

Approved Master Plan & Sectional Map Amendment



Sectional Map Amendment

A Comprehensive Zoning Map for the portion of the Bowie area north of Annapolis Road (MD 450) was brought into the Maryland-Washington Regional District and approved on November 20, 1957. Portions of the Bowie planning areas south of Annapolis Road (MD 450) were brought into the Maryland-Washington Regional District and approved on July 26, 1960. The Bowie-Collington-Mitchellville and Vicinity sectional map amendment comprehensively rezoned Bowie and surrounding areas on October 28, 1975, with the approval of Council Resolution CR-108-1975. The 1991 Bowie-Collington-Mitchellville and Vicinity Master Plan and Sectional Map Amendment (SMA) subsequently rezoned the planning areas via Council Resolution No. CR-22-1991. The sectional map amendment for Bowie and Vicinity, approved on February 7, 2006, via Council Resolution No. CR-11-2006, comprehensively rezones planning areas 71A, 71B, 74A, and 74B.

The land use recommendations in the Bowie and Vicinity Master Plan and SMA are reinforced by the sectional map amendment, which brings the zoning of the planning areas into conformance with the land use plan.

The following are comprehensive rezoning policies established by the Planning Board and District Council for preparation of the sectional map amendment (SMA).

Public Land Policy

Although federal and state government property is not subject to the requirements of the Zoning Ordinance, the comprehensive rezoning process is meant to apply a zoning category to all land, including government property, without regard to its ownership. The R-O-S (Reserved Open Space) Zone is generally applied to federal and state properties, unless specific uses or intended character of the property or area should warrant another zoning category. This policy is in compliance with Section 27-113 of the Prince George's County Zoning Ordinance, which states that any land conveyed in fee simple by the United States of America or by the State of Maryland shall immediately be placed in the R-O-S Zone until a Zoning Map Amendment for the land has been approved by the District Council.

This sectional map amendment comprehensively rezones M-NCPPC properties to the least intense zoning category available, based on the size of the property. The least intense zoning categories are the R-O-S (Reserved Open Space) and the O-S (Open Space) Zones.

Zoning in Public Rights-of-Way

Policies governing the zoning of public street and railroad rights-of-way (both existing and proposed) are contained in Section 27-111 of the Prince George's County Zoning Ordinance. This SMA has been prepared in accordance with this section of the ordinance.

Limitations on the Use of Zones

Zoning classifications proposed in an SMA are limited only by the range of zones within the Zoning Ordinance available at the time of final action by the District Council. However, there are certain restrictions on when these may be applied to properties (Section 27-223 of the Zoning Ordinance).

Reclassification of an existing zone to a less intense zone, also known as downzoning, is prohibited where:

(g)(1) "The property has been rezoned by Zoning Map Amendment within five years prior to the initiation of the Sectional Map Amendment or during the period between initiation and transmittal to the District Council, and the property owner has not consented in writing to such rezoning;" or

(g)(2) "Based on existing physical development at the time of adoption of the Sectional Map Amendment, the rezoning would create a nonconforming use. This rezoning may be approved, however, if there is a significant public benefit to be served by the rezoning based on facts peculiar to the subject property and the immediate neighborhood. In recommending the rezoning, the Planning Board shall identify these properties and provide written justification supporting the rezoning at the time of transmittal. The failure of either the Planning Board or property owner to identify these properties, or a failure of the Planning Board to provide the written justification, shall not invalidate any Council action in the approval of the Sectional Map Amendment."

Finally, in order to clarify the extent to which a given parcel of land is protected from rezoning to a less intense zone by virtue of existing physical development, the Zoning Ordinance states in Section 27-223(h) that:

"The area of the 'property,' as the word is used in Subsection (g)(2), above, is the minimum required by the Zoning Ordinance which makes the use legally existing when the Sectional Map Amendment is approved."

Comprehensive Design Zones

Comprehensive Design Zones may be included in a sectional map amendment. However, the flexible nature of these zones requires a basic plan of development to be submitted through the zoning application process (Zoning Map Amendment). It is only through approval of a basic plan, which identifies land use types, quantities, and relationships, that a Comprehensive Design Zone can be recognized. Therefore, an application must be filed, including a basic plan; and the Planning Board must have considered and made a recommendation on the zoning application in order for the Comprehensive Design Zone to be included within the sectional map amendment.

During the comprehensive rezoning, prior to the submission of such proposals, property must be classified in a conventional zone that provides an appropriate "base density" for development. In theory, the base density zone allows for an acceptable level of alternative development should the owner choose not to pursue full development potential indicated by the master plan. (See Sections 27-223(b), 27-225(b)(1), 27-226(a)(2), and 27-226(f)(4) of the Zoning Ordinance.)

Application of the Mixed-Use Infill Zone

The primary purpose of the Mixed-Use-Infill (M-U-I) Zone is to encourage residential, commercial, and mixed-residential and commercial development in established communities. Property in a Development District Overlay Zone (DDOZ) area may be reclassified from its underlying zone to the M-U-I Zone as part of the SMA or through the property owner application process (Section 27-548.26(b)) of the Zoning Ordinance. The uses permitted in the M-U-I Zone are the same as those permitted by right or by special exception in the Commercial Shopping Center (C-S-C) Zone. However, for use category (3) Miscellaneous and use category (6) Residential/Lodging, the uses allowed are those permitted in the medium-residential density R-18 Zone, except that hotel/motel uses are permitted in the C-S-C Zone. Also, the proposed master plan's DDOZ further amends the uses permitted in the M-U-I Zone to those uses listed as permitted and prohibited in Sections 27-441, 27-461, and 27-473 of the Zoning Ordinance and as modified in the Table of Uses of the Development District Standards section.¹

Mixed Use Zoning Recommendations

Implementation of the long-range land use recommendations of the Bowie and Vicinity Master Plan and SMA for mixed-use, pedestrian and transit-oriented development in designated mixed-use activity centers will require application of mixed-use zoning techniques and possible incorporation of a form-based code. Although there are several mixed-use zoning categories defined in the Zoning Ordinance, none currently contain an ideal combination of use, design, and administrative regulations necessary to achieve the character and vision recommended by the master plan. The following mixed-use zones are currently available: the Development District Overlay Zone (DDOZ), Transit District Overlay Zone (TDOZ), Mixed-Use Transportation Oriented (M-X-T) Zone, Mixed-Use Infill (M-U-I) Zone, Mixed-Use Town Center (M-U-TC) Zone, and Comprehensive Design Zones (CDZs), including the Local Activity Center (L-A-C) and Major Activity Center (M-A-C).

It is recommended that an appropriate set of mixed-use, form-based zoning categories or techniques be prepared (or existing zones modified), so that there is an effective and efficient set of regulations to implement the mixed-use, pedestrian- and transit-oriented development patterns recommended by the 2002 General Plan and recent master plans, including the Bowie and Vicinity Master Plan and SMA.

The land use map (inserted) includes (striped) areas where applications for a mixed-use zone (or other appropriate zoning tool) are appropriate based on the visions, goals, policies, and planning strategies contained in the plan.

¹ Development District Standards may not allow uses prohibited in the underlying zone. Uses which would normally require a special exception in the underlying zone shall be permitted uses if the Development District Standards so provide, subject to site plan review by the Planning Board.

Table 12: Zoning Inventory	
Zone	Land Area (acres)
R-O-S (Reserved Open Space)	4,343.00
O-S (Open Space)	6,420.00
R-A (Residential Agricultural)	6,975.00
R-E (Residential Estate)	3,078.00
R-L (CDZ*/Residential Low Development)	1,276.00
R-R (Rural Residential)	5,283.00
R-S (CDZ*/Residential Suburban Development)	1,467.00
R-80 (One Family Detached Residential)	2,020.00
R-55 (One Family Detached Residential)	1,185.00
R-M (CDZ*/Residential Medium Development)	36.00
R-T (Townhouse)	151.00
R-30C (Multifamily Low Density Residential Condominium)	10.00
R-18 (Multifamily Medium-Density Residential)	19.00
R-U (CDZ*/Residential Urban Development)	113.00
M-U-I (Mixed-Use Infill)	9.00
C-A (Ancillary Commercial)	1.00
C-O (Commercial Office)	56.00
M-X-C (Mixed-Use Community)	1,259.00
C-S-C (Commercial Shopping Center)	249.00
C-M (Commercial Miscellaneous)	318.50
L-A-C (CDZ*/Local Activity Center)	95.00
M-A-C (CDZ*/Major Activity Center)	213.00
I-4 (Limited Intensity Industrial)	1.00
I-1 (Light Industrial)	71.00
E-I-A (CDZ*/Employment and Industrial Area)	1,906.00
M-X-T (Mixed-Use Transportation Oriented)	488.00
Subtotal =	37,042.50
Right-of-Way =	3,152.90
Total Acres =	40,195.40

* CDZ = Comprehensive Design Zone.
Source: M-NCPPC, August 2006