface for loading and unloading solid
20 waste, and is capable of accommodating all types of solid waste hauling vehicles; and

21 [(x)] (v) The use shall not commence until the State of Maryland has issued all
22 applicable permits including, but not limited to, a solid waste transfer station permit.

23 * * * * *

SUBTITLE 27. ZONING.
PART 27-5 USE REGULATIONS
SECTION 27-5200 ACCESSORY USES AND STRUCTURES

27-5201. Designation of Accessory Uses and Structures

* * * * *

(b) Accessory Use/Structure Table for Rural and Agricultural, and Residential Base Zones

Table 27-5201(b): Accessory Use/Structure Table for Rural and Agricultural, and Residential Base Zones												
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited												
Accessory Use/Structure	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
	ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Accessory building, increase in height	SE	SE	SE	SE	SE	SE	X	SE	SE	X	X	Refer to special exception standards
Accessory structures and uses, except as otherwise provided	P	P	P	P	P	P	P	P	P	P	P	
Agritourism	P	P	P	P	P	X	X	X	X	X	X	27-5203(b)(1)
Automated teller machine (ATM) (as accessory to a nonresidential use)	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(2)
Beekeeping	P	P	P	P	P	P	P	P	P	P	P	
Bike share station	X	X	X	X	X	P	P	P	P	P	P	
Car washing station, private	X	X	X	X	X	X	X	X	X	P	P	<u>Refer to special exception standards</u>
Collocated telecommunications antenna	P	P	P	P	P	P	P	P	P	P	P	
Composting, small-scale	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(3)

Table 27-5201(b): Accessory Use/Structure Table for Rural and Agricultural, and Residential Base Zones												
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited												
Accessory Use/Structure	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
	ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Drive-through service	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(4) and refer to special exception standards
Family child care home, large	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(18)
Family child care home, small	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(18)
Farm tenant dwelling (as accessory to an agriculture use)	X	P	P	P	P	X	X	X	X	X	X	27-5203(b)(5)
Green roof	P	P	P	P	P	P	P	P	P	P	P	
Guest house	P	P	P	X	X	X	X	X	X	X	X	
Home occupation	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(6)
Laundromat (as accessory to a multifamily dwelling, marina, or recreational campground)	P	P	P	P	P	P	P	P	P	P	P	
Limited fuel/oil/bottled gas distribution	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(7)
Medical cannabis grower and/or processor	X	X	X	X	X	X	X	X	X	X	X	
Nursery and garden center (as accessory to an agricultural use)	X	P	P	P	P	X	X	X	X	X	X	27-5203(b)(8)
Outdoor storage (as an accessory use)	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(9)
Produce stand (as accessory use to farm or community garden)	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(10)
Recreational program, before- and after-school	P	P	P	P	P	P	P	P	P	P	P	

Table 27-5201(b): Accessory Use/Structure Table for Rural and Agricultural, and Residential Base Zones												
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited												
Accessory Use/Structure	Rural and Agricultural Base Zones			Residential Base Zones								Use-Specific Standards
	ROS	AG	AR	RE	RR	RSF-95	RSF-65	RSF-A	RMF-12	RMF-20	RMF-48	
Retail sales (as accessory to a manufacturing, warehouse, or wholesale use)	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(11)
Retail sales (as accessory to a multifamily development)	X	X	X	X	X	X	X	X	X	X	X	
Satellite dish antenna	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(12)
Solar energy systems, small-scale	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(13)
Stable, private	P	P	P	P	P	X	X	X	X	X	X	27-5203(b)(14)
Swimming pool (as an accessory use)	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(15)
Tourist home (as accessory to a dwelling)	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(17)
Wind energy conversion system, small-scale	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(16)

1

(c) Accessory Use/Structure Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones

Table 27-5201(c): Accessory Use/Structure Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																
Accessory Use/Structure	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones								Other Base Zones	Use-Specific Standards	
						NAC	TAC		LTO		RTO-L		RTO-H			
	CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge		RMH
Accessory building, increase in height	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	[27-5400] Refer to special exception standards
Accessory structures and uses, except as otherwise provided	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Agritourism	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(1)
Automated teller machine (ATM) (as accessory to a nonresidential use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(2)
Beekeeping	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Bike share station	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Car washing station, private	P	P	P	P	P	SE	SE	SE	SE	SE	SE	SE	SE	SE	SE	Refer to special exception standards
Collocated telecommunications antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Composting, small-scale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(3)
Drive-through service	SE	P	SE	P	X	X	X	P	X	X	X	X	X	X	X	27-5203(b)(4) and [R]refer to special exception standards
Family child care home, large	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>27-5203(b)(18)</u>
Family child care home, small	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>27-5203(b)(18)</u>

Table 27-5201(c): Accessory Use/Structure Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																
Accessory Use/Structure	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones									Other Base Zones	Use-Specific Standards
						NAC	TAC		LTO		RTO-L		RTO-H			
	CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge		
Farm tenant dwelling (as accessory to an agriculture use)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(5)
Green roof	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Guest house	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(6)
Laundromat (as accessory to a multifamily dwelling, marina, or recreational campground)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Limited fuel/oil/bottled gas distribution	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	27-5203(b)(7)
Medical cannabis grower and/or processor	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
Nursery and garden center (as accessory to an agricultural use)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(8)
Outdoor storage (as an accessory use)	P	P	P	P	P	X	X	X	X	X	X	X	X	X	X	27-5203(b)(9)
Produce stand (as accessory to farm or community garden)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(10)
Recreational program, before- and after-school	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Retail sales (as accessory to a manufacturing, warehouse, or wholesale use)	X	P	X	P	P	X	X	X	X	X	X	X	X	X	X	27-5203(b)(11)
Retail sales (as accessory to a multifamily development)	P	P	P	P	P	X	P	P	P	P	P	P	P	P	X	
Satellite dish antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(12)
Solar energy systems, small-scale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(13)

Table 27-5201(c): Accessory Use/Structure Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones
 P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited

Accessory Use/Structure	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones								Other Base Zones	Use-Specific Standards		
	CN	CS	CGO	IE	IH	NAC	TAC		LTO		RTO-L		RTO-H			RMH	
							Core	Edge	Core	Edge	Core	Edge	Core	Edge			
Stable, private	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	27-5203(b)(14)
Swimming pool (as an accessory use)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(15)
Tourist home (as accessory to a dwelling)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(17)
Wind energy conversion system, small-scale	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	27-5203(b)(16)

1 **(d) Accessory Use/Structure Table for Planned Development Zones**

Table 27-5201(d): Accessory Use/Structure Table for Planned Development Zones
 A = Permitted, Unless the District Council Prohibits the Use in the PD Basic Plan
 SE = Allowed only with the approval of a Special Exception X = Prohibited

Accessory Use/Structure	Planned Development Zones							Use-Specific Standards
	R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Accessory building, increase in height	X	X	X	X	X	X	X	[27-5400] Refer to special exception standards
Accessory structures and uses, except as otherwise provided	A	A	A	A	A	A	A	
Agritourism	X	X	X	X	X	X	X	27-5203(b)(1)
Automated teller machine (ATM) (as accessory to a nonresidential use)	A	A	A	A	A	A	A	27-5203(b)(2)
Beekeeping	A	X	X	X	X	X	X	
Bike share station	A	A	A	A	A	A	A	

Table 27-5201(d): Accessory Use/Structure Table for Planned Development Zones								
A = Permitted, Unless the District Council Prohibits the Use in the PD Basic Plan								
SE = Allowed only with the approval of a Special Exception X = Prohibited								
Accessory Use/Structure	Planned Development Zones							Use-Specific Standards
	R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Car washing station, private	X	X	X	X	X	X	X	Refer to special exception standards
Collocated telecommunications antenna	A	A	A	A	A	A	A	
Composting, small-scale	A	A	A	A	A	A	A	27-5203(b)(3)
Drive-through service	A	X	A	X	X	A	X	27-5203(b)(4) and refer to special exception standards
<u>Family child care home, large</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>27-5203(b)(18)</u>
<u>Family child care home, small</u>	<u>A</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>A</u>	<u>X</u>	<u>27-5203(b)(18)</u>
Farm tenant dwelling (as accessory to an agriculture use)	X	X	X	X	X	X	X	27-5203(b)(5)
Green roof	A	A	A	A	A	A	A	
<u>Guest house</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	
Home occupation	A	A	A	A	A	A	A	27-5203(b)(6)
Laundromat (as accessory to a multifamily dwelling, marina, or recreational campground)	A	A	A	A	A	A	A	
Limited fuel/oil/bottled gas distribution	X	X	X	X	X	X	X	27-5203(b)(7)
Medical cannabis grower and/or processor	X	X	X	X	X	X	X	
Nursery and garden center (as accessory to an agricultural use)	X	X	X	X	X	X	X	27-5203(b)(8)

Table 27-5201(d): Accessory Use/Structure Table for Planned Development Zones								
A = Permitted, Unless the District Council Prohibits the Use in the PD Basic Plan								
SE = Allowed only with the approval of a Special Exception X = Prohibited								
Accessory Use/Structure	Planned Development Zones							Use-Specific Standards
	R-PD	NAC-PD	TAC-PD	LTO-PD	RTO-PD	MU-PD	IE-PD	
Outdoor storage (as an accessory use)	X	X	X	X	X	X	A	27-5203(b)(9)
Produce stand (as accessory to farm or community garden)	A	A	A	A	A	A	A	27-5203(b)(10)
Recreational program, before- and after-school	A	A	A	A	A	A	A	
Retail sales (as accessory to a manufacturing, warehouse, or wholesale use)	X	X	X	X	X	X	A	27-5203(b)(11)
Retail sales (as accessory to a multifamily development)	X	X	X	X	X	X	X	
Satellite dish antenna	A	A	A	A	A	A	A	27-5203(b)(12)
Solar energy collection system, small-scale	A	A	A	A	A	A	A	27-5203(b)(13)
Stable, private	X	X	X	X	X	X	X	27-5203(b)(14)
Swimming pool (as an accessory use)	A	A	A	A	A	A	A	27-5203(b)(15)
Tourist home (as accessory to a dwelling)	A	A	A	A	A	A	A	27-5203(b)(17)
Wind energy conversion system, small-scale	A	A	A	A	A	A	A	27-5203(b)(16)

(e) Accessory Use/Structure Table for Overlay Zones

1

Table 27-5201(e): Accessory Use/Structure Table for Overlay Zones A blank cell means the use is allowed only if allowed in underlying base zone X = Prohibited, irrespective of treatment by underlying base zone SE* = Allowed only with approval of a Special Exception, irrespective of treatment by underlying base zone P* = Permitted by right, irrespective of treatment by underlying base zone														
Accessory Use/Structure	CBCAO Zones			APAO Zones						MIO (1)			Use-Specific Standards	
	RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
Accessory building, increase in height														[27-5400] <u>Refer to special exception standards</u>
Accessory structures and uses, except as otherwise provided														
Agritourism														27-5203(b)(1)
Automated teller machine (ATM) (as accessory to a nonresidential use)														27-5203(b)(2)
Beekeeping														
Bike share station														
Car washing station, private														<u>Refer to special exception standards</u>
Collocated telecommunications antenna														
Composting, small-scale														27-5203(b)(3)
Drive-through service														27-5203(b)(4) <u>and refer to special exception standards</u>
<u>Family child care home, large</u>				X	X	X	X		X		X	X	X	<u>27-5203(b)(18)</u>
<u>Family child care home, small</u>				X	X	X	X		X		X	X	X	<u>27-5203(b)(18)</u>
Farm tenant dwelling (as accessory to an agriculture use)														27-5203(b)(5)
Green roof														

Table 27-5201(e): Accessory Use/Structure Table for Overlay Zones A blank cell means the use is allowed only if allowed in underlying base zone X = Prohibited, irrespective of treatment by underlying base zone SE* = Allowed only with approval of a Special Exception, irrespective of treatment by underlying base zone P* = Permitted by right, irrespective of treatment by underlying base zone														
Accessory Use/Structure	CBCAO Zones			APAO Zones						MIO (1)			Use-Specific Standards	
	RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
Guest house														
Home occupation														27-5203(b)(6)
Laundromat (as accessory to a multifamily dwelling, marina, or recreational campground)														
Limited fuel/oil/bottled gas distribution												X		27-5203(b)(7)
Medical cannabis grower and/or processor														
Nursery and garden center (as accessory to an agricultural use)												X		27-5203(b)(8)
Outdoor storage (as an accessory use)														27-5203(b)(9)
Produce stand (as accessory to farm or community garden)												X		27-5203(b)(10)
Recreational program, before- and after-school												X		
Retail sales (as accessory to a manufacturing, warehouse, or wholesale use)												X		27-5203(b)(11)
Retail sales (as accessory to a multifamily development)														
Satellite dish antenna														27-5203(b)(12)
Solar energy collection system, small-scale														27-5203(b)(13)
Stable, private														27-5203(b)(14)
Swimming pool (as an accessory use)											X	X	X	27-5203(b)(15)
Tourist home (as accessory to a dwelling)														27-5203(b)(17)

Table 27-5201(e): Accessory Use/Structure Table for Overlay Zones A blank cell means the use is allowed only if allowed in underlying base zone X = Prohibited, irrespective of treatment by underlying base zone SE* = Allowed only with approval of a Special Exception, irrespective of treatment by underlying base zone P* = Permitted by right, irrespective of treatment by underlying base zone														
Accessory Use/Structure	CBCAO Zones			APAO Zones						MIO (1)			Use-Specific Standards	
	RCO	LDO	IDO	APA-1	APA-2	APA-3S	APA-3M	APA-4	APA-5	APA-6	APZ	CZ		HINA
Wind energy conversion system, small-scale														27-5203(b)(16)
NOTES: (1) Section 27-4402(c)(4), Modified Use Standards for MIO Zone, contains additional standards for uses in the MIO Zone														

* * * * *

1

1 **27-5202. General Standards for All Accessory Uses and Structures**

2 * * * * *

3 **(c) Location of Accessory Uses and Structures**

4 (1) Except as otherwise expressly allowed in this Ordinance, an accessory use or structure
5 shall not be located within any platted or recorded easement or over any known utility, or in an area
6 designated as a fire lane or emergency access route on an approved site plan.

7 (2) No accessory structures shall be located within a perimeter buffer except a screening
8 fence or wall in accordance with the Landscape Manual.

9 (3) No accessory structure shall impede the access to or function of a vehicle use area.

10 (4) Unless otherwise provided in Section 27-5203, Standards Specific to Accessory Uses and
11 Structures:

12 (A) No accessory structure shall be located in a required front yard or corner lot side
13 yard; [and]

14 (B) No accessory structure shall be located in the yard between the principal entrance of
15 a dwelling and the street on a through lot;

16 (C) Accessory structures located on corner lots or through lots shall comply with the
17 same setbacks from all streets that apply to the main building; and

18 (D) Accessory structures (including coops, runs, pens, hutches, and the like) used for
19 housing or sale of animals or fowl shall be set back a minimum of 25 feet from side or rear lot lines and a
20 minimum of 50 feet from any dwelling on an adjoining lot.

21 (5) Unless otherwise provided in Section 27-5203, Standards Specific to Accessory Uses and
22 Structures, accessory uses or structures may be located in a required side yard or rear yard, provided an
23 accessory structure, other than a fence or wall, that is more than ten feet in height is set back from the
24 nearest side or rear lot line one foot for every foot (or fraction thereof) the structure’s height exceeds ten
25 feet.

26 (6) Unless otherwise provided in Subparagraphs (4) or (5) above, or Section 27-5203,
27 Standards Specific to Accessory Uses and Structures, accessory uses and structures shall comply with the
28 minimum yard depth standards and structure height limits applicable in the zone where the structure is
29 located.

30 * * * * *

31 **27-5203. Standards Specific to Accessory Uses and Structures**

32 * * * * *

33 **(b) Standards for Specific Accessory Uses and Structures**

34 * * * * *

(12) Satellite Dish Antenna

A satellite dish antenna is allowed as an accessory use or structure to any principal use or structure, subject to the following standards:

(A) A satellite dish antenna that is one meter or less in diameter, located on property within the exclusive use or control of the antenna user, and designed to receive direct broadcast satellite service, including direct-to-home satellite service, or to receive or transmit fixed wireless signals via satellite, is subject to the standards in this Subsection only to the extent that the standards do not unreasonably delay, prevent, or increase the cost of its installation, maintenance, or use or preclude reception of an acceptable quality signal.

(B) Only one antenna is allowed to serve a residential dwelling unit. For all other uses, one or more antennas are allowed.

(C) An antenna with a diameter greater than ten feet is allowed only as a special exception approved in accordance with Section 27-3604, Special Exception.

(D) An antenna shall be located only in a rear or side yard, at least two feet from any rear or side lot line. On lots having no rear yard (through lots) and on corner lots where the designated front of the main building faces a side street, the rear and side yards, as used herein, shall mean the yards at the rear and side of the principal building, respectively.

(E) An [9] antenna shall be ground-mounted, except an antenna with a diameter of six feet four inches or less may be mounted on the roof of any building other than a single-family dwelling unit.

(F) A ground-mounted antenna shall be screened from ground-level view from adjacent streets and parcels.

(G) Antennas may be located within any required green area or in any required landscaped area except along a street.

* * * * *

(15) Swimming Pool (as an Accessory Use)

(A) [In the RE, RR, RSF-95, RSF-65, and RSF-A zones, a]An outdoor swimming pool shall be enclosed by a fence at least six feet high (which may be met by a railing with a locking gate attached to an above-grade pool).

* * * * *

(18) Family Child Care Home (Large or Small)

(i) The family child care home shall comply with all applicable State regulations and be appropriately registered with the State prior to operation.

* * * * *

SUBTITLE 27. ZONING.

PART 27-5 USE REGULATIONS

SECTION 27-5400 SPECIAL EXCEPTION STANDARDS

* * * * *

27-5402. Additional Requirements for Specific Special Exception Uses

* * * * *

(d) Adaptive Use of a Historic Site

(1) For the purposes of this Section, the adaptive use of a Historic Site is defined as the adaptation of a building designated as a Historic Site [by the Historic Preservation Commission] in the Approved Historic Sites and Districts Plan for a use not allowed within the existing zone in order to encourage the preservation of buildings important to Prince George's County heritage or which have distinctive architectural and environmental characteristics.

* * * * *

(t) [Congregate Living Facility] RESERVED

(1) A congregate living facility for more than eight (8) elderly or physically disabled residents may be permitted, subject to the following:

(A) There is a demonstrated need for the facility;

(B) The facility is in compliance with the physical requirements of Subtitle 12: Health, Division 7, of this Code, and shall be operated in accordance with the licensing and other requirements of that Subtitle; and

(C) There shall be a separate bedroom of a minimum of one hundred (100) square feet for each resident, or a separate bedroom of a minimum of one hundred and sixty (160) square feet for every two residents, or any combination of the above, so as to satisfy the accommodations requirements of the "Regulations for Congregate Living Facilities" (required by Section 12-173(d) of this Code), for the maximum number of permitted residents.]

* * * * *

(o) Combination Retail Uses

(1) Combination retail uses permitted in the use tables by special exception shall be subject to the following requirements:

(A) Except in the Transit-Oriented base and Planned Development zones, [T]the site shall have frontage on and direct vehicular access to an existing arterial roadway, with no access to primary or secondary streets.

(B) The applicant shall demonstrate that local streets surrounding the site are adequate to accommodate the anticipated increase in traffic.

(C) The site shall contain pedestrian walkways within the parking lot to promote safety.

1 (D) The design of the parking and loading facilities shall ensure that commercial and
2 customer traffic will be sufficiently separated and shall provide a separate customer loading area at the
3 front of the store.

4 (E) All buildings, structures, off-street parking compounds, and loading areas shall be
5 located at least:

6 (i) One hundred (100) feet from any adjoining land in a Rural and Agricultural or
7 Residential zone; and

8 (ii) Fifty (50) feet from all other adjoining property lines and street lines.

9 (F) All perimeter areas of the site shall be buffered or screened, as required by the
10 Landscape Manual; however, the Council may require additional buffering and screening if deemed
11 necessary to protect surrounding properties.

12 (G) The building entrance and nearby sidewalks shall be enhanced with a combination
13 of special paving, landscaping, raised planters, benches and special light fixtures.

14 (H) The application shall include a comprehensive sign package and a comprehensive
15 exterior lighting plan.

16 (I) The applicant shall use exterior architectural features to enhance the site's
17 architectural compatibility with surrounding commercial and residential areas.

18 (J) Except in the Transit-Oriented base and Planned Development zones, [N]not less
19 than thirty percent (30%) of the site shall be devoted to green area.

20 (K) No storage or shipping containers shall be permitted on the parking lot or other
21 outdoor location, unless such use is approved via a detailed site plan approval process; all such storage or
22 shipping containers shall be screened, and located within the loading area for the use.

23 * * * * *

24 (y) **[Elderly Housing (Single-Family Attached Dwellings)] RESERVED**

25 [(I) Attached single-family dwellings for the elderly (and related facilities) may be permitted,
26 subject to the following:

27 (A) The subject property shall not be adjoining property in the ROS or AG zones,
28 unless it is separated by an arterial roadway;

29 (B) The site plan shall show the density (which shall not exceed the maximum
30 allowable density of the zone in which the use is located, as set forth in Sections 27-4201, Rural and
31 Agricultural Base Zones, and 27-4202, Residential Base Zones, and the type and total number of dwelling
32 units proposed (which may also include single-family detached dwellings);

1 **(C)** The District Council shall find that the subject property is suitable for the type of
2 development proposed and is of sufficient size to properly accommodate the proposed number of
3 dwelling units;

4 **(D)** A recreational facilities plan shall be submitted demonstrating that sufficient
5 recreational facilities or opportunities are provided to serve the prospective resident population, consistent
6 with their needs and abilities. Facilities may be provided on-site or within adjoining development. In any
7 case, but particularly if on adjoining property, there shall be a staging plan for the facilities constructed.
8 Recreational areas should be clustered together to increase levels of activity, use of amenities, and the
9 sense of vitality of the community;

10 **(E)** Regulations restricting the height of structures, lot size and coverage, frontage,
11 setbacks, and any other requirements of the specific zone in which the use is proposed (excluding density,
12 which shall be governed by paragraph (B), above) shall not apply to uses and structures provided for in
13 this Section. The dimensions and percentages shown on the approved site plan shall constitute the
14 regulations for a given special exception;

15 **(F)** The owner of the property shall record among the Land Records of Prince George's
16 County a declaration of covenants which establishes that the premises will be solely occupied by elderly
17 families for a fixed term of not less than sixty five (65) years. The covenant shall run to the benefit of the
18 County; and

19 **(G)** The following guidelines should be considered:

20 **(i)** Dwelling units should be clustered around a central focal point or public
21 space and should avoid linear design. Open space should be oriented to provide the best possible
22 separation or buffer from adjoining single-family detached uses. The following shall serve as guidelines
23 for site layout:

24 **(aa)** Individual lots, buildings, streets, and parking areas will be designed
25 and situated in conformance with the provisions for woodland conservation and tree preservation set forth
26 in Subtitle 25: Trees and Vegetation, of the Prince George's County Code, and in order to minimize
27 alteration of the historic resource or natural site features to be preserved.

28 **(bb)** Open space intended for scenic value will achieve this purpose through
29 the retention of irreplaceable natural features (such as, but not limited to, stream beds, significant stands
30 of trees, steep slopes, individual trees of significant size, and rock outcroppings); or where such natural
31 features do not exist, such techniques as berms planted with trees and the use of landscaping materials
32 may be required to eliminate visual monotony of the landscape.

33 **(cc)** Diversity and originality in lot layout and individual building design,
34 orientation, and location will achieve the best possible relationship between development and the land.

1 (dd) Individual lots, buildings, parking areas, and streets will be arranged,
2 designed, situated, and oriented, so as to harmoniously relate to surrounding properties, to improve the
3 view from dwellings, and to lessen the area devoted to motor vehicle access and circulation.

4 (ee) Individual lots, buildings, parking areas, and streets will be so situated
5 and oriented as to avoid the adverse effects of shadows, noise, and traffic on, and afford privacy to, the
6 residents of the site.

7 (ff) Not more than one-fourth (1/4) of any land having slopes greater than
8 twenty-five percent (25%) will be removed or altered, and then only when such slopes are isolated, small,
9 or otherwise occur as insignificant knolls, so that the design of the development or cluster open space will
10 not be adversely affected.

11 (gg) Appropriate landscaped screening techniques will be employed at each
12 entrance to the subdivision and along adjoining existing streets, so as to assure the compatibility of the
13 appearance of the cluster subdivision with that of surrounding existing and planned residential
14 development not approved for cluster development, and to provide an attractive appearance from streets.
15 Individual lots shall also be appropriately landscaped in such a manner as to provide an attractive
16 appearance.

17 (ii) No less than ten percent (10%) of the land area should be devoted to open
18 space, recreation facilities, and social-oriented amenities.

19 (iii) If a community building is proposed, no less than three (3) physically separate
20 areas, which shall include the separation of a single room, should be provided within the building for
21 recreational and social-oriented amenities of varying activity levels.

22 (iv) Each outdoor space intended for active recreation should be a minimum of
23 fifty (50) feet in width in least dimension, with a minimum area of five thousand (5,000) square feet.]

24 (z) [**Elderly Housing (Single-Family Detached Dwellings)**] **RESERVED**

25 [(1) Detached single-family dwellings for the elderly (and related facilities) may be permitted
26 on a maximum of six (6) acres located in Transportation Service Tier I as of November 30, 2004, subject
27 to the following:

28 (A) The subject property may not be adjoining property in the ROS or AG zones, unless
29 it is separated by an arterial roadway.

30 (B) The density may not exceed six (6) dwelling units per acre.

31 (C) The District Council's detailed finding that the subject property is suitable for the
32 type of development proposed and is of sufficient size to properly accommodate the proposed number of
33 dwelling units.

1 **(D)** A recreational facilities plan shall be submitted demonstrating that sufficient
2 recreational facilities or opportunities are provided in accordance with the adopted Department of Parks
3 and Recreation Standards to serve the prospective resident population, consistent with their needs and
4 abilities. Facilities may be provided on-site or within adjoining development. In any case, but particularly
5 if on adjoining property, there shall be a staging plan for the facilities constructed. Recreational areas
6 should be clustered together to increase levels of activity, use of amenities, and the sense of vitality of the
7 community.

8 **(E)** Regulations restricting the height of structures, lot size and coverage, frontage, and
9 setbacks, shall be in accordance with the requirements of the RSF-65 Zone.

10 **(F)** For purposes of this Section, elderly housing is defined as housing for older persons
11 as provided in Title 42 USC, Section 3607B and the regulations issued thereunder, and intended for and
12 solely occupied by persons sixty-two (62) years of age and older.

13 **(G)** The following guidelines should be considered:

14 **(i)** Open space should be oriented to provide the best possible separation or
15 buffer from adjoining single-family detached uses. The following shall serve as guidelines for site layout:

16 **(aa)** Diversity and originality in lot layout and individual building design,
17 orientation, and location will achieve the best possible relationship between development and the land.

18 **(bb)** Individual lots, buildings, parking areas, and streets will be arranged,
19 designed, situated, and oriented, so as to harmoniously relate to surrounding properties, to improve the
20 view from dwellings, and to lessen the area devoted to motor vehicle access and circulation.

21 **(cc)** Individual lots, buildings, parking areas, and streets will be so situated
22 and oriented as to avoid the adverse effects of shadows, noise, and traffic on, and afford privacy to, the
23 residents of the site.

24 **(dd)** Not more than one-fourth (1/4) of any land having slopes greater than
25 twenty-five percent (25%) will be removed or altered, and then only when such slopes are isolated, small,
26 or otherwise occur as insignificant knolls, so that the design of the development or cluster open space will
27 not be adversely affected.

28 **(ee)** Appropriate landscaped screening techniques will be employed at each
29 entrance to the subdivision and along adjoining existing streets, so as to assure the compatibility of the
30 appearance of the cluster subdivision with that of surrounding existing and planned residential
31 development.

32 **(ii)** No less than ten percent (10%) of the land area should be devoted to open
33 space, recreation facilities, and social-oriented amenities.

1 (iii) If a community center is proposed, it shall have at least three (3) physically
2 separate areas, including at least one (1) separate room. The separate areas shall provide space for
3 recreational and social activities at different intensity levels.

4 (iv) Each outdoor space intended for active recreation should be a minimum of
5 fifty (50) feet in width in least dimension, with a minimum area of five thousand (5,000) square feet.

6 (H) The following shall be reviewed at the time of special exception to address
7 appearance and quality issues: size of dwelling units, construction material, garages, roof pitch, ceiling
8 height, and amenities.]

9 * * * * *

10 (oo) Medical/Residential Campus

11 (1) A medical/residential campus for retirement-aged persons may be permitted, subject to
12 the following:

13 * * * * *

14 (C) Uses

15 * * * * *

16 (i) Only those uses which appear on an approved site plan shall be permitted on
17 the medical/residential campus. The District Council may only approve those uses which provide a
18 harmonious, balanced mix of medical, residential, and limited commercial uses primarily serving campus
19 residents, and public, quasi-public, and medical services for the off-campus retirement-aged community.
20 Other uses may include (but need not be limited to) the following:

21 (aa) Dwellings, nursing and care homes, and [congregate] assisted living
22 facilities for the elderly or physically disabled];

23 (bb) Medical facilities, including professional offices, laboratories, clinics,
24 professional or paramedical training centers, and ambulatory care facilities. Business signs in conjunction
25 with approved medical facilities shall be permitted in accordance with the provisions of Section 27-
26 61500, Signage, applicable to the CGO Zone;

27 (cc) Retail commercial uses which are strictly related and subordinate to the
28 residential/medical character of the campus and which directly serve the residents and employees of, or
29 visitors to, the center. The uses should be chosen to reflect their local orientation to the immediate campus
30 vicinity and should be of a size and scope so as not to interfere with existing or proposed retail uses
31 located in the off-campus area. Business signs in conjunction with retail commercial uses shall be
32 permitted in accordance with the provisions of Section 27-61500, Signage, of this Subtitle applicable to
33 the CGO Zone; and

1 (dd) Recreational and social uses, such as athletic facilities, community
2 centers, and assembly halls, limited to use only by campus residents, employees, and guests.

3 * * * * *

4 (ss) **Nonconforming Buildings, Structures, and Uses; Alteration, Enlargement, Extension, or**
5 **Reconstruction.**

6 * * * * *

7 (2) Applications for this Special Exception shall be accompanied by a copy of the Use and
8 Occupancy Permit for the certified nonconforming use, as provided for in Section [27-7102] 27-7103,
9 Continuation.

10 * * * * *

11 (yy) **Planned Retirement Community**

12 (1) A planned retirement community may be permitted, subject to the following criteria:

13 * * * * *

14 (C) **Regulations**

15 (i) Regulations restricting the height of structures, lot size and coverage,
16 frontage, setbacks, density, dwelling unit types, and other requirements of the specific zone in which the
17 use is proposed shall not apply to uses and structures provided for in this Section. The dimensions and
18 percentages shown on the approved site plan shall constitute the regulations for a given special exception.

19 (ii) The subject property shall contain at least [twelve (12)] ten (10) contiguous
20 acres.

21 (iii) The average number of dwelling units per acre shall not exceed eight (8) for
22 the gross tract area.

23 (iv) In the AR Zone, buildings shall not exceed three (3) stories.

24 * * * * *

25 (ggg) **Sanitary Landfill; Rubble Fill**

26 (1) A sanitary landfill or rubble fill may be permitted as a temporary special exception.

27 (2) The District Council shall determine the period of time for which the special exception is
28 valid.

29 (3) In the RE Zone, the landfill is only allowed if the neighborhood is substantially
30 undeveloped and the landfill is an extension of an existing sanitary landfill on abutting land for which the
31 approved Special Exception has not expired. This is not an amendment to an approved special exception
32 under Section 27-3604(i), Changes to Approved Special Exception.

33 (4) An application for a sanitary landfill or rubble fill that includes a "rock crusher" on the
34 site must show the location of the proposed rock crusher on the site plan.

1 (5) The applicant shall provide a traffic study that is prepared in accordance with Planning
2 Board’s Transportation Review Guidelines[for Analysis of Traffic Impact of Development Proposals].

3 (6) The applicant shall provide a visual analysis of any proposed mounds and should include
4 cross sections and results from balloon tests.

5 (7) The applicant shall address how odors emanating from fill materials will be mitigated.

6 (8) The Technical Staff Report prepared in response to the application shall include a current,
7 Countywide inventory of the locations, dates of approval, and conditions of approval concerning haul
8 routes and estimated loads per day for all approved and pending Special Exceptions for sand and gravel
9 wet-processing, sanitary landfills and rubble fills, and surface mining, as indicated by the record in the
10 case. The inventory shall also include the locations of all nonconforming sand and gravel wet-processing,
11 sanitary landfills and rubble fills, and surface mining operations throughout the County that were certified
12 after September 6, 1974.

13 (9) In reviewing the application for compliance with the decision standards set forth in
14 Section 27-3604(e) Required Findings, the District Council shall consider the inventory required in
15 Subsection (8), above.

16 (10) The Technical Staff Report prepared in response to an application for a rubble fill shall
17 include an analysis of need based on the most current available projections of residential and employment
18 growth in Prince George's County over a fifteen-year period. The District Council shall consider this
19 analysis when determining compliance with the finding required in Subsection (11), below, and when
20 determining the period of time for which the special exception is valid.

21 (11) When approving a special exception for a rubble fill, the District Council shall find that
22 the proposed use is necessary to serve the projected growth in Prince George's County, by applicant proof
23 that without the proposed use the County's projected growth will be adversely affected. Proof of a future
24 deficit in or absence of Countywide fill capacity does not by itself constitute proof that a proposed fill is
25 necessary to serve the projected growth in the County.

26 * * * * *

27 **SUBTITLE 27. ZONING.**

28 **PART 27-6 DEVELOPMENT STANDARDS**

29 **SECTION 27-6200 ROADWAY ACCESS, MOBILITY, AND CIRCULATION**

30 * * * * *

31 **27-6206. Vehicular Access and Circulation**

32 **(a) Definition of Street Functional Classification**

33 All public streets will be classified by the County according to the system of functional
34 classification defined in the [Prince George’s County Specifications and Standards for Roadways and

1 Bridges, authorized in Subtitle 23: Roads and Sidewalks as the County’s official standards for street
 2 design and construction] Approved Countywide Master Plan of Transportation (as may be amended from
 3 time to time) and shall be designed and constructed to the County’s adopted street design standards as
 4 authorized by Subtitle 23, Roads and Sidewalks, of the County Code. Within [the Transit-
 5 Oriented/Activity Center base and Planned Development (PD) zones] Regional Transit Districts and
 6 Local Centers as designated by the General Plan (as may be amended from time to time), the Prince
 7 George’s County Urban Street Design Standards shall apply.

8 **(b) Vehicular Accessway Classifications**

9 As a basis for application of many of the vehicular access and circulation standards in this Section,
 10 proposed and existing vehicular accessways shall be classified in accordance with the following
 11 classifications, which reflect the accessway’s relative functions in providing access to and from principal
 12 origin and destination points and accommodating travel mobility. These do not supersede or replace
 13 classifications used in the Prince George’s County Specifications and Standards for Roadways and
 14 Bridges.

15 **(1) Driveways**

16 Driveways are accessways that function solely to provide direct and immediate vehicular
 17 access between an alley or street and the principal origin and destination points within an abutting
 18 development, or part of a large development. They generally handle low vehicular travel speeds and
 19 traffic volumes, but may handle higher vehicular traffic volumes within large commercial and mixed-use
 20 developments (e.g., driveways within mixed-use developments or shopping center parking areas).
 21 Driveways are generally not located in the public right-of-way for their principal length, or along building
 22 frontages in the Transit-Oriented/Activity Center base and Planned Development (PD) zones, and are not
 23 considered streets.

24 **(2) Alleys**

25 **(A)** Alleys make up a specialized classification of accessway that primarily functions to
 26 provide secondary vehicular access and/or service and delivery vehicle access between a street and the
 27 rear or sides of lots or buildings. Alleys may provide primary vehicular access for dwellings designed to
 28 have no driveway access from the fronting street, or access may be provided through a combination of an
 29 alley and a driveway from a fronting street. Alleys may not provide primary vehicular access for
 30 dwellings that do not have a fronting street unless such dwellings front instead on common open spaces
 31 such as a mews or courtyards.

32 **(B)** Within the CN, NAC, LTO, RTO-L, RTO-H, LTO-PD, and RTO-PD zones, alleys
 33 shall comply with standards established in the Prince George’s County Urban Street Design Standards. In
 34 all other areas of the County, alleys shall comply with the standards established in Subtitle 23: Roads and

1 Sidewalks, and Subtitle 24: Subdivision Regulations, of the County Code, and the Prince George’s
 2 County Specifications and Standards for Roadways and Bridges.

3 **(3) Connectivity**

4 The accessways defined in Sections 27-6206(b)(1) and 27-6206(b)(2) shall connect to public or private
 5 streets, which shall follow standards of design and construction as defined in the Prince George’s County
 6 Specifications and Standards for Roadways and Bridges and in Subtitle 23: Roads and Sidewalks, SHA
 7 design standards (if applicable), or those of the applicable municipalities having jurisdiction.

8 * * * * *

9 **(d) Vehicular Access Management**

10 **(1) Limitation on Direct Access Along Arterial, Major Collector, and Collector Streets**

11 Proposed direct driveway access to a development’s principal origin or destination points
 12 (including individual lots in a subdivision) may be provided directly from an arterial, major collector, or
 13 collector street only if:

14 (A) No alternative direct vehicular access from a lower-classified accessway (e.g., local
 15 street, driveway, or alley) is available or feasible to provide;

16 (B) Only one two-way driveway, or one pair of one-way driveways, is allowed onto lots
 17 with 200 or less feet of lot frontage on the arterial, major collector, or collector street, and no more than
 18 one additional two-way driveway or pair of one-way driveways per additional 200 feet of frontage; and

19 (C) The development(s) served by the driveway is expected to generate an average
 20 daily traffic (ADT) count of 1,000 trips or less, or it is determined that the origin or destination points
 21 accessed by the driveway will generate sufficiently low traffic volumes, and the adjacent arterial, major
 22 collector, or collector street has sufficiently low travel speeds and traffic volumes, to allow safe driveway
 23 access while preserving the safety and efficiency of travel on the arterial, major collector, or collector
 24 street.

25 **(2) Limitation on Direct Driveway Access along Other Streets**

26 The following standards shall apply to vehicular access along a street other than an arterial,
 27 major collector, or collector street.

28 (A) For single-family detached dwellings, two-family dwellings, and three-family
 29 dwellings, one direct driveway access point is allowed if only the frontage of the lot abuts the street’s
 30 right-of-way. If the street is on a corner lot of two non-arterial, non-major collector, and/or non-collector
 31 streets and abuts the right-of-way of two intersecting streets, two direct driveway access points are
 32 allowed (one to each street).

33 (B) For townhouse and multifamily dwellings, and for uses in the Public, Civic, and
 34 Institutional; Commercial; and Industrial Use Categories, the number of vehicular access points along a

1 public street shall follow State, County, or municipal access standards, as applicable, to protect the
2 function, safety, and efficiency of travel on the street and any associated bikeways and sidewalks.

3 (C) Where a through lot or corner lot fronts on roadways of different classifications,
4 direct driveway access to the lot shall be provided only from the lower-classified fronting street, to the
5 maximum extent practicable.

6 * * * * *
7 (I) **Driveway Layout and Design**

8 (1) **Driveway Width**

9 All driveways serving development, except single-family detached dwellings, two-family
10 dwellings, and three-family dwellings, shall comply with the following minimum width standards:

11 (A) One-way driveways shall be at least 11 feet wide, as measured between the edges of
12 paving in a typical tangent section that does not include corner radii.

13 (B) Two-way driveways shall be at least 22 feet wide, as measured between the edges
14 of paving in a typical tangent section that does not include corner radii.

15 (2) **Dead-End Driveway Length**

16 Driveways that do not connect back to a street shall be no longer than 150 feet unless they
17 include adequate provision for fire trucks to turn around, as approved by the Fire Chief.

18 (3) **Driveway Intersections**

19 Driveway intersections shall also comply with the following standards:

20 (A) **Alignment**

21 To the maximum extent practicable, driveway intersections along a street shall line up
22 with existing or approved driveway, parking lot drive aisle, or roadway intersections on the opposite side
23 of the street.

24 (B) **Proximity to Adjoining Land**

25 Except for shared driveways provided in accordance with Section 27-6206(d)(3), Shared
26 Driveways, driveway intersections shall be spaced from an adjoining property line by at least two feet or
27 such greater distance as is needed to avoid encroachment of the driveway radius onto the adjacent
28 property or interference with safe use of a driveway on the adjoining property.

29 (C) **Medians in Driveway Entrances**

30 Medians may be incorporated at driveway entrances provided:

31 [(A)] (i) No signage is included within the median other than traffic signs and a
32 single monument sign;

33 [(B)] (ii) Planted material within the median is limited to minor shade trees,
34 shrubs, ground cover, and grass; and

1 [(C)] (iii) The minimum driveway width is maintained for each travel and turning
2 lane.

3 * * * * *

4 **SUBTITLE 27. ZONING.**

5 **PART 27-6 DEVELOPMENT STANDARDS**

6 **SECTION 27-6300 OFF-STREET PARKING AND LOADING**

7 * * * * *

8 **27-6302. Applicability**

9 In addition to projects that may be subject to this Section pursuant to Section 27-6104, Applicability of
10 Development Standards, existing development is subject to the following. In the event of conflict, the
11 following provisions supersede:

12 **(a) Change in Use**

13 (1) In addition, and except as identified in Section 27-6302(a)(2) below, any change in
14 use of existing development shall be accompanied by provision of any additional off-street parking and
15 loading spaces required for the changed use by this Section.

16 (2) A change in use in the Transit-Oriented/Activity Center base and PD zones and the
17 Commercial base zones inside the Capital Beltway, where the change in use would increase the amount of
18 required off-street parking by no more than 50 percent of that required for the original use or 40 spaces,
19 whichever is greater, is exempted from the off-street parking requirements of this Section.

20 **(b) Expansion**

21 If an existing structure or use is expanded or enlarged (in terms of the number of dwelling
22 units, floor area, or seating capacity), any additional off-street parking and loading spaces that may be
23 required shall be provided in accordance with the requirements of this Section as applied only to the
24 expanded or enlarged part of the structure or use.

25 **(c) Upgrading of Nonconforming Parking**

26 Nonconforming parking facilities on the site of an enlarged, expanded, or altered structure or
27 use area shall comply with the requirements of this Section in accordance with the standards of PART 27-
28 7, Nonconforming Buildings, Structures, Uses, Lots, and Signs.

29 **(d) Exclusion of Previously Existing Uses**

30 The following shall not be required to comply with the provisions of this Section:

31 (1) Any legally existing use that complies with the previous requirements for parking
32 and loading areas (in effect at the time the use began). If the use is a certified nonconforming use, the
33 parking lot or loading area used with it shall not be reduced, except in accordance with this Section;

(2) Any legally existing use for which any of the parking or loading requirements had previously been waived or reduced by the District Council or the Board of Appeals, not including departures granted under Section 27-3614, Departure (Minor and Major);

(3) Any future use occupying the same premises as either of the above, provided there is no expansion or change of use that would require a greater number of parking or loading spaces (per Sections 27-6305, Off-Street Parking Space Standards and 27-6310, Loading Area Standards) than the number of spaces legally existing under the prior regulations. If the use began prior to the establishment of parking or loading regulations for that use, the phrase "number of spaces legally existing under the prior regulations" shall mean the current regulations of this Section (for the prior legally existing use). In both cases, where additional spaces are created, only the area occupied by the additional spaces shall be required to conform to the design standards of this Section; and

(4) Any legally existing use in the Town of Upper Marlboro constructed before April 24, 1961; except that any proposal to increase the gross floor area or increase the interior floor area used for human occupancy must provide parking for the new floor area in accordance with current parking ratios specified in Section 27-6305, Off-Street Parking Space Standards. Any existing on-site parking may not be used to fulfill the parking requirement for newly created gross floor area or additional interior space.

* * * * *

27-6305. Off-Street Parking Space Standards

(a) Minimum Number of Off-Street Parking Spaces

Except as otherwise provided for multiple use developments (see Section 27-6305(c) below), new development or a change in use or expansion shall provide the minimum number of off-street parking spaces in accordance with Table 27-6305(a), Minimum Number of Off-Street Parking Spaces, based on the principal use(s) involved and the extent of development. Interpretation of the off-street parking space standards for uses with variable parking demands or unlisted uses is provided in Section 27-6305(b), Unlisted Uses.

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces								
Principal Use Category	Principal Use Type	Off-Street Parking Standards						
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County
		Core	Edge	Core	Edge			
Agriculture/ Forestry Uses	Agriculture	Not applicable					1.0 per 1,000 SF GFA of office or sales area	1.0 per 1,000 SF GFA of office or sales area
	Community garden	No minimum						
	Forestry	Not applicable					No minimum	No minimum
	Keeping of horses or ponies	Not applicable					No minimum	No minimum

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces								
Principal Use Category	Principal Use Type	Off-Street Parking Standards						
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County
		Core	Edge	Core	Edge			
	Medical cannabis grower and/or processor	Not applicable					1.0 per 600 SF up to 3,000 SF GFA; then 1.0 per additional 3,000 SF GFA	1.0 per 600 SF up to 3,000 SF GFA; then 1.0 per additional 3,000 SF GFA
	Nursery and garden center	Not applicable					1.0 per 1,000 SF GFA of sales area	1.0 per 1,000 SF GFA of sales area
	Urban agriculture	No minimum						
Agriculture/ Forestry Related Uses	Agriculture research facility	Not applicable					No minimum	No minimum
	Equestrian center	Not applicable					No minimum	No minimum
	Farm-based alcohol production	Not applicable					1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA
	Farm market	Not applicable					2.0 spaces	3.0 spaces
	Farm supply sales or farm machinery/implement sales, rental, or repair	Not applicable					1.0 per 2,500 SF GFA of gross outdoor display area	1.0 per 2,500 SF GFA of gross outdoor display area
	Food hub	Not applicable					1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA
	Riding stable	Not applicable					1.0 per 2 stalls	1.0 per 2 stalls
	Sawmill	Not applicable					1.0 spaces per 5,000 SF GFA office area	1.0 spaces per 5,000 SF GFA office area
Open Space Uses	Arboretum or botanical garden, park or greenway, or public beach and public water-oriented recreational and educational area	No minimum						
Household Living Uses	Artists' residential studios	No minimum	0.75 per DU	1.0 per DU	0.75 per DU	1.5 per DU	1.0 per DU	1.5 per DU
	Conversion of a single-family detached dwelling to add a maximum of two (2) additional dwelling units	Not applicable					2.0 per DU	3.0 per DU
	Dwelling, live-work	Not applicable	1.0 per DU	1.0 per DU	1.0 per DU	1.0 per DU	2 per DU	2 per DU
	Dwelling, multifamily	No minimum	1.0 per DU (all studio and 1 BR) to 1.35 per DU (all other unit types)	1.0 per DU (all studio and 1 BR) to 1.2 per DU (all other unit types)	1.0 per DU (all studio and 1 BR) to 1.35 per DU (all other unit types)	1.0 per DU (all studio and 1 BR) to 1.35 per DU (all other unit types)	1.5 per DU	2.0 per DU
	Dwelling, single-family detached	Not applicable					1.5 per DU	2.0 per DU
	Dwelling, three-family	No minimum	1.0 per DU	1.0 per DU	1.2 per DU	1.0 per DU	1.2 per DU	1.5 per DU
	Dwelling, townhouse	1.0 per DU	1.0 per DU	No minimum	1.5 per DU	1.5 per DU	2.0 per DU	2.0 per DU

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces									
Principal Use Category	Principal Use Type	Off-Street Parking Standards							
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County	
		Core	Edge	Core	Edge				
	Dwelling, two-family	Not applicable	1.5 PER DU				1.5 per DU	2.0 per DU	
	[Elderly housing (single-family attached dwellings)]	[Not applicable]				[1.0 per 4 beds]	[1.0 per 4 beds]		
	[Elderly housing (single-family detached dwellings)]	[Not applicable]				[1.0 per 4 beds]	[1.0 per 4 beds]		
	Manufactured home park	Not applicable				1.5 per DU	2.0 per DU		
	Mobile home	Not applicable				1.5 per DU	2.0 per DU		
Group Living Uses	Apartment housing for elderly or physically disabled families	Not applicable				1.0 per 4 beds	1.0 per 4 beds		
	Assisted living facility	≤ 8 elderly or [disabled] <u>handicapped</u> residents	No minimum	1.0 per 8 beds	1.0 per 8 beds	1.0 per 4 beds	1.0 per 8 beds	1.0 per 4 beds	1.0 per 4 beds
		> 8 elderly or [disabled] <u>handicapped</u> residents	No minimum	1.0 per 4 beds and 1.0 per 500 SF GFA of general office space	1.0 per 4 beds and 1.0 per 500 SF GFA of general office space	1.0 per 4 beds and 1.0 per 500 SF GFA of general office space	1.0 per 4 beds and 1.0 per 500 SF GFA of general office space	1.0 per 4 beds and 1.0 per 500 SF GFA of general office space	1.0 per 4 beds and 1.0 per 500 SF GFA of general office space
	Boarding or rooming house	Not applicable	1.0 per 500 SF GFA of support space	0.5 spaces per 2 guest rooms + 1.0 per 500 SF GFA of support space		1.0 per 2 guest rooms + 1.0 per 500 SF GFA of support space	1.5 per 2 guest rooms + 1.0 per 500 SF GFA of support space	1 per guest room	
	[Congregate living facility]	[Not applicable]				[1.0 per 4 beds]	[1.0 per 4 beds]		
	Convent or monastery	Not applicable				1.0 per 4 residents	1.0 per 4 residents		
	Fraternity or sorority house	Not applicable				1.0 per 3 residents; 1.0 per 4 residents if within one-quarter mile of designated college or university campus	1.0 per 3 residents		
	Group residential facility	Not applicable	1.0 per 2 units	Not applicable	1.0 per 2 units	1.0 per 2 units	1.5 per 2 units	1.5 per 2 units	
	Planned retirement community	Not applicable				1.0 per DU	1.0 per DU		
	Private dormitory	0.75 spaces per leased occupant if parking is included in lease agreements; 0.5 spaces per leased occupant if parking is not included in lease agreements and must be rented separately							
Communication Uses	Antenna	No minimum							
	Broadcasting studio and [N]newspaper/periodical printing establishment	1.0 per 400 SF GFA and 1.0 space per 4 seats of audience seating				1.0 per 400 SF GFA and 1.0 space per 4 seats of audience seating	1.0 per 400 SF GFA and 1.0 space per 4 seats of audience seating		
	Tower, pole, or monopole	No minimum							

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Off-Street Parking Standards						
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County
		Core	Edge	Core	Edge			
Community Service Uses	Adaptive use of a Historic Site	See requirement for proposed use(s)						
	Adult day care center	Not applicable					1.0 per 4 occupants	1.0 per 3 occupants
	Cultural facility	No minimum	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	3.0 per 1,000 SF GFA	3.0 per 1,000 SF GFA
	Day care center for children	No minimum	1.0 per 20 children	1.0 per 20 children	1.0 per 12 children	1.0 per 20 children	1.0 per 10 children	1.0 per 10 children
	Eleemosynary or philanthropic institution	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	3.0 per 1,000 SF GFA	3.0 per 1,000 SF GFA
	Emergency services facility	No minimum	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	3.0 per 1,000 SF GFA	3.0 per 1,000 SF GFA
	Family child care home, large	Not applicable					1 per 6 children	1 per 6 children
	Family child care home, small	Not applicable					1 per 6 children	1 per 6 children
	Place of worship (regardless of lot size)	1.0 per 4 seats	1.0 per 4 seats	1.0 per 4 seats	1.0 per 4 seats	1.0 per 4 seats	1.0 per 4 seats	1.0 per 4 seats
Educational Uses	Adaptive reuse of a surplus public school	See requirement for proposed use(s)						
	College or university	No minimum	1.0 per 3 faculty/FTE	1.0 per 3 faculty/FTE	1.0 per 3 faculty/FTE	1.0 per 3 faculty/FTE plus 1 space per 1,000 SF GFA classroom and research space	1.0 per 2 faculty/FTE plus 1 space per 1,000 SF GFA classroom and research space	1.0 per 2 faculty/FTE plus 1 space per 500 SF GFA classroom and research space
	<u>Driving school</u>	<u>No minimum</u>	<u>1.0 per 500 SF GFA</u>				<u>1.0 per 400 SF GFA</u>	<u>1.0 per 400 SF GFA</u>
	Private school	No minimum	1.0 per 10 students (design capacity) under 10 th grade; 1.0 per 2 students 10 th grade and above	K-9: 1 space per 3 employees; Others: 1 space per 3 faculty	1.0 per 10 students (design capacity) under 10 th grade; 1.0 per 2 students 10 th grade and above	1.0 per 8 students (design capacity) under 10 th grade; 1.0 per 2 students 10 th grade and above	1.0 per 8 students (design capacity) under 10 th grade; 1.0 per 2 students 10 th grade and above	1.0 per 6 students (design capacity) under 10 th grade; 1.0 per 2 students 10 th grade and above
	Vocational or trade school	No minimum	1 space per 6 persons (enrolled)	1 space per 6 persons (enrolled)	1 space per 3 persons (enrolled)	1 space per 6 persons (enrolled)	1 space per 3 persons (enrolled)	1 space per 3 persons (enrolled)
	Water-dependent research facility operated by a government or educational institution	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Health Care Uses	Hospital	No minimum	1 space per 2 beds	1 space per 2 beds	1 space per bed	1 space per 2 beds	1 space per bed
Health campus		Not applicable					1 per 4 beds, plus 1 space per 2 employees	1 per 4 beds, plus 1 space per 2 employees

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces									
Principal Use Category	Principal Use Type	Off-Street Parking Standards							
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County	
		Core	Edge	Core	Edge				
	Medical or dental office or lab	No minimum	1.0 per 500 SF GFA	1.0 per 1,000 SF GFA	1.0 per 500 SF GFA	1.0 per 400 SF GFA	1.0 per 400 SF GFA; 1.0 per 200 SF GFA when in a single-family dwelling	1.0 per 250 SF GFA; 1.0 per 200 SF GFA when in a single-family dwelling	
	Medical/residential campus	Not applicable						1 per 4 beds, plus 1 space per 2 employees	1 per 4 beds, plus 1 space per 2 employees
	Methadone treatment center	Not applicable	1.0 space per 1,000 SF GFA and 1.0 space per employee	Not applicable	1.0 space per 1,000 SF GFA and 1.0 space per employee	Not applicable		1.0 space per 1,000 SF GFA and 1.0 space per employee	1.0 space per 1,000 SF GFA and 1.0 space per employee
	Nursing or care home	No minimum	1.0 per 8 beds	1.0 per 8 beds	1.0 per 4 beds	No minimum		1.0 per 4 beds	1.0 per 4 beds
Transportation Uses	Airfield, airpark, airport, or airstrip	Not applicable						No minimum	No minimum
	Park and ride facility	To be determined by public transit agency plans and desired transit service levels at facility.							
	Parking facility	Not applicable							
	Parking of commercial vehicles	Not applicable						1 space	1 space
	Transit station or terminal	To be determined by public transit agency plans and desired transit service levels at facility.							
Utility Uses	Solar energy systems, large-scale	Not applicable						1.0 per 500 SF GFA (office facilities)	1.0 per 500 SF GFA (office facilities)
	Public utility uses or structures, major	Not applicable	1.0 per 1,000 SF GFA (office facilities)	Not applicable	1.0 per 1,000 SF GFA (office facilities)	Not applicable	1.0 per 500 SF GFA (office facilities)	1.0 per 500 SF GFA (office facilities)	
	Public utility uses or structures, minor	No minimum	No minimum	No minimum	1.0 per 1,000 SF GFA (office facilities)	1.0 per 1,000 SF GFA (office facilities)	1.0 per 500 SF GFA (office facilities)	1.0 per 500 SF GFA (office facilities)	
	Wind energy conversion system, large-scale	Not applicable						1.0 per 500 SF GFA (office facilities)	1.0 per 500 SF GFA (office facilities)
Adult Uses	Adult entertainment	Not applicable						3.0 per 1,000 SF GFA	5.0 per 1,000 SF GFA
	Adult book or video store	Not applicable						3.0 per 1,000 SF GFA	5.0 per 1,000 SF GFA
Animal Care Uses	Animal shelter	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	1.0 per 500 SF GFA	1.0 per 1,000 SF GFA	1.0 per 500 SF GFA	1.0 per 500 SF GFA	
	Kennel (regardless of lot size)	Not applicable						1.0 per 250 SF GFA	1.0 per 250 SF GFA
	Pet grooming establishment	1.0 per 500 SF GFA	1.0 per 500 SF GFA	1.0 per 500 SF GFA	1.0 per 250 SF GFA	1.0 per 250 SF GFA	1.0 per 250 SF GFA	1.0 per 250 SF GFA	
	Veterinary hospital or clinic	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	Not applicable	1.0 per 500 SF GFA	1.0 per 1,000 SF GFA	1.0 per 500 SF GFA	1.0 per 500 SF GFA	
	Art gallery	No minimum	1.0 per 500 SF GFA						

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces									
Principal Use Category	Principal Use Type	Off-Street Parking Standards							
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County	
		Core	Edge	Core	Edge				
Arts and Artisanal Production Uses	Art, photography, music, dance, yoga, pilates, or martial arts studio or schools	No minimum	1.0 per 500 SF GFA						
	Manufacturing, artisan or maker	No minimum	1.0 per 2 employees				1.0 per employee	1.0 per employee	
	Tattoo or body piercing establishment	No minimum	2.0 per 1,000 SF GFA				3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
Business Support Service Uses	Conference or training center	No minimum	2.0 per 1,000 SF GFA training or display space plus 1.0 per 1,000 GFA office or other administrative space	2.0 per 1,000 SF GFA training or display space plus 1.0 per 1,000 GFA office or other administrative space	3.0 per 1,000 SF GFA training or display space plus 1.0 per 1,000 GFA office or other administrative space	2.0 per 1,000 SF GFA training or display space plus 1.0 per 1,000 GFA office or other administrative space	4.0 per 1,000 SF GFA training or display space plus 2.0 per 1,000 GFA office or other administrative space	4.0 per 1,000 SF GFA training or display space plus 2.0 per 1,000 GFA office or other administrative space	
	Day labor service	No minimum	2.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
	Qualified data center	Not applicable				3.0 per first 1,500 SF GFA; then 1.0 per additional 1,500 SF GFA up to 100,000 SF; then 0.20 per additional 1,000 SF above the first 100,000 SF			
	All other business support uses	No minimum	2.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
Eating or Drinking Establishment Uses	Alcohol production facility, small-scale; shared commercial kitchen; [R]restaurant; and [R]restaurant quick-service (without drive-through)	No minimum	6.0 per 1,000 SF seating area or 3.0 spaces per 1,000 sq. ft. of GFA if no seating area	6.0 per 1,000 SF seating area or 3.0 spaces per 1,000 sq. ft. of GFA if no seating area	8.0 per 1,000 SF seating area or 3.0 spaces per 1,000 sq. ft. of GFA if no seating area	8.0 per 1,000 SF seating area or 3.0 spaces per 1,000 sq. ft. of GFA if no seating area	8.0 per 1,000 SF seating area or 3.0 spaces per 1,000 sq. ft. of GFA if no seating area	10.0 per 1,000 SF seating area or 3.0 spaces per 1,000 sq. ft. of GFA if no seating area	
	Catering establishment	2.5 per 1,000 SF GFA; in addition, for catering with seating, 1.0 per 4 seats							
	Catering or food processing for off-site consumption	2.5 per 1,000 SF GFA; in addition, for catering with seating, 1.0 per 4 seats							
	Restaurant, quick-service (with drive-through)	Not applicable	Not applicable	Not applicable	8.0 per 1,000 SF seating area or 3.0 spaces per 1,000 sq. ft. of GFA if no seating area	Not applicable	8.0 per 1,000 SF seating area or 3.0 spaces per 1,000 sq. ft. of GFA if no seating area	8.0 per 1,000 SF seating area or 3.0 spaces per 1,000 sq. ft. of GFA if no seating area	
Funeral and Mortuary Service Uses	Cemetery or crematory	Not applicable					3.0 spaces per acre of land used for grave space	3.0 spaces per acre of land used for grave space	
	Funeral parlor or undertaking establishment	Not applicable					1.0 per 4 persons (legal occupancy)	1.0 per 4 persons (legal occupancy)	
	All other funeral and mortuary services	Not applicable	Not applicable	Not applicable	Not applicable	Not applicable	1.0 per 4 persons (legal occupancy)	1.0 per 4 persons (legal occupancy)	
Office Uses	Contractor's office	Not applicable			1.0 per 500 SF GFA	Not applicable	1.0 per 500 SF GFA	1.0 per 500 SF GFA	

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces									
Principal Use Category	Principal Use Type	Off-Street Parking Standards							
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County	
		Core	Edge	Core	Edge				
	Office, general business and professional	No minimum	1.0 per 500 SF GFA	1.0 per 400 SF GFA	1.0 per 300, up to 1,500 SF GFA; 1 per 400 above 1,500 SF GFA	1.0 per 300, up to 1,500 SF GFA; 1 per 400 above 1,500 SF GFA	1.0 per 300, up to 1,500 SF GFA; 1 per 400 above 1,500 SF GFA	1.0 per 300, up to 1,500 SF GFA; 1 per 400 above 1,500 SF GFA	
	Office park	Not applicable					1.0 per 300, up to 1,500 SF GFA; 1 per 400 above 1,500 SF GFA	1.0 per 300, up to 1,500 SF GFA; 1 per 400 above 1,500 SF GFA	
Personal Service Uses	Massage establishment	Not applicable					2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	
	Model studio	No minimum	2.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	Not applicable	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	
	All other personal service uses	No minimum	2.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	
Recreation/ Entertainment Uses	Amusement Park	Not applicable					Provide alternative parking plan that demonstrates overall demand is met		
	Arena, stadium, or amphitheater	Not applicable					1.0 per 5 seats	1.0 per 5 seats	
	Cinema	No minimum	1.0 per 6 seats	1.0 per 5 seats	1.0 per 5 seats	1.0 per 5 seats	1.0 per 4 seats	1.0 per 4 seats	
	Club or lodge, private	No minimum	1.0 per 800 SF GFA	1.0 per 800 SF GFA	1.0 per 500 SF GFA	1.0 per 800 SF GFA	1.0 per 500 SF GFA	1.0 per 500 SF GFA	
	Commercial recreation attraction	Not applicable					Determined as part of the special exception approval		
	Commercial recreational facilities (privately owned) on land leased from a public agency	Not applicable					1.0 per 5 seats	1.0 per 5 seats	
	Country club	Not applicable					1.0 per 3 seats	1.0 per 3 seats	
	Entertainment establishment	No minimum	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	6.0 per 1,000 SF GFA	10.0 per 1,000 SF GFA	
	Golf course	Not applicable					5.0 spaces per hole and 1.0 space per employee and 50 percent of spaces normally required for accessory uses		
	Golf driving range	Not applicable					1.0 per tee plus 50 percent of retail requirements for auxiliary space (pro shop, concession, etc.)		
	Nightclub	No minimum	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	6.0 per 1,000 SF GFA	10.0 per 1,000 SF GFA	
	Nonprofit recreational use	Not applicable					1.0 per 5 seats	1.0 per 5 seats	
	Performance arts center	No minimum	1.0 per 6 seats	1.0 per 5 seats	1.0 per 5 seats	Not applicable	1.0 per 4 seats	1.0 per 4 seats	
	Racetrack, pari-mutuel	Not applicable					Provide alternative parking plan that demonstrates overall demand is met		
Recreation facility, indoor	No minimum	3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	5.0 per 1,000 SF GFA	5.0 per 1,000 SF GFA	6.0 per 1,000 SF GFA	6.0 per 1,000 SF GFA		

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Off-Street Parking Standards							
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County	
		Core	Edge	Core	Edge				
	Recreation facility, outdoor	Not applicable	No minimum	Not applicable	No minimum	Not applicable	1.0 per 5 seats	1.0 per 5 seats	
	Recreational or entertainment establishment of a commercial nature	No minimum	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	2.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	6.0 per 1,000 SF GFA	10.0 per 1,000 SF GFA	
	Rifle, pistol, or skeet shooting range	Indoor	Not applicable					3.0 per lane or target and 1.0 per 2 employees	
		Outdoor; lot area ≤ 20 acres	Not applicable						
		Outdoor; lot area > 20 acres	Not applicable						
	Skating facility	Not applicable					1.0 per 4 patrons	1.0 per 4 patrons	
Waterfront entertainment/retail complex	Not applicable					Provide alternative parking plan that demonstrates overall demand is met			
Retail Sales and Service Uses	Automated teller machine (ATM), freestanding	2.0 per ATM							
	Bank or other financial institution	No minimum	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA	1.0 per 500 SF GFA	1.0 per 800 SF GFA	1.0 per 500 SF GFA	1.0 per 400 SF GFA	
	Check cashing business	Not applicable		2.5 per 1,000 SF GFA		Not applicable	3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
	Combination retail	No minimum	2.0 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
	Consumer goods establishment	No minimum	2.0 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
	Convenience store	No minimum	1.0 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
	Drug store or pharmacy	No minimum	2.0 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
	Farmers' market	No minimum	1.0 per 500 SF of vending area	1.0 per 500 SF of vending area	1.0 per 800 SF of vending area	1.0 per 800 SF of vending area	1.0 per 1,000 SF of vending area	1.0 per 1,000 SF of vending area	
	Food and market hall	No minimum	2.0 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
	Grocery store or food market	No minimum	1.0 per 300 SF GFA	1.0 per 400 SF GFA	1.0 per 300 SF GFA	1.0 per 300 SF GFA	1.0 per 300 SF GFA	1.0 per 250 SF GFA	
	Manufactured or modular home sales	Not applicable			1.0 per 2,500 SF GFA of gross outdoor display area	Not applicable	1.0 per 2,500 SF GFA of gross outdoor display area		
	Medical cannabis dispensary	No minimum	2.0 per 1,000 SF GFA	Not applicable	Not applicable	Not applicable	3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
	Pawnshop	Not applicable					3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	
	Tobacco shop, electronic cigarette shop, or retail tobacco business	No minimum	2.0 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	2.5 per 1,000 SF GFA	3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA	

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Off-Street Parking Standards						
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County
		Core	Edge	Core	Edge			
Shopping Centers	25,000 to 399,999 SF of gross leasable floor area	Not applicable					All uses other than office, medical office and theater: 1.0 per 300 SF GFA	All uses other than office, medical office and theater: 1.0 per 300 SF GFA
		Not applicable					Medical Office and Office: 1.0 per 400 SF GFA	Medical Office and Office: 1.0 per 300 SF GFA
		Not applicable					Theater: 1.0 per 4 seats; if at least 20 percent of shopping center <u>gross leasable floor area</u> is developed with office use, [comprising at least 15 percent of floor area,] 1.0 per 6 seats	Theater: 1.0 per 4 seats; if at least 20 percent of shopping center <u>gross leasable floor area</u> is developed with office use, [comprising at least 15 percent of floor area,] 1.0 per 6 seats
	400,000 SF or more of gross leasable floor area	Not applicable					All uses other than office, medical office and theater: 1.0 per 300 SF GFA	All uses other than office, medical office and theater: 1.0 per 250 SF GFA
		Not applicable					Medical Office and Office: 1.0 per 400 SF GFA	Medical Office and Office: 1.0 per 300 SF GFA
		Not applicable					Theater: 1.0 per 4 seats; if at least 20 percent of shopping center <u>gross leasable floor area</u> is developed with office use, [comprising at least 15 percent of floor area,] 1.0 per 6 seats	Theater: 1.0 per 4 seats; if at least 20 percent of shopping center <u>gross leasable floor area</u> is developed with office use, [comprising at least 15 percent of floor area,] 1.0 per 6 seats
Vehicle Sales and Service Uses	Commercial fuel depot	Not applicable					1.0 per employee	1.0 per employee
	Commercial vehicle repair and maintenance	Not applicable					4.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Off-Street Parking Standards						
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County
		Core	Edge	Core	Edge			
	Commercial vehicle sales and rental and Personal vehicle sales and rental	Not applicable					2 spaces per 1,000 SF GFA of building	
	Gas station	Not applicable	1.0 per 600 SF GFA	Not applicable	1.0 per 600 SF GFA	1.0 300 SF GFA	1.0 300 SF GFA	1.0 300 SF GFA
	<u>Heavy equipment sales, rental, servicing, or storage</u>	Not applicable					2 spaces per 1,000 SF GFA of building	
	Personal vehicle repair and maintenance	Not applicable			3.0 per 1,000 SF GFA	Not applicable	4.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA
	Taxi or limousine service facility	No minimum	1.0 per employee	1.0 per employee	1.0 per employee	1.0 per employee	1.0 per employee	1.0 per employee
	[Vehicle and trailer rental display]	[Not applicable]					[2 spaces per 1,000 SF GFA of building]	
	Vehicle parts or tire store	Not applicable					3.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA
	Vehicle paint finishing shop and vehicle or trailer storage yard	Not applicable					4.0 per 1,000 SF GFA	4.0 per 1,000 SF GFA
	Vehicle towing and wrecker service	Not applicable					2 customer spaces plus 1 space per employee	
Visitor Accommodation Uses	Bed and breakfast (as accessory to single-family dwelling)	Not applicable					1 per guest room, not to exceed 8 spaces	
	Country inn	Not applicable					1.0 per guest room and 1.0 per resident caretaker	1.0 per guest room and 1.0 per resident caretaker
	Hotel or motel	No minimum	1.0 per 2 guest rooms	0.75 per guest room	1.0 per guest room	Not applicable	1.0 per guest room and 1 per 500 SF GFA of auxiliary space	1.0 per guest room and 1 per 500 SF GFA of auxiliary space
	Recreational campground	Not applicable					1.0 per campsite	
Water-Related Uses	Boat sales, rental, service, or repair	Not applicable					1.0 per 2,500 SF of gross outdoor display area	1.0 per 2,500 SF of gross outdoor display area
	Boat storage yard	Not applicable					2.0 spaces per 1,000 SF GFA of office or indoor space	2.0 spaces per 1,000 SF GFA of office or indoor space
	Marinas and marina expansions	Not applicable					1.0 per 2 boat slips	1.0 per boat slip
	Waterfront boat fuel sales	Not applicable					2.0 spaces per 1,000 SF GFA of office or indoor space	2.0 spaces per 1,000 SF GFA of office or indoor space
Extraction Uses	Sand and gravel wet-processing	Not applicable					1.0 per 2 employees	1.0 per 2 employees
	Surface mining	Not applicable					1.0 per 2 employees	1.0 per 2 employees

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Off-Street Parking Standards						
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County
		Core	Edge	Core	Edge			
Industrial Service Uses	Bulk storage of gasoline	Not applicable					1.0 per 2 employees	1.0 per 2 employees
	Contractor’s yard, photographic processing plant	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	<u>Dry-cleaning, laundry, or carpet-cleaning plant</u>	<u>Not applicable</u>					<u>2.0 spaces per 1,000 SF GFA</u>	<u>2.0 spaces per 1,000 SF GFA</u>
	Fuel oil or bottled gas distribution	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Landscaping contractor’s business	Not applicable					1.0 per 2 employees and 1 per vehicle operated in connection with the use	
	Printing or similar reproduction facility, small engine repair shop	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Liquid gas storage	Not applicable					1.0 per 2 employees	1.0 per 2 employees
	Research and development	No minimum	1.0 space per 1,000 SF GFA	No minimum	1.0 space per 1,000 SF GFA	1.0 space per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Slaughterhouse	Not applicable					1.5 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
Manufacturing Uses	Abrasives and asbestos product manufacturing	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Alcohol production facility, large-scale	Not applicable					1.0 spaces per 1,000 SF GFA	1.0 spaces per 1,000 SF GFA
	Asphalt mixing plant	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Beverage bottling	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Cement manufacturing	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Concrete batching plant	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Concrete or brick products manufacturing	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Food processing	Not applicable			2.0 spaces per 1,000 SF GFA	Not applicable	2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Heavy armament fabrication	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Manufacturing, assembly, or fabrication, light	Not applicable	2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA		2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
Manufacturing, assembly, or fabrication, heavy	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA	

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces								
Principal Use Category	Principal Use Type	Off-Street Parking Standards						
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County
		Core	Edge	Core	Edge			
	Paper and paperboard products	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
Warehouse and Freight Movement Uses	Cold storage plant	Not applicable			2.0 spaces per 1,000 SF GFA	Not applicable	2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Consolidated storage	Not applicable	1.0 per 4,000 SF rentable storage area	Not applicable	1.0 per 4,000 SF rentable storage area	1.0 per 4,000 SF rentable storage area	1.0 per 4,000 SF rentable storage area	1.0 per 3,000 SF rentable storage area; 4.0 per 1,000 SF office space; 2.0 per resident manager
	Distribution warehouse	Not applicable			1.0 per 1,000 SF GFA	Not applicable	1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA
	Motor freight facility	Not applicable					2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
	Outdoor storage (as principal use)	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)
	Storage warehouse	Not applicable			1.0 per 600 SF up to 3,000 SF GFA; then 1.0 per additional 3,000 SF	Not applicable	1.0 per 600 SF up to 3,000 SF GFA; then 1.0 per additional 3,000 SF	1.0 per 600 SF up to 3,000 SF GFA; then 1.0 per additional 3,000 SF
	Warehouse showroom	Not applicable			2.0 spaces per 1,000 SF GFA	Not applicable	2.0 spaces per 1,000 SF GFA	2.0 spaces per 1,000 SF GFA
Resource Recovery and Waste Management Uses	Class 3 fill	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)
	Composting facility	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)
	Concrete recycling facility	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)
	Electronic recycling facility	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)
	Junkyard	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)

TABLE 27-6305(a): Minimum Number of Off-Street Parking Spaces

Principal Use Category	Principal Use Type	Off-Street Parking Standards						
		RTO and LTO Zones (Base and PD)		TAC Zone (Base and PD)		NAC (Base and PD)	Inside the Capital Beltway	All Other Areas in the County
		Core	Edge	Core	Edge			
	Paper recycling collection center	Not applicable					1.0 per attendant plus 1.0 per commercial vehicle; minimum of 10 spaces	1.0 per attendant plus 1.0 per commercial vehicle; minimum of 10 spaces
	Recycling collection center	Not applicable	1.0 per attendant plus 1.0 per commercial vehicle	Not applicable	1.0 per attendant plus 1.0 per commercial vehicle	1.0 per attendant plus 1.0 per commercial vehicle	1.0 per attendant plus 1.0 per commercial vehicle; minimum of 10 spaces	1.0 per attendant plus 1.0 per commercial vehicle; minimum of 10 spaces
	Recycling of non-ferrous metals	Not applicable					1.0 per attendant plus 1.0 per commercial vehicle; minimum of 10 spaces	1.0 per attendant plus 1.0 per commercial vehicle; minimum of 10 spaces
	Recycling plant	Not applicable					1.0 per attendant plus 1.0 per commercial vehicle; minimum of 10 spaces	1.0 per attendant plus 1.0 per commercial vehicle; minimum of 10 spaces
	Sanitary landfill; rubble fill	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)
	Solid waste processing facility	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)
	Solid waste transfer station	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)
	[Temporary rubble (construction and demolition debris) landfill]	[Not applicable]					[2.0 spaces per 1,000 SF GFA (office facilities)]	[2.0 spaces per 1,000 SF GFA (office facilities)]
	Vehicle salvage yard	Not applicable					2.0 spaces per 1,000 SF GFA (office facilities)	2.0 spaces per 1,000 SF GFA (office facilities)
Wholesale Uses	Food or beverage distribution at wholesale	Not applicable					1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA
	All other wholesale uses	Not applicable					1.0 per 1,000 SF GFA	1.0 per 1,000 SF GFA

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(c) Mixed-Use Developments and Shared Parking

(1) Developments consisting of a mix of uses shall provide parking based on their potential to share parking between uses and thus reduce the overall parking footprint that would result from each individual use meeting minimum standards. This [necessarily] includes, but is not limited to:

- (A) Developments containing more than one principal institutional or commercial use;
- or
- (B) One or more institutional or commercial uses along with at least one residential use;
- or
- (C) Multiple industrial uses on a single property classified within the IH Zone; or
- (D) Multiple industrial uses on one or more adjoining properties under the same ownership, and which are located not more than 1,000 feet away from each other, in the IH Zone.

* * * * *

(f) Driveways Used to Satisfy Standards

For single-family detached dwellings, two-family dwellings, townhouse dwellings, and three-family dwellings, driveways may be used to satisfy minimum off-street parking space standards, provided a minimum of 19 feet of driveway length is available outside a street right-of-way or sidewalk to store the length of a general purpose vehicle and satisfy the standards of this Section and this Ordinance.

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27-6306. Dimensional Standards for Parking Spaces and Aisles

(a) General

Except as otherwise provided in Section 27-6306(b) below, standard vehicle parking spaces and parking lot aisles shall comply with the minimum dimensional standards established in Table 27-6306(a), Minimum Dimensional Standards for Parking Spaces and Aisles. See Figure 27-6306(a).2: Measurement of Parking Space and Aisle Dimension.

Table 27-6306(a): Minimum Dimensional Standards for Parking Spaces and Aisles (1)					
Parking Angle (degrees)	Stall Width (ft)	Stall Depth Perpendicular to Curb (ft)	Aisle Width (ft) (2)	Stall Length along Curb (ft)	Double Row + Aisle, Curb to Curb (Ft)
A	B	C	D	E	F
Residential, Public, Civic, and Institutional, and Commercial Uses ONLY					
0 (parallel parking)	8	8	11	22	27
45	9	19	12	13	50
60	9	20	15	10	50
90	9	18	22	9	58

Table 27-6306(a): Minimum Dimensional Standards for Parking Spaces and Aisles (1)

Parking Angle (degrees)	Stall Width (ft)	Stall Depth Perpendicular to Curb (ft)	Aisle Width (ft) (2)	Stall Length along Curb (ft)	Double Row + Aisle, Curb to Curb (Ft)
A	B	C	D	E	F
Compact Spaces	8	16	11	<u>8/16 (3)</u>	27

NOTES:

- (1) Refer to Figure 27-6306(a).2, below, for illustrations showing how dimensions for parking spaces and aisles in various configurations (A-F) are measured.
- (2) For one-way traffic. Aisles for two-way traffic shall be at least 22 feet wide (for all parking angles). The Planning Director may approve an aisle width less than the minimum on determining that the aisle is sufficiently wide to allow vehicles to conveniently maneuver through the parking area and access each parking space without driving through any other parking space.
- (3) Stall length for compact spaces shall be 8 feet when the parking angle is 90 degrees and 16 feet when the parking angle is 0 degrees (parallel parking). For 45 or 60 degree parking angles, the stall length shall be the same as for standard parking spaces.

* * * * *

(b) Smaller Parking Spaces for Tandem Parking and Certain Uses

The dimensions of off-street parking stalls may be reduced to a width of eight feet and a depth/length of 18 feet per vehicle where the parking stalls are:

(1) Used for tandem parking (see Section 27-6307(g), Valet and Tandem Parking); or

(2) Located within a development containing exclusively [i]Industrial [s]Services [u]Uses, [manufacturing and production uses, or warehouse and freight movement uses] Manufacturing Uses, or Warehouse and Freight Movement Uses.

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27-6307. Off-Street Parking Alternatives

(a) General; Alternative Parking Plan

(1) An alternative parking plan that proposes alternatives to providing the minimum number of off-street parking spaces required by Table 27-6305(a): Minimum Number of Off-Street Parking Spaces, may be submitted with a development application for a special exception (Section 27-3604), detailed site plan (Section 27-3605), temporary use permit (Section 27-3607), use and occupancy permit (Section 27-3608), or building permit (Section 27-3611) and may be approved by [the Planning Board,] the Planning Director, [or the DPIE Director, whichever is the decision-maker on the application,] except in the case of a special exception where the Planning Director shall make a recommendation on, and the

1 ZHE may approve, such alternative parking plan application(s), in accordance with the standards listed
2 below.

3 * * * * *
4 **(c) Shared Parking for Single-Use Developments**

5 * * * * *
6 **(6) Shared Parking Agreement**

7 (A) An approved shared parking arrangement shall be enforced through written
8 agreement among all the owners or long-term lessees of lands containing the uses proposed to share off-
9 street parking spaces. The agreement shall provide all parties the right to joint use of the shared parking
10 area in perpetuity (such agreement may be extinguished with the written consent of all affected property
11 owners at any point in time following an initial time frame of at least 10 years). The agreement shall be
12 submitted to the Planning Director, who shall forward it to any municipality in which the development for
13 which a shared parking arrangement is proposed is located, for review and comment[, and then to the
14 appropriate attorney for the County for review and approval before execution]. An attested copy of an
15 approved and executed agreement shall be recorded in the Land Records of Prince George's County
16 before issuance of a building permit for any use to be served by the shared parking area. The agreement
17 shall be considered a restriction running with the land and shall bind the owners or long-term lessees of
18 lands containing the uses proposed to share off-street parking spaces, and their heirs, successors, and
19 assigns. A violation of the agreement shall constitute a violation of the Ordinance, which may be enforced
20 in accordance with PART 27-8, Enforcement.

21 * * * * *
22 **(d) Off-Site Parking**

23 An alternative parking plan may propose to meet a portion of the minimum number of off-street
24 parking spaces required for a use with off-site parking—i.e., off-street parking spaces located on a parcel
25 or lot separate from the parcel or lot containing the use and can be operated by a private or public
26 agency—in accordance with the following standards.

27 * * * * *
28 **(4) Off-Site Parking Agreement**

29 (A) If land containing the off-site parking area is not under the same ownership as land
30 containing the principal use served, the off-site parking arrangement shall be established in a written
31 agreement between the owners of land containing the off-site parking area and land containing the served
32 use. The agreement shall provide the owner of the served use the right to use the off-site parking area for
33 at least 10 years, and include provisions for extending the agreement after that period of time. The
34 agreement shall be submitted to the Planning Director, who shall forward it to any municipality in which

1 the development for which an off-site parking arrangement is proposed is located, for review and
2 comment[, and then to the appropriate attorney for the County, for review and approval before execution].
3 An attested copy of an approved and executed agreement shall be recorded with the Land Records of
4 Prince George's County before issuance of a building permit for any use to be served by the off-site
5 parking area. The agreement shall be considered a restriction running with the land and shall bind the
6 owners of land containing the off-site parking area and land containing the served use, and their heirs,
7 successors, and assigns. A violation of the agreement shall constitute a violation of the Ordinance, which
8 may be enforced in accordance with PART 27-8, Enforcement.

9 * * * * *

10 **(e) On-Street Parking**

11 * * * * *

12 **(2) On-Street Parking Agreement**

13 (A) If an alternative parking plan is proposed for on-street parking, the applicant shall
14 enter into an on-street parking agreement or series of agreements, depending on ownership of the streets
15 where on-street parking is proposed, with the Maryland State Highway Administration, the County, or
16 any municipality with jurisdiction of the street. The agreement shall spell out the terms and conditions
17 and duration of use for the on-street parking. The agreement shall be submitted to the Planning Director,
18 who shall forward it to any municipality in which the development for which an on-street parking
19 arrangement is proposed is located, for review and comment[, and then to the appropriate attorney for the
20 County, for review and approval before execution]. An attested copy of an approved and executed
21 agreement shall be recorded in the Land Records of Prince George's County before issuance of a building
22 permit for any use to be served by the on-street parking. The agreement shall be considered a restriction
23 running with the land and shall bind the applicant and the applicant's heirs, successors, and assigns. A
24 violation of the agreement shall constitute a violation of the Ordinance, which may be enforced in
25 accordance with PART 27-8, Enforcement.

26 * * * * *

27 **(f) Deferred Parking**

28 An alternative parking plan may propose to defer construction of up to 35 percent of the number of
29 off-street parking spaces required by Table 27-6305(a), Minimum Number of Off-Street Parking Spaces,
30 in accordance with the following standards:

31 **(1) Justification**

32 The alternative parking plan shall include a study demonstrating that because of the location,
33 nature, or mix of uses, there is a reasonable probability the number of parking spaces actually needed to
34 serve the development is less than the minimum required by Table 27-6305(a): Minimum Number of Off-

1 Street Parking Spaces. The Planning Director shall review the alternative parking plan and study, and may
2 choose to approve or disapprove the alternative parking plan.

3 **(2) Reserve Parking Plan and [Temporary Easement] Covenant**

4 The alternative parking plan shall include a reserve parking plan identifying: (a) the amount of
5 off-street parking being deferred, and (b) the location of the area to be reserved for future parking, if
6 future parking is needed.

7 **(3) Parking Demand Study**

8 **(A)** The alternative parking plan shall provide assurance that within 24 months after the
9 initial Certificate of Occupancy is issued for the proposed development, an off-street parking demand
10 study evaluating the adequacy of the existing parking spaces in meeting the off-street parking demand
11 generated by the development will be submitted to the Planning Director.

12 **(B)** If the Planning Director determines that the study demonstrates the existing parking
13 is adequate, then construction of the remaining number of parking spaces shall not be required. If the
14 Planning Director determines the study indicates additional parking is needed, such parking shall be
15 provided consistent with the reserve parking plan and the standards of this Section.

16 **(4) Limitations on Reserve Areas and [Temporary Easement] Covenant**

17 Areas reserved for future parking shall be brought to the finished grade and shall not be used
18 for buildings, storage, loading, or other purposes. Such areas may be used for temporary overflow
19 parking, provided such use is sufficiently infrequent to ensure maintenance of its ground cover in a
20 healthy condition. A [temporary use easement] covenant shall be established on the areas to be reserved
21 for future parking, which shall ensure such areas are available should the parking demand study below
22 demonstrate additional parking is needed.

23 **(5) Landscaping of Reserve Areas Required**

24 Areas reserved for future off-street parking shall be landscaped with an appropriate ground
25 cover, and if ultimately developed for off-street parking, shall be landscaped in accordance with Section
26 4.3, Parking Lot Requirements, of the Landscape Manual.

27 **(g) Valet and Tandem Parking**

28 * * * * *

29 **(3) Valet Parking Agreement**

30 **(A)** Valet parking may be established and managed only in accordance with a valet
31 parking agreement. An applicant shall provide documentation of an active agreement to the County and
32 include provisions ensuring that a valet parking attendant will be on duty during hours of operation of the
33 uses served by the valet parking. The agreement shall be for a minimum of 5 years, identify the location
34 of the valet parking lot, and include provisions ensuring that a valet parking attendant will be on duty

during hours of operation of the uses served by the valet parking. The agreement shall be submitted to the Planning Director, who shall forward it to any municipality in which the development for which a valet or tandem parking arrangement is proposed, for review and comment[, and then to the appropriate attorney for the County for review and approval before execution]. An attested copy of an approved and executed agreement shall be recorded in the Land Records of Prince George's County before issuance of a building permit for any use to be served by the valet parking, and documentation that the agreement remains in effect shall be provided to the County on an annual basis thereafter. The agreement shall be considered a restriction running with the land and shall bind the owners of land containing the uses served by the valet parking, and their heirs, successors, and assigns. A violation of the agreement shall constitute a violation of the Ordinance, which may be enforced in accordance with PART 27-8, Enforcement.

* * * * *

27-6310. Loading Area Standards

(a) Minimum Number of Off-Street Loading Berths

Any new development involving the routine vehicular delivery or shipping of goods, supplies, or equipment to or from the development shall provide a sufficient number of off-street loading berths to accommodate the delivery and shipping operations of the development’s uses in a safe and convenient manner. Table 27-6310(a): Minimum Number of Off-Street Loading Berths, sets forth the minimum number of loading berths for the different principal uses. For proposed uses not listed in Table 27-6310(a): Minimum Number of Off-Street Loading Berths, the requirement for a use most similar to the proposed use shall apply.

* * * * *

Table 27-6310(a): Minimum Number of Off-Street Loading Berths		
Principal Use Classification/Category	Gross Floor Area (GFA) of Building	Minimum Number of Loading Berths
Institutional and Commercial Uses		
Retail Sales and Service Uses	At least 5,000 sq. ft. but less than 10,000 sq. ft.	1
	At least 10,000 sq. ft. but less than 100,000 sq. ft.	2
	Each additional 100,000 sq. ft. or major fraction thereof	add 1
Shopping Centers	At least 25,000 sq. ft. and up to 100,000 sq. ft.	3 for the entire shopping center

Table 27-6310(a): Minimum Number of Off-Street Loading Berths		
Principal Use Classification/Category	Gross Floor Area (GFA) of Building	Minimum Number of Loading Berths
	Each additional 100,000 sq. ft. or major fraction thereof	add 1
Household Living Uses (Multifamily only) and Group Living Uses (Assisted Living Facility only)	At least 100 dwelling units and up to 300 dwelling units	1
	Each additional 200 dwelling units or major fraction thereof	add 1
Healthcare Uses, Business Support Service Uses, Office Uses, Personal Service Uses, and Visitor Accommodation Uses (Hotel/Motel only)	At least 10,000 sq. ft. and up to 100,000 sq. ft.	1
	Each additional 100,000 sq. ft. or major fraction thereof	add 1
Industrial Uses		
Industrial Service Uses and Manufacturing Uses (and Consolidated Storage)	At least 2,000 sq. ft. but less than 25,000 sq. ft.	1
	At least 25,000 sq. ft. [but less than] and up to 50,000 sq. ft.	2
	Each additional 50,000 sq. ft. or major fraction thereof	[3] add 1
Warehouse and Freight Movement Uses (except Consolidated Storage)	At least 1,500 sq. ft. and up to 10,000 sq. ft.	1
	Each additional 40,000 sq. ft. or major fraction thereof	add 1

* * * * *

SUBTITLE 27. ZONING.

PART 27-6 DEVELOPMENT STANDARDS

SECTION 27-6400 OPEN SPACE SET-ASIDES

* * * * *

27-6404. Areas Counted as Open Space Set-Asides

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6

(a) The features and areas identified in Table 27-6404(a): Open Space Set-Aside Features, shall be credited towards compliance with the open space set-aside standards of this Section for development in the areas indicated.

(1) No less than 15 percent of the total required minimum open space set-aside area within a residential development outside the Transit-Oriented/Activity Center base and Transit-Oriented/Activity Center PD zones shall consist of active recreational areas.

(2) No less than 50 percent of the total required minimum open space set-aside area within the core area of a Transit-Oriented/Activity Center base or Transit-Oriented/Activity Center PD zone shall be a square, forecourt, or plaza.

Table 27-6404(a): Open Space Set-Aside Features


Area Counted as Common Open Space Set-Asides	Description	Design and Maintenance Requirements
* * *	* * *	* *
Active Recreational Areas		
	<p>Land occupied by areas and facilities used for active recreational purposes, such as ballfields, playgrounds, tennis courts, pools, jogging trails, community buildings and clubhouses, and land dedicated for parks in accordance with Subtitle 24: Subdivision Regulations, Section 24-4600, Parklands and Recreation Facilities.</p>	<p>Active recreational areas may occupy up to 100 percent of the open space set-asides (if no natural features exist on the site) except in the Transit-Oriented/Activity Center base and PD zones, the Nonresidential base zones, and the IE-PD zone. [No less than 35 percent of the total open space set-aside area within a residential development outside the Transit-Oriented/Activity Center base and PD zones shall consist of active recreational areas.] Active recreational areas shall be [compact and] contiguous <u>or interconnected</u>, to the maximum extent practicable, unless used to link or continue existing or public open space lands.</p>
* * *	* * *	* *
Squares, Forecourts, and Plazas		

Table 27-6404(a): Open Space Set-Aside Features

Area Counted as Common Open Space Set-Asides	Description	Design and Maintenance Requirements
	<p>Squares, forecourts, plazas, and civic greens that provide opportunities to create special places for people to gather.</p>	<p>Such features shall be at least 600 square feet in area. Such features shall have direct access to a street or sidewalk and shall be designed to accommodate people sitting and gathering, incorporating benches, tables, fountains, or other similar amenities. Surrounding buildings shall be oriented toward the square, forecourt, or plaza when possible, and a connection shall be made to surrounding development. [No less than 50 percent of the total open space set-aside area within the core area of a Transit-Oriented/Activity Center base or PD zone shall be a square, forecourt, or plaza.]</p>

* * * * *

27-6406. Design Standards for Open Space Set-Asides

Land used as an open space set-aside shall comply with the following design standards:

(a) Location

Open space shall be located so as to be readily accessible and useable by occupants and users of the development. Where possible, a portion of the open space set-aside should provide focal points for the development through prominent placement or easy visual access from streets.

(b) Configuration

(1) Open space set-asides shall be [compact and] contiguous or interconnected, to the maximum extent practicable, unless a different configuration is needed to continue an existing trail or accommodate preservation of natural, historical, and archeological resources.

* * * * *

SUBTITLE 27. ZONING.

PART 27-6 DEVELOPMENT STANDARDS

SECTION 27-6600 FENCES AND WALLS

* * * * *

1 **27-6603. Height Standards**

2 **(a) General**

3 Unless otherwise stated in Section 27-6600, Fences and Walls, fences and walls shall comply with
4 the standards in Table 27-6603(a): Fence and Wall Height.

Table 27-6603(a): Fence and Wall Height			
Location on Lot	Maximum Height (feet) (1)		
	Residential and Rural and Agricultural Base Zones, Residential PD Zones	Non- residential Base Zones and IE-PD Zone	Transit-Oriented/ Activity Center Base and PD Zones
Within a required front yard, build-to zone, corner lot side yard in front of the principal building (2)	4	4	4
Within any other required yard or in corner side yard behind the front plane of the principal building	6	6	6
<u>Along the lot lines of a development consisting of multiple buildings, such as along the perimeter of an apartment complex, office park, or industrial park.</u>	<u>6</u>	<u>6</u>	<u>6</u>

NOTES:

(1) Fence or wall height may be increased through the security plan exemption in accordance with Section 27-6610, Security Exemption Plan.

(2) The maximum height of a fence or wall within a front yard, corner lot side yard, or build-to zone is 8 feet when the fence or wall is required by a use-specific standard or special exception standard at this height or is part of a community garden or urban agriculture use, unless the fence may block a motorists' line of sight (see Section 27-6602(d), Avoidance of Traffic Hazards).

5 * * * * *

6 **27-6610. Security Exemption Plan**

7 **(a)** A landowner in need of heightened security may submit to the Planning Director, or, where
8 delegated pursuant to Section 27-3308(b), the municipality in which the development application is
9 located a security exemption plan proposing a fence or wall taller than those permitted by this Section, an
10 electric fence, or proposing the use of barbed and/or razor wire atop a fence or wall for security reasons.

11 **(b)** The Board of Appeals or municipality may approve or approve with conditions, the security
12 exemption plan, upon finding all of the following:

13 **(1) Need for Safety or Security Reasons**

14 The condition, location, or use of the land, or the history of activity in the area, indicates the
15 land or any materials stored or used on it are in significantly greater danger of theft or damage than
16 surrounding land, or represent a significant hazard to public safety without:

17 **(A)** A taller fence or wall;

- (B) An electric fence; or
- (C) Use of barbed and/or razor wire atop a fence or wall.

(2) No Adverse Effect

The proposed fence or wall will not have a significant adverse effect on the security, functioning, appearance, or value of adjacent lands or the surrounding area as a whole.

(c) If the Board of Appeals or municipality finds the applicant fails to demonstrate compliance with Sections 27-6610(b)(1) and 27-6610(b)(2) above, the security plan shall be disapproved.

* * * * *

SUBTITLE 27.ZONING.

PART 27-6 DEVELOPMENT STANDARDS

SECTION 27-6700 EXTERIOR LIGHTING

* * * * *

27-6706. General Standards for Exterior Lighting

Development subject to this Section shall comply with the following standards:

* * * * *

(d) Maximum Height

Except for athletic field lighting fixtures, which shall not exceed 95 feet in height, and private street lighting (see Section 27-6705, Private Street Lighting), the height of exterior light fixtures, whether mounted on poles, walls, or by other means, shall comply with the standards in Table 27-6706(d):

Maximum Height for Exterior Lighting.

Table 27-6706(d): Maximum Height for Exterior Lighting	
Zone	Maximum Height
Rural and Agricultural base zones	16 feet
Residential <u>base zones and the R-PD Zone</u>	16 feet
Transit-Oriented/Activity Center base and PD zones and <u>the MU-PD [z]Zone</u>	20 feet
Nonresidential base zones and <u>the IE-PD [z]Zone</u>	30 feet
Within 100 feet of a Residential <u>base zone and the R-PD Zone</u>	16 feet

* * * * *

27-6709. Security Exemption Plan

(a) A landowner may submit a security plan to the Planning Director, or, where delegated pursuant to Section 27-3308(b), the municipality in which the development application is located proposing exterior lighting that deviates from the standards in this Section. The Planning Director or municipality shall approve or approve with conditions the security plan and its proposed deviation from the standards, upon finding that the applicant demonstrates:

1 (1) The proposed deviation from the standards is necessary for the adequate protection of the
2 subject land, development, or the public;

3 (2) The condition, location, or use of the land, or the history of activity in the area, indicates
4 the land or any materials stored or used on it are in significantly greater danger of theft or damage, or
5 members of the public are at greater risk for harm than on surrounding land without the additional
6 lighting; and

7 (3) The proposed deviation from the standards is the minimum necessary, and will not have a
8 significant adverse effect on neighboring lands.

9 (b) If the Planning Director or municipality finds the applicant fails to demonstrate compliance
10 with Subsections 27-6709(a)(1) through 27-6709(a)(3) above, the security plan shall be disapproved.

11 * * * * *

12 **SUBTITLE 27. ZONING.**

13 **PART 27-6 DEVELOPMENT STANDARDS**

14 **SECTION 27-61100 INDUSTRIAL FORM AND DESIGN STANDARDS**

15 * * * * *

16 **27-61102. Industrial Form and Design Standards**

17 Development subject to this Section shall comply with the following standards.

18 **(a) Building Orientation**

19 **(1) Single-Building Development**

20 An industrial development composed of a single building shall orient the building façade
21 containing its primary patron entrance to face the street from which the building derives its street address,
22 to the maximum extent practicable.

23 **(2) Multi-Building Development**

24 A development composed of multiple buildings should locate and configure the buildings to
25 conceal operations and loading areas from off-site views, to the maximum extent practicable.

26 **(3) Accessory Uses and Structures**

27 Accessory uses and structures shall not front a street and shall be located in a manner that
28 minimizes their impacts on adjacent development.

29 **(b) Façade Articulation**

30 Each street-facing building façade shall be horizontally and/or vertically articulated to avoid long,
31 blank wall planes, by providing visual relief along the street-facing façade by incorporating one or more
32 [meeting at least two] of the following concepts[standards]:

33 **(1) Wall Plane Horizontal Articulation**

[Each façade greater than 100 feet in width shall be articulated] articulate street-facing facades with wall offsets (e.g., projections or recesses in the façade plane), changes in façade color or material, or similar features that visually interrupt the wall plane horizontally [such that the width of uninterrupted façade does not exceed 60 feet] (see Figure 27-61102(b): Example of Façade Articulation for Industrial Building).

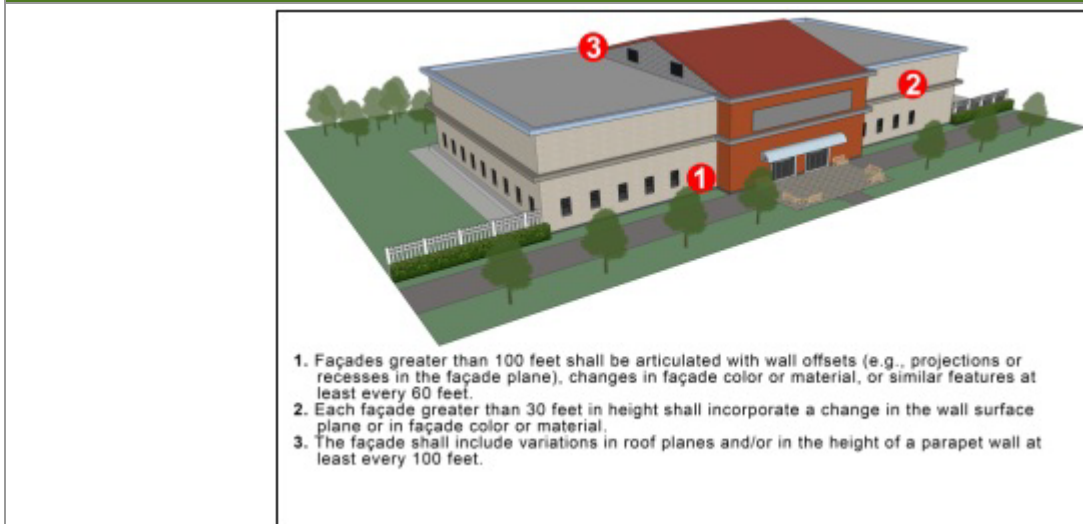
(2) Vertical Articulation

[Each façade greater than 30 feet in height shall i]Incorporate a change in the wall surface plane or in façade color or material that visually interrupts the wall plane vertically[such that the height of the uninterrupted façade does not exceed 30 feet].

(3) Roof Line Variation

[The façade shall-i]Include variations in roof planes and/or in the height of a parapet [at least every 100 feet of roofline length] along the façade.

Figure 27-61102(b): Example of Façade Articulation for Industrial Building



(c) Entrance

(1) Each principal building shall have clearly defined, highly visible primary entrances for occupants and patrons that incorporate at least two of the following design features to emphasize the importance of the entrance:

- (A)** Canopy or portico;
- (B)** Roof overhang;
- (C)** Horizontal recess or projection;
- (D)** Arcade or arch;
- (E)** Peaked roof form;
- (F)** Outside patio;

- 1 (G) Display window;
- 2 (H) Architectural tile work or moldings integrated into the design of the building
- 3 façade;
- 4 (I) Integrated planters or wing walls that incorporate landscaped area or seating areas;
- 5 or
- 6 (J) Similar architectural features not found on the remainder of the building façade.
- 7 (2) Street-facing façades of the ground level floor shall not include overhead doors, sliding
- 8 glass doors, removable panels, or similar type of doors unless they are screened in accordance with
- 9 Section 4.4, Screening Requirements, of the Landscape Manual.

(d) Building Façade Materials

The use of corrugated metal siding or any other similar metal siding, unfinished or untreated tilt-up concrete panels, or standard single- or double-tee concrete systems as a primary exterior façade material shall be limited to those portions of rear and side building façades that are not visible from the public right-of-way or an adjacent residential, public, civic, or institutional, or commercial use.

(e) Location of Loading and Service Areas

To the maximum extent practicable, [L]loading and service areas shall be separated from patron parking, pedestrian areas, and main drive aisles, and shall be located a minimum of 200 feet from any abutting single-family detached dwellings, two-family dwellings, or vacant lands in a residential single-family zone (the RE, RR, RSF-95, and RSF-65 zones).

(f) Off-Street Parking Location

No more than 60 percent of the off-street parking spaces may be located in surface parking lots between the front building façade and the street it faces. For buildings larger than 25,000 square feet, and therefore subject to detailed site plan approval, a higher percentage of off-street parking may be permitted if the Planning Board finds that a higher percentage of off-street parking will better separate the loading and service areas from patron parking, pedestrian areas, and main drive aisles.

* * * * *

SUBTITLE 27. ZONING.

PART 27-6 DEVELOPMENT STANDARDS

SECTION 27-61200 NEIGHBORHOOD COMPATIBILITY STANDARDS

* * * * *

27-61201. Purpose and Intent

The purpose of these neighborhood compatibility standards is to provide a proper transition and ensure compatibility between existing single-family detached dwellings, two-family dwellings, townhouses, or

1 vacant lands in the single-family residential zones, and other more intense forms of development and new
 2 townhouses. More specifically, it is the intent of these standards to:

3 (a) Provide effective transitions between existing single-family detached dwellings, two-family
 4 dwellings, townhouses, or vacant lands in the single-family residential zones, and more intense uses and
 5 new townhouses;

6 (b) Protect the character of existing neighborhoods consisting of primarily single-family detached
 7 dwellings, two-family dwellings, townhouses, or vacant lands in the single-family residential zones from
 8 potentially-adverse impacts resulting from more intense and incompatible adjacent forms of development
 9 and new townhouses;

10 (c) Limit the excessive consumption of available land through the utilization of large vegetated
 11 buffers in favor of development form and design treatments; and

12 (d) Establish and maintain vibrant pedestrian-oriented areas where differing uses can operate in
 13 close proximity to one another.

14 **27-61202. Applicability**

15 (a) **General**

16 (1) Unless exempted as provided in Section 27-61202(b), Exemptions, below, these
 17 standards apply to:

18 (A) Any new townhouse, multifamily, nonresidential, or mixed-use development when
 19 located on land adjacent to, or across a street or alley from, existing single-family detached dwellings,
 20 two-family dwellings, or vacant lands in the RE, RR, RSF-95, and RSF-65 zones (single-family
 21 residential zones);

22 (B) Any new multifamily, nonresidential, or mixed-use development when located on
 23 land adjacent to, or across a street or alley from, existing townhouse dwellings;

24 (C) Any expansion of an existing townhouse, multifamily, nonresidential, or mixed-use
 25 building located on land abutting or across a street or alley from existing single-family detached
 26 dwellings, two-family dwellings, or vacant lands in a single-family residential zone, where the expansion
 27 increases the building's gross floor area by 50 percent or more; and

28 (D) Any expansion of an existing multifamily, nonresidential, or mixed-use building
 29 located on land abutting or across a street or alley from existing townhouse dwellings where the
 30 expansion increases the building's gross floor area by 50 percent or more.

31 (2) For the purposes of this Section:

32 (A) "Multifamily development" shall include the following:

33 (i) Live/work dwellings; and

34 (ii) Multifamily dwellings.

1 (B) "Nonresidential development" shall include the following:

2 (i) Uses in the Group Living Uses, Health Care Uses, Transportation Uses, and
3 Utility Uses Principal Use Categories; and

4 (ii) Uses in the Commercial Use and Industrial Use Principal Use Classifications.

5 (b) Exemptions

6 In addition to the exemptions specified in Section 27-6103, General Exemptions, the following are
7 exempt from these standards unless the applicable Area Master Plan or Sector Plan addresses
8 compatibility differently:

9 (1) Townhouse, multifamily, nonresidential, and mixed-use development located on lots
10 separated from single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a
11 single-family residential zone by a built and existing street with a median with four or more lanes; ~~and~~

12 (2) Townhouse, multifamily, nonresidential, and mixed-use development abutting vacant
13 lands in a single-family residential zone that consists of publicly owned land, preserved open space,
14 existing protective easements, or environmental features, that prevent any residential use of said vacant
15 lands; or an outlot as defined by Section 24-2300, Definitions, of the Subdivision Regulations;

16 (3) Uses in the Communication Uses and Educational Uses Principal Use Categories; ~~and~~

17 [(3)] (4) Development within any Transit-Oriented/Activity Center base or PD zone if the
18 existing single-family detached dwellings, two-family dwellings, or townhouse dwellings are also located
19 in a Transit-Oriented/Activity Center base or PD zone.

20 (c) Conflict

21 In the case of conflict between these neighborhood compatibility standards and other standards in
22 this Ordinance, these neighborhood compatibility standards shall control.

23 27-61203. Neighborhood Compatibility Standards

24 Development subject to this Section shall comply with the following standards:

25 * * * * *

26 (d) Building Materials

27 (1) Transparency

28 Building façades facing single-family detached dwellings, two-family dwellings, townhouses,
29 or vacant lands in a single-family residential zone, shall comply with the standards in Table 27-
30 61203(d)(1), Transparency Standards:

Table 27-61203(d)(1): Transparency Standards		
Building Story	<u>Minimum Façade Area Percentage to be Transparent for Townhouses (Percent of Façade) (1),(2),(3),(4)</u>	<u>Minimum Façade Area Percentage to be Transparent for All Other Buildings (Percent of Façade) (1),(2),(3)</u>
1 st Floor (2)	<u>15 (3)</u>	35 (3)
2 nd Floor	<u>20</u>	20
3 rd or Higher Floor	<u>20</u>	20

NOTES:

- (1) The façade area shall be measured from the grade to the underside of the eaves, or from story line to story line on upper building stories.
- (2) Façades abutting sidewalks, plazas, gathering areas, or other pedestrian areas shall incorporate transparent glazing.
- (3) The first two feet of façade area closest to the grade are not required to be glazed and shall be excluded from the façade area calculation.
- (4) For the purposes of this standard, entry doors (regardless of transparency) and garage door windows may be counted toward the required minimum.

(2) Exterior Materials

Except along US 1 between the northern corporate boundaries of the City of College Park and the County's boundary with the District of Columbia and along 34th Street between Sheperd Street and Otis Street, façades facing single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone shall comply with the following exterior materials standards:

(A) Materials and material configurations shall be similar to those commonly used on adjacent single-family detached dwellings and two-family dwellings.

(B) Plywood, standard (versus decorative) concrete block, and corrugated metal are prohibited as exterior materials.

(C) Vinyl siding shall not exceed 25 percent of a building façade of any building located within 200 feet of single-family detached dwellings, two-family dwellings, townhouses, or vacant land within a single-family residential zone.

* * * * *

(f) Off-Street Parking

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(1) Except along US 1 between the northern corporate boundaries of the City of College Park and the County's boundary with the District of Columbia and along 34th Street between Sheperd Street and Otis Street, for development that is within 200 feet of single-family detached dwellings, two-family dwellings, townhouses, or vacant land within a single-family residential zone, the total amount of off-street parking shall not exceed [1.1] 1.5 times the required minimum specified in Table 27-6305(a): Minimum Number of Off-Street Parking Spaces, and may be reduced through an alternative parking plan (see Section 27-6307, Off-Street Parking Alternatives) that demonstrates such reduction will not have an adverse impact on the adjacent single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone.

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SUBTITLE 27. ZONING.

PART 27-6 DEVELOPMENT STANDARDS

SECTION 27-61500 SIGNAGE

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27-61502. Applicability

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(c) Exemptions from Sign Permits

The following signs are subject to the standards of this Section, but are exempt from the requirement of acquiring a sign permit:

* * * * *

(11) Traffic signs internal to a development indicating directions, entrances, or exits, [or menu boards,] provided any such sign does not exceed 12 square feet in area;

* * * * *

27-61504. General Standards

(a) Illumination

(1) Static Illumination

Static illumination of signs is allowed in all zones except the Rural and Agricultural base zones, for all sign types except canopy signs, provided any external light source shall be directed toward the sign and shall not cast direct light or create glare upon adjacent lands or streets.

(2) Animated Illumination

(A) Animated sign illumination is prohibited, except in accordance with Subsection 27-61504(a)(2)(B) below.

(B) Signs on which the only copy that changes is the electronic indication of time, temperature, stock market, or similar information are permitted in all [districts] zones except the Rural

and Agricultural and Residential base zones and the R-PD Zone. Changes in copy shall be spaced at least eight seconds apart and shall be accomplished without the use of animation, movement, or scrolling.

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27-61505. Standards for Specific Sign Types

Unless exempted in accordance with Section 27-61502(b), Exemptions, all signs except special purpose signs (see Section 27-61506, Standards for Special Purpose Signs) and temporary signs (see Section 27-61507, Standards for Temporary Signs) shall comply with the standards in Table 27-61505: Standards for Specific Sign Types, based on the zone in which the sign is located.

Table 27-61505: Standards for Specific Sign Types					
Sign Attribute	Zones				
	Rural and Agricultural Zones and Residential Base and PD Zones	IE and IE-PD Zones	CN Zone	CS, CGO, and IH Base Zones	Transit-Oriented/Activity Center Base and PD Zones and MU-PD Zone
Building Wall or Roof Sign					
Location	No requirement for any residential use. For all other uses, allowed on any wall if set back at least 10 feet from the adjoining ROW. No more than 50 percent of the sign area can be on a side wall.	Allowed only on front wall of building in a signage band at least 10 and not more than 14 ft. above the ground	Allowed only on front wall of building and not less than 10 ft. above the ground	No requirement for any residential use. For all other uses, allowed on any wall if set back at least 10 feet from the adjoining ROW. No more than 50 percent of the sign area can be on a side wall.	Allowed only on front wall of building and not less than 10 ft. above the ground
[Height (maximum) Maximum Height at Which Top of Sign May be Mounted/Located]	No requirement for any residential use. For all other uses, 12 ft. above roofline or parapet, whichever is higher	Lowest point of building roof	Lowest point of building roof	No requirement for any residential use. For all other uses, 12 ft. above roofline or parapet, whichever is higher	Lowest point of building roof
Height (maximum) of Sign (from base to top)	No requirement	18 inches	No requirement	No requirement	No requirement

Table 27-61505: Standards for Specific Sign Types					
Sign Attribute	Zones				
	Rural and Agricultural Zones and Residential Base and PD Zones	IE and IE-PD Zones	CN Zone	CS, CGO, and IH Base Zones	Transit-Oriented/Activity Center Base and PD Zones and MU-PD Zone
Area (maximum) (1), (2)	No requirement for any residential use. For all other uses, one sq. ft. for each two linear ft. along front of building	1.50 sq. ft. for each linear ft. of building facing street, to a max. of 80 square feet	One sq. ft. for each two linear ft. along front of building	No requirement for residential uses. One- story or single-use building: Two sq. ft. per linear ft. along front of building. Two- or three- story building: Three sq. ft. per linear ft. along front of building. Four- story or higher building: Three sq. ft. (plus one sq. ft. for each additional three building stories, or fraction thereof, above the bottom three stories) per linear ft. along front of building. For all development: At least 60 sq. ft. of sign area is allowed in all circumstances. Total building wall or roof sign area shall not exceed 400 sq. ft.	One sq. ft. for each two linear ft. along front of building.
Other Standards	Signs shall not extend more than 12 inches from a building wall and shall be placed flat against the wall so that any sign message reads parallel with the wall.				
Canopy Sign					
Location	No requirement for residential use, except multifamily. For all other uses, a canopy sign shall be located a minimum of 10 ft. behind the street line, and shall not be located on top of the canopy.				
Height	Not allowed on the top of a canopy				
Area (maximum) (1),(2)					
Canopy located over 10 and less than 30 ft. from street line					
All buildings	One sq. ft. of sign area per linear ft. of canopy in front of each individual place of business for shopping center, office building, or industrial center; otherwise, one sq. ft. of sign area per linear ft. of canopy or front of building to which canopy is attached, whichever is greater. Total sign area of all canopy signs in a development shall not exceed 200 sq. ft.				
Canopy located at least 30 ft. behind street line					

Table 27-61505: Standards for Specific Sign Types					
Sign Attribute	Zones				
	Rural and Agricultural Zones and Residential Base and PD Zones	IE and IE-PD Zones	CN Zone	CS, CGO, and IH Base Zones	Transit-Oriented/Activity Center Base and PD Zones and MU-PD Zone
In one story or single use building or within a shopping or industrial center or office complex	Two sq. ft. of sign area per linear ft. of canopy or front of building to which canopy is attached, whichever is greater. At least 60 sq. ft. of sign area is allowed under any circumstances. Total sign area of all canopy signs in a development shall not exceed 400 sq. ft.				[No requirement] <u>Not permitted</u>
In one-story building housing at least two uses	Two sq. ft. of sign area per linear ft. of canopy or front of building to which canopy is attached, whichever is greater. At least 60 sq. ft. of sign area is allowed under any circumstances. Total sign area of all canopy signs in a development shall not exceed 400 sq. ft.				[No requirement] <u>Not permitted</u>
In two- or three-story building housing two different uses	Three sq. ft. of sign area per linear ft. of canopy or front of building to which canopy is attached, whichever is greater. At least 60 sq. ft. of sign area is allowed under any circumstances. Total sign area of all canopy signs in a development shall not exceed 400 sq. ft.				[No requirement] <u>Three sq. ft. of sign area per linear ft. of canopy or front of building to which canopy is attached, whichever is greater. At least 60 sq. ft. of sign area is allowed under any circumstances. Total sign area of all canopy signs in a development shall not exceed 400 sq. ft.</u>

Table 27-61505: Standards for Specific Sign Types					
Sign Attribute	Zones				
	Rural and Agricultural Zones and Residential Base and PD Zones	IE and IE-PD Zones	CN Zone	CS, CGO, and IH Base Zones	Transit-Oriented/Activity Center Base and PD Zones and MU-PD Zone
In four-story or taller building housing two different uses	Three sq. ft. of sign area, plus one additional sq. ft. of sign area for each additional three stories, or fraction thereof, above the bottom three stories (for example, four sq. ft. of sign area is permitted for each one linear foot of building width for a six story building, while five sq. ft. of sign area is permitted for each one linear foot of building width for a seven story building). At least 60 sq. ft. of sign area is allowed under any circumstances. Total sign area of all canopy signs in a development shall not exceed 400 sq. ft.				<p>[No requirement]</p> <p><u>Three sq. ft. of sign area, plus one additional sq. ft. of sign area for each additional three stories, or fraction thereof, above the bottom three stories (for example, four sq. ft. of sign area is permitted for each one linear foot of building width for a six story building, while five sq. ft. of sign area is permitted for each one linear foot of building width for a seven story building). At least 60 sq. ft. of sign area is allowed under any circumstances. Total sign area of all canopy signs in a development shall not exceed 400 sq. ft.</u></p>
Projecting Sign(2)					
Location					
No building setback	May extend over public property, not closer than 10 ft. to curb line				
All other instances	At least 2 ft. behind vertical plane of street curb line and at least 10 ft. from the vertical plane of the street line				
Number (maximum)	One per building				
Projection (maximum)	42 inches from vertical plane of wall to which attached				
Clearance (minimum)	Minimum clearance of 10 ft. above the finished grade of a sidewalk and 18 ft. above driveways or alleys				
Other Standards	Projecting signs shall not swing.				
Freestanding Sign(3)					

Table 27-61505: Standards for Specific Sign Types					
Sign Attribute	Zones				
	Rural and Agricultural Zones and Residential Base and PD Zones	IE and IE-PD Zones	CN Zone	CS, CGO, and IH Base Zones	Transit-Oriented/Activity Center Base and PD Zones and MU-PD Zone
Location	[No requirement] <u>Not permitted</u> for residential use. For all other uses, the business, service, or activity being advertised shall be located on the same parcel as the sign. Freestanding signs shall be located at least 10 ft. behind street line.		[No requirement] <u>Not permitted</u>	[No requirement] <u>Not permitted</u> for residential use. For all other uses, the business, service, or other activity being advertised shall be located on the same parcel as the sign. Freestanding signs shall be located at least 10 ft. behind street line.	[No requirement] <u>Not permitted</u>
Number	[No requirement] <u>Not permitted</u> for residential use. For all other uses, one sign per minimum of 50 ft. of street frontage, up to 1,100 ft. One sign for each additional 1,000 ft. of street frontage.		[No requirement] <u>Not permitted</u>	[No requirement] <u>Not permitted</u> for residential use. For all other uses, one sign per minimum of 50 ft. of street frontage, up to 1,100 ft. One sign for each additional 1,000 ft. of street frontage.	[No requirement] <u>Not permitted</u>
Height (maximum)	[No requirement] <u>Not permitted</u> for residential use. For all other uses, 50 ft. if located adjacent to an expressway (e.g. Capital Beltway or I-95). 25 ft. in all other locations.	At or below lowest point of building roof	[No requirement] <u>Not permitted</u>	[No requirement] <u>Not permitted</u> for residential use. For all other uses, 50 ft. if located adjacent to an expressway (e.g. Capital Beltway). 25 ft. in all other locations.	[No requirement] <u>Not permitted</u>

Table 27-61505: Standards for Specific Sign Types					
Sign Attribute	Zones				
	Rural and Agricultural Zones and Residential Base and PD Zones	IE and IE-PD Zones	CN Zone	CS, CGO, and IH Base Zones	Transit-Oriented/Activity Center Base and PD Zones and MU-PD Zone
Area (maximum) (4)	[No requirement] <u>Not permitted</u> for residential use. For all other uses, one sq. ft. per four linear ft. of street frontage sign faces. Maximum sign area of 200 sq. ft. per sign.	One sq. ft. for each five linear ft. of street frontage on street sign faces	[No requirement] <u>Not permitted</u>	[No requirement] <u>Not permitted</u> for residential use. Building within a shopping center, other commercial center with three or more businesses served by common and immediate off-street parking and loading facilities, industrial center, or office building complex: One sq. ft. per two linear ft. of street frontage sign faces. Maximum sign area of 200 sq. ft. per sign. All other buildings: One sq. ft. per four linear ft. of street frontage sign faces. Maximum sign area of 200 sq. ft. per sign.	[No requirement] <u>Not permitted</u>
NOTES:					
<p>(1) For the purposes of determining allowed sign area, the width in linear feet along the front of the building shall be measured along the wall facing the front of the lot or the wall containing the principal entrance to the building, whichever has the greater width. Within a shopping or industrial center or office building complex, the width in linear feet along the front of the building shall be measured along the wall containing the principal entrance of each individual place of business.</p> <p>(2) If both wall or roof signs and canopy signs are proposed, the maximum areas for wall or roof signs and canopy signs shall be used to determine the permitted sign area on each structure on a prorated basis. (For example, if the permissible sign area on a wall or roof is 400 sq. ft. and the permissible sign area on a canopy is 200 sq. ft. and the applicant chooses to allocate 50 percent of the permissible sign area to each sign type, the permissible sign area on the wall or roof would be 200 sq. ft. and the permissible sign area on the canopy would be 100 sq. ft. As the percentage of total permissible sign area allocated to each sign type varies, the permissible sign area for each varies accordingly.) Projecting signs are considered building wall or roof signs for the purposes of determining the permitted sign area on a structure and are subject to the maximum sign area standards that apply to building wall or roof signs.</p> <p>(3) Unless within a shopping center, other commercial center with three or more businesses served by common and immediate off-street parking and loading facilities, industrial center, or office building complex, freestanding signs are not allowed on property where the main building associated with the sign is not located at least 20 feet behind the front street line.</p> <p>(4) The allowed freestanding sign area is in addition to that allowed for any other signs on a specific property.</p>					

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27-61506. Standards for Special Purpose Signs

(g) Digital Billboard

1 Except in Residential base zones and the R-PD Zone, Transit-Oriented/Activity Center base and PD
2 zones, and the MU-PD zone, a digital billboard may only be erected in place of a nonconforming
3 billboard in accordance with the following standards:

4 * * * * *

5 **(m) Outdoor Menu Boards**

6 **(1) If the entire menu board is not visible from any street, the sign is exempt from this**
7 **Zoning Ordinance pursuant to Section 27-61502(b)(5).**

8 **(2) If any part of the menu board is visible from any street, the menu board shall comply with**
9 **the following standards:**

- 10 **(i) Location: on premises of the associated eating or drinking establishment.**
- 11 **(ii) Number (maximum): two per drive-through aisle.**
- 12 **(iii) Area (maximum): 40 square feet (per menu board sign).**
- 13 **(iv) Height (maximum): 7 feet, including mount or base.**
- 14 **(v) Orientation: menu boards may not be parallel to the street line.**
- 15 **(vi) Other than the menu of the associated eating or drinking establishment, no**

16 **advertisements may be attached to the menu board.**

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18 **SUBTITLE 27. ZONING.**

19 **PART 27-6 DEVELOPMENT STANDARDS**

20 **SECTION 27-61600 GREEN BUILDING STANDARDS**

21 * * * * *

22 **27-61603. Green Building Standards**

23 **(a) Minimum Amount of Points Required**

24 Development subject to the standards of this Section shall achieve the following minimum number
25 of points from the menu of options shown in Table 27-61603(b): Green Building Point System.

26 **(1) Minimum Requirements for Residential Development**

- 27 **(A) 10 to 25 units: 3 points.**
- 28 **(B) 25 or more units: 4 points.**

29 **(2) Minimum Requirements for Non-Residential Development**

- 30 **(A) 25,000 to 75,000 square feet: 3 points.**
- 31 **(B) More than 75,000 square feet: 4 points.**

32 **(b) Green Building Point System**

33 Development subject to the standards of this Section shall use Table 27-61603(b): Green Building
34 Point System, to determine compliance with this Section.

Table 27-61603(b): Green Building Point System							
							Points Earned
Location of Development and Redevelopment/Adaptive Reuse							
Development in a Transit-Oriented/Activity Center base zone							1.50
Development on previously used or developed land that is contaminated with waste or pollution (brownfield site)							1.00
Development as a Transit-Oriented/Activity Center Planned Development (PD) zone							1.25
Redevelopment of an existing parcel within a Neighborhood Reinvestment Area as designated on the Strategic Investment Map in the General Plan, a designated Priority Funding Area, or an area targeted for reinvestment by the Federal, State, or County government							1.00
Adaptive reuse of a designated historic [building] site							1.00
Preservation of a designated historic [or archeological] site							1.00
*	*	*	*	*	*	*	*
*	*	*	*	*	*	*	*

SUBTITLE 27. ZONING.

PART 27-7 NONCONFORMING BUILDINGS, STRUCTURES, USES, LOTS, AND SIGNS

SECTION 27-7100 GENERAL REQUIREMENTS AND PROCEDURES

27-7101. Definitions

[(a)] “Nonconforming building or structure” and “nonconforming use” are defined in PART 27-2: Interpretation and Definitions, of this Subtitle.

[(b) For the purposes of this Part, “party of interest” shall be defined as any person having personal knowledge of the subject property or the proposed nonconforming use, any person having a current or previous financial interest in the subject property or the proposed nonconforming use, or any person living or owning property within one (1) mile from the subject property.]

27-7102 Grandfathered Buildings, Structures, and Uses

Notwithstanding the requirements and limitations of this Part, except as otherwise provided,

(a) Any use (P, PA, PB, SP, SE) allowed on a property by the zoning classification that was in effect on March 31, 2022 is deemed legal and conforming until April 1, 2032, or until the property is rezoned pursuant to a sectional map amendment (Section 27-3503), zoning map amendment (Section 27-3601), or Planned Development (PD) zoning map amendment (Section 27-3602), whichever occurs first.

(b) A legal nonconforming building, structure, or certified use in existence under the prior Zoning Ordinance on March 31, 2022 which is not in conformance with the requirements of the zone in which it is located under this Ordinance on April 1, 2022 remains a legal nonconforming building, structure, or certified use and shall be subject to the requirements of this Part.

(c) A legal conforming building, structure, or use in existence under the prior Zoning Ordinance on March 31, 2022 which is not in conformance with the requirements of the zone in which it is located under this Ordinance on April 1, 2022 shall be deemed a legal conforming building, structure, or use under this Ordinance.

1 (d) A building or structure constructed pursuant to development or permit applications approved
2 under Sections 27-1703, 27-1704, or 27-1900 of this Ordinance which is not in conformance with the
3 requirements of the zone in which it is located at the time the building or structure is entitled to issuance
4 of a use and occupancy permit shall be deemed a legal conforming building or structure under this
5 Ordinance.

6 (1) Such legal conforming buildings and structures:

7 (A) May be repaired or maintained,

8 (B) May be altered, extended, or enlarged by the lesser of 10 percent (10%) of the gross
9 square footage or 30,000 gross square feet provided the alteration, extension, or enlargement conforms to
10 the building line setback or build-to line, yard, and height regulations of the zone in which the building,
11 structure, or use is located, and

12 (C) May be restored or reconstructed if unintentionally destroyed by fire or other
13 calamity if a building permit for such restoration or reconstruction is issued within one (1) calendar year
14 from the construction date (or three (3) calendar years for uses in the Household Living Uses Principal
15 Use Category), and construction pursuant to the permit has begun within six (6) calendar months after the
16 date of issuance (or lawful extension) of the permit and proceeds to completion in a timely manner.

17 (2) Such legal conforming uses:

18 (A) Unless the use is otherwise allowed by Section 7102(a) or is a use within the
19 Household Living Uses Principal Uses Category, may not be discontinued for a period of one hundred
20 eighty (180) or more days unless either:

21 (i) The building or structure in which the use is being conducted is being restored or
22 reconstructed pursuant to Section 27-7102(c)(1)(C);

23 (ii) The Planning Board determines upon written request that the conditions of
24 nonoperation were beyond the control of the person who was in control of the property during the period
25 of nonoperation; or

26 (iii) The discontinuation is for the sole purpose of correcting Code violations; or

27 (iv) The use has temporarily ceased operation for no more than nine (9) months due
28 to the seasonal nature of the use; and

29 (B) Shall remain subject to all conditions applicable to such use under the prior Zoning
30 Ordinance including any conditions of approval associated with an approved Special Exception.

31 **27-7102. Continuation**

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33 **(g) Reconstruction, Re-establishment, and Restoration**

1 A nonconforming use or structure may be restored, [reconstructed] reconstructed, or re-
2 established in accordance with Section [27-7104] 27-7105, Reconstruction, Reestablishment, and
3 Restoration.

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5 **SUBTITLE 27. ZONING.**

6 **PART 27-7 NONCONFORMING BUILDINGS, STRUCTURES, USES, LOTS, AND SIGNS**

7 **SECTION 27-7200 ADDITIONAL REQUIREMENTS FOR SPECIFIC NONCONFORMING**
8 **USES**

9 **27-7201. Junk Yards and Vehicle Salvage Yards**

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11 **(3) Zoning Hearing Examiner Hearing Procedures**

12 The Zoning Hearing Examiner shall conduct a public hearing on the matter, in accordance with Section
13 27-3412, Evidentiary Hearing (Planning Board and ZHE), of this Subtitle.

14 **(4) Notice of Public Hearing**

15 The Zoning Hearing Examiner shall designate a date for the public hearing and shall notify the applicant
16 of the date.

17 **(5) District Council Hearing (Oral Argument) Procedures**

18 The District Council shall decide upon the application, in accordance with the procedures for oral
19 argument and Council hearings contained in Section [27-3412, Evidentiary Hearing] 27-3414, Oral
20 Argument Hearing, of this Subtitle.

21 **(6) Criterial for Approval**

- 22 **(A)** The application may only be approved:
 - 23 **(i)** For a fixed temporary period of time, which may be renewed; and
 - 24 **(ii)** If the purposes of this Section are fulfilled.

- 25 **(B)** In place of the fence, the Council may permit any of the following:

- 26 **(i)** Screening by natural objects;
- 27 **(ii)** Plantings on sides not facing traveled roads;
- 28 **(iii)** A wire fence on sides where the adjacent properties are predominantly

29 undeveloped; or

- 30 **(iv)** A reduction in the fence requirements when the property is, or abuts,
31 properties zoned IE or IH.

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33 **SUBTITLE 27. ZONING.**

34 **PART 27-7 NONCONFORMING BUILDINGS, STRUCTURES, USES, LOTS, AND SIGNS**

SECTION 27-7400 NONCONFORMING LOTS OF RECORD

* * * * *

27-7403. Development of Nonconforming Lots

(a) Use of Nonconforming Lots

Nonconforming lots shall be subject to the standards of Table 27-7403(a): Development of Nonconforming Lots.

Table 27-7403(a): Development of Nonconforming Lots			
Standard	Transit-Oriented/ Activity Center Zones (including those inside the Capital Beltway)	All other zones inside Capital Beltway	All other Zones outside Capital Beltway
Residential Zones:			
Nonconforming lot, [whether or not compliance with the dimensional standards] <u>with a minimum lot size of 6,500 square feet and at least one-half the size of the minimum lot size in the zone, is possible</u>	One single-family dwelling unit <u>and related accessory structures (e.g. fences or driveways) [is] are allowed; a variance must be approved for any necessary reductions from the other intensity and dimensional standards of the zone (e.g. front or side yard setbacks)</u>		
Non-Residential Zones:			
If the nonconforming lot can be used in conformity with all of the regulations applicable to the intended use, except the lot is smaller than the required minimums in the zone, then the lot may be used as proposed. However, no use that requires a greater lot size than the established minimum lot size for a particular zone is permitted on a nonconforming lot.	This rule applies even when the adjacent lots are under common ownership.	This rule applies only if the lots are not under common ownership.	This rule applies only if the lots are not under common ownership.
When the use proposed for a nonconforming lot conforms in all other respects but cannot comply with the applicable setback standards	A variance must be approved.	A variance must be approved.	A [or] variance must be approved.

(b) Common Ownership

Where any nonconforming adjoining lots are held in common ownership on or after April 1, 2022, they shall not be sold, consolidated or transferred to eliminate the common ownership unless they are sold, consolidated or transferred so as to create a conforming lot or lots, where possible, or if not possible, another nonconforming lot but to a lesser extent than the first lot.

* * * * *

SUBTITLE 27. ZONING.

PART 27-8 ENFORCEMENT

SECTION 27-8100 USE AND OCCUPANCY PERMITS

27-8101. Generally

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(d) No use and occupancy permit shall be issued by the Department of Permitting, Inspections, and Enforcement until after the expiration of the specified appeal period from a Planning Board decision concerning the subject property of the permit, unless the right of appeal has been waived; nor shall any permit be issued during the pendency of any appeal to, or review by, the BOA, Zoning Hearing Examiner, or the District Council.

* * * * *

(i) Actions taken pursuant to Sections 27-8101(e), (f), and (g), [(h), and (i),] above, shall remain in force and effect unless amended or vacated by a decision of the Zoning Hearing Examiner in accordance with Section 27-8204(g) or by a decision of a court of competent jurisdiction.

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SUBTITLE 27. ZONING.

PART 27-8 ENFORCEMENT

SECTION 27-8200 ENFORCEMENT

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27-8202. Inspections and Complaints

(a) The Department of Permitting, Inspections, and Enforcement, and when specified, pursuant to Sections 27-8101(e), (f), and (g)[, (h), and (i)] of the Zoning Ordinance, the Police Department and the Fire/Emergency Medical Services Department shall conduct a Zoning Enforcement Program to assure continuing compliance with the Zoning Ordinance.

(b) Inspections shall primarily be programmed on an area-by-area basis, but shall also include the investigation of individual complaints from private sources of alleged zoning violations. All complaints shall be submitted to the Department, and when specified, to the Police Department and the Fire/Emergency Medical Services Department.

* * * * *

27-8204. Expedited Enforcement Procedures

* * * * *

(d) For violations of Sections 27-8101(e), (f), and (g)[, (h), and (i)] of the Zoning Ordinance, the owner, general agent, or lessee of the building, structure, or land, the person, firm, or corporation conducting the activities, or any person in the building, structure, or on the land that directs, manages, or is in control or is in apparent control or management of the building, structure, or on the land in which or upon which the activity or activities took place may request a hearing before the Zoning Hearing

1 Examiner. The Zoning Hearing Examiner shall commence a hearing within four (4) days following
2 receipt of the request for a hearing.

3 * * * * *

4 **SUBTITLE 27. ZONING.**

5 **PART 27-8 ENFORCEMENT**

6 **SECTION 27-8300 FEES**

7 **27-8301. Fee Regulations**

8 * * * * *

9 **(d) Special Exceptions**

10 **(1)** The following table describes the fee ratings, H (high), M (medium), and L (low), for
11 various special exceptions in the Zoning Ordinance. The ratings for the special exceptions are indicative
12 of the time and effort necessary for the review of the specific application.

Table 27-8301(d): Special Exception Fees	
TYPE	RATING
Abrasives and asbestos products manufacturing	H
Accessory building, increase in height	L
Adaptive reuse of surplus public school	Depends on Specific Use
Adaptive use of a Historic Site	Depends on Specific Use
Adult day care center	L
Agriculture research facility	L
Airfield, airpark, airport, or airstrip	H
Alcohol production facility, large-scale	H
Amusement park	H
Apartment housing for elderly or physically handicapped families	L
Arena, stadium, or amphitheater	H
Art, photography, music, dance, yoga, pilates, or martial arts studio or schools	L
Artists' residential studios	L
Asphalt mixing plant	H
Assisted living facility for > 8 elderly or handicapped families	L
Boarding or rooming house	L
Boat sales, rental, service, or repair	H
Boat storage yard	H
Cement manufacturing	H
Cemetery or Crematory	L
Check cashing business	H
Club or lodge, private	L
Cold storage plant	H
College or university	M
Combination retail	M
Commercial fuel depot	H
Commercial recreational attraction	H
Commercial recreational facilities (privately owned) on land leased from a public agency	M
[Commercial fuel depot]	[H]
Commercial vehicle repair and maintenance	H

Table 27-8301(d): Special Exception Fees	
TYPE	RATING
Commercial vehicle sales and rental	H
Concrete batching plant	H
Concrete recycling facility	H
[Congregate living facility]	[L]
Consolidated storage	H
Conversion of single-family detached dwelling	L
Country club	L
Country Inn	L
Cultural facility	L
Day care center for children	L
Distribution warehouse	H
Drive-through service (as an accessory use)	H
Dwelling, live/work	L
Dwelling, multifamily	L
Equestrian center	M
[Elderly housing (single-family attached dwellings)]	[L]
[Elderly housing (single-family detached dwellings)]	[L]
Electronic recycling facility	H
Eleemosynary or philanthropic institution	L
Farm machinery/implement sales, rental, or repair	M
Farm supply sales	M
Fertilizer manufacturing	H
Food hub	M
Food and beverage distribution at wholesale	H
Food processing	H
Fraternity or sorority house	M
Funeral parlor or undertaking establishment	M
Gas Station	H
Golf course	L
Golf driving range	L
Heavy armament fabrication	H
Health campus	H
Hospital	L
Hotel or motel	M
Junk yard	H
Kennel (regardless of lot size)	H
Land clearing debris landfill	H
Landscaping contractor's business	H
Liquid gas storage	H
Manufacturing, assembly, or fabrication, heavy	H
Manufacturing, assembly, or fabrication, light	H
Marinas and marina expansions	M
Massage establishment	H
Medical/residential campus	H
Medical cannabis dispensary	M
Methadone treatment centers	H
Mobile home	L

Table 27-8301(d): Special Exception Fees	
TYPE	RATING
Model studio	H
Motor freight facility	H
Nightclub	H
Nonconforming buildings, structures, and uses; alteration, enlargement, extension, or reconstruction	Depends on Specific Use
Nonprofit recreational use	L
Nursery and garden center	M
Nursing or care home	L
Outdoor storage (as a principal use)	M
Paper and paperboard products	H
Paper recycling collection center	H
Park and ride facility	M
Parking facility	M
Parking of commercial vehicles	M
Pawnshop	H
Personal vehicle repair and maintenance	H
Personal vehicle sales and rental	H
Place of worship (regardless of lot size)	M
Planned retirement community	L
Printing or similar reproduction facility	M
Private school	M
Public utility uses or structures, major	M
Racetrack, pari-mutuel	H
Recreation facility, outdoor	M
Recreational campground	M
Recycling collection center	H
Recycling of non-ferrous metals	H
Recycling plant	H
Rifle, pistol, or skeet shooting range (regardless of location)	H
Rubble fill	H
Sand and gravel wet-processing	H
Sanitary landfill	H
Sawmill	H
Skating facility	M
Small engine repair shop	M
Solid waste transfer station	H
Storage warehouse	H
Surface mining	H
[Temporary rubble (construction and demolition debris) landfill]	[H]
Tobacco shop, electronic cigarette shop, or retail tobacco business	M
Tower, pole, or monopole	H
Solar energy systems, large-scale	M
Transit station or terminal	M
Vehicle and trailer rental display	H
[Vehicle parts or tire store]	[H]
Vehicle salvage yard	H
Vehicle towing and wrecker service	H
Veterinary hospital or clinic	H

Table 27-8301(d): Special Exception Fees	
TYPE	RATING
Waterfront boat fuel sales	H
Warehouse showroom	H
Wind energy conversion system, large-scale	M

(j) Zoning Certification Letters

(1) Upon requesting a Zoning Certification Letter, a letter signed by the Planning Department staff certifying that a use or structure on a given piece of property is allowed as a permissible use in accordance with the existing zoning, the applicant (or his agent) shall pay to the Planning Board a fee to help defray the costs related to processing the application.

(2) [The fee schedule shall be determined by the District Council.] The applicant shall remit a fee of \$200 per address, Tax ID number, parcel, or lot.

(3) The Planning Board may permit a reduction in the fee if the Board finds that payment will be an undue hardship on the applicant.

* * * * *

(o) Other Related Fees; Refunds

(1) Sign Posting Fees

(A) In addition to the filing fee, a fee of [Thirty] Forty Dollars (\$[30]40.00) shall be paid for posting each public notice sign[, except as provided below] for:

(I) Applications processed and/or decided by the Board of Appeals;

(II) Validations of permits issued in error (Section 27-3615) processed by the Zoning Hearing Examiner and decided by the District Council; or

(III) Authorizations of permits within proposed rights-of-way (Section 27-3617) processed by the Zoning Hearing Examiner and decided by the District Council.

(B) For all other applications, the applicant shall be responsible for all costs associated with the sign posting requirements of this Ordinance. [Where the application involves a public utility right-of-way, the fee shall be Thirty Dollars (\$30.00) each for the first four (4) signs, plus Five Dollars (\$5.00) for each sign over four (4).]

(C) The Department of Permitting, Inspections, and Enforcement shall not be required to pay a sign posting fee for any application or petition filed.

(D) The applicant shall not be required to pay a sign-posting fee for any application for a special exception to establish a place of worship.]

(2) Revision of Approved Plan Fees

With the filing of each application for the revision of an approved plan, a fee equal to fifty percent (50%) of the filing fee, shall be paid, except as otherwise provided.

1 **(3) Fees for Amendment of Applications**

2 **(A)** If an application is amended by increasing the total area of the property, the
3 appropriate additional fees (including filing and sign posting fees) for the additional land shall be paid
4 (except where this land was the subject of another application that was withdrawn for the purpose of
5 adding the land to the subject application).

6 **(B)** If an application is amended by requesting a different zoning classification or
7 special exception use, and if the new zone or special exception use has a greater filing fee than previously
8 requested, the difference shall be paid.

9 **(4) Refunds and waivers**

10 **(A)** No part of a fee shall be refunded or waived unless the Planning Board, Board of
11 Appeals, or Zoning Hearing Examiner, as applicable determines that one (1) of the following applies:

12 **(i)** The fee was paid by mistake, and the applicant has requested (in writing) a
13 refund.

14 **(ii)** The application is filed by (or on behalf of) any department or agency of the
15 County, or any municipal, State, or Federal government, except as otherwise provided.

16 **(iii) Filing Fee (Original Application)**

17 **(aa)** A request to withdraw an application is received in proper form prior to
18 the release of the Technical Staff Report. In this case, fifty percent (50%) of the filing fee shall be
19 refunded.

20 **(bb)** A request to withdraw an application is received in proper form after
21 the public release of the Technical Staff Report. In this case, twenty-five percent (25%) of the filing fee
22 shall be refunded.

23 **(iv)** An error was made on an approved application through governmental action,
24 and the filing of an additional application is necessary to correct the error. In this case, all fees may be
25 refunded.

26 **(v)** An application is filed and property rezoned because of a clear mistake by a
27 governmental agency in the adoption of a Sectional Map Amendment. In this case, the Council may direct
28 the refunding of all fees.

29 **(vi) Sign Posting Fee**

30 **(aa)** The application is withdrawn prior to the posting of the sign. In this
31 case, the entire sign posting fee shall be refunded.

32 **(bb)** The application is withdrawn after the posting of the sign(s). In this
33 case no portion of the sign posting fee shall be refunded.

1 (B) The refund provisions of Subparagraph 27-8301(l)(4)(A)(iii), above, shall not apply
2 to:

3 (i) Any application which is for property within the boundaries of a Sectional
4 Map Amendment and the application was pending upon transmittal of the Sectional Map Amendment to
5 the District Council (provided the Sectional Map Amendment is approved by the District Council); or

6 (ii) Any portion of property subject to a Zoning Map Amendment application
7 which has been withdrawn and then added by amendment to another application on adjoining land. That
8 portion of the property which was withdrawn (but not added to the other application) shall be entitled to a
9 refund under the provisions of subparagraph 27-8301(l)(4)(A)(iii), above.

10 (5) **Application in a Revitalization Tax Credit District**

11 With the filing of each application in a Revitalization Tax Credit District, the fee equal to fifty
12 percent (50%) of the standard fee shall be paid.

13 **(p) Deferred Parking**

14 The applicant shall remit a fee of \$250 for single-family detached dwellings and townhouse
15 dwellings located on property (including the sum of multiple lots or parcels) not exceeding 10 acres in
16 size, and \$500 for any other development, for any requests for deferred parking pursuant to Section 27-
17 6307(f) of this Ordinance.

18 **(q) Filing Appeal or Variance Application to Board of Appeals**

19 **(1) The fee for an extension of time to cease or correct a zoning violation shall be:**

20 **(A) If residential property is involved, one hundred dollars (\$100.00).**

21 **(B) For all other requests of time, two hundred dollars (\$200.00).**

22 **(2) The fee for all other zoning appeals shall be three hundred dollars (\$300.00).**


23 * * * * *

24 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Ordinance are hereby
25 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,
26 sentence, clause, phrase, or word of this Ordinance is declared invalid or unconstitutional by a court of
27 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words,
28 phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Ordinance, since
29 the same would have been enacted without the incorporation in this Ordinance of any such invalid or
30 unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

1 SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45)
2 calendar days after its adoption.


Adopted this 16th day of July, 2024.

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: 

Jolene Ivey
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.

