

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**SITTING AS THE DISTRICT COUNCIL****2002 Legislative Session**Bill No. CB-22-2002Chapter No. 18Proposed and Presented by Council Member WilsonIntroduced by Council Member Wilson

Co-Sponsors _____

Date of Introduction April 30, 2002**ZONING BILL**

1 AN ORDINANCE concerning

2 Planned Retirement Community

3 For the purpose of permitting planned retirement communities in the C-O Zone, under certain
4 circumstances.

5 BY repealing and reenacting with amendments:

6 Sections 27-395 and 27-461(b),

7 The Zoning Ordinance of Prince George's County, Maryland,

8 being also

9 SUBTITLE 27. ZONING.

10 The Prince George's County Code

11 (1999 Edition, 2001 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 14 District in Prince George's County, Maryland, that Sections 27-395 and 27-461(b) of the Zoning
 15 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
 16 County Code, be and the same are hereby repealed and reenacted with the following
 17 amendments:

18 **SUBTITLE 27. ZONING.**19 **PART 4. SPECIAL EXCEPTIONS.**

**DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC
SPECIAL EXCEPTIONS.**

Sec. 27-395. Planned retirement community.

(a) A planned retirement community may be permitted, subject to the following criteria:

(1) Findings for approval.

(A) The District Council shall find that:

(i) The proposed use will serve the needs of the retirement-aged community;

(ii) The proposed use will not adversely affect the character of the surrounding residential community; and

(iii) In the R-A Zone, there shall be a demonstrated need for the facility and an existing medical facility within the defined market area of the subject property.

(2) Site plan.

(A) In addition to the requirements of Section 27-296(c), the site plan shall set forth the proposed traffic circulation patterns.

(3) Regulations.

(A) Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, dwelling unit types, and other requirements of the specific zone in which the use is proposed shall not apply to uses and structures provided for in this Section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for a given Special Exception.

(B) The subject property shall contain at least twelve (12) contiguous acres;

(C) The average number of dwelling units per acre shall not [be more than] exceed eight (8) for the gross tract area[; and] .

(D) In the R-A Zone, buildings shall not exceed three (3) stories.

(E) In the I-3 Zone, the following shall apply:

(i) The gross tract area shall be a minimum of ninety (90) acres with at least 25% of its boundary adjoining residentially-zoned land or land used for residential purposes;

(ii) The property shall have at least one hundred fifty (150) feet of frontage on, and direct vehicular access to, a public street;

(iii) All buildings shall be set back a minimum of seventy-five (75) feet from all nonresidentially-zoned boundary lines or satisfy the requirements of the Landscape Manual, whichever is greater;

(iv) The property shall be located within two (2) miles of mass transit, regional shopping, and a hospital; and

[(v) Townhouses shall comply with the design guidelines set forth in Section 27-274(a)(11) and the regulations for development set forth in Section 27-433(d).]

(F) In the I-3 and C-O Zones, townhouses shall comply with the design guidelines set forth in Section 27-274(a)(11) and the regulations for development set forth in Section 27-433(d).

(4) Uses.

(A) The planned retirement community shall include a community center or meeting area, and other recreational facilities which the District Council finds are appropriate. These recreational facilities shall only serve the retirement community. The scope of the facilities shall reflect this fact. The Council may only permit a larger facility which serves more than the retirement community if the facility is harmoniously integrated with the retirement community and the surrounding neighborhood. All recreational facilities shall be constructed prior to, or concurrent with, the construction of the residential units, or in accordance with a schedule approved by the District Council;

(B) Retail commercial uses, medical uses, health care facilities, and other uses which are related to the needs of the community may be permitted.

(5) Residents' age.

(A) At least one (1) resident of each household shall be at least fifty (50) years old, unless the applicant can demonstrate that a lesser minimum age requirement should be approved. No permanent resident of the planned retirement community shall be under eighteen (18) years old. Covenants setting forth the minimum age of the residents shall be submitted with the application. The covenants shall be approved by the District Council, and shall be filed in the land records at the time the subdivision plat is recorded. No change in the minimum age shall be permitted, unless both the covenants and the Special Exception have been amended.

1 (6) **Recreational facilities.**

2 (A) Covenants guaranteeing the perpetual maintenance of recreational facilities,
3 and the community's right to use the facilities, shall be submitted with the application. The
4 covenants shall be approved by the District Council, and shall be filed in the land records at the
5 time the subdivision plat is recorded. If the recreational facilities are to be part of a
6 condominium development, a proposed condominium declaration showing the recreational
7 facilities as general common elements shall be approved by the District Council, and shall be
8 recorded (pursuant to Title II of the Real Property Article of the Annotated Code of Maryland) at
9 the time the subdivision plat is recorded.

PART 6. COMMERCIAL ZONES.
DIVISION 3. USES PERMITTED.

Sec. 27-461. Uses permitted.

(b) TABLE OF USES I.

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
* * * * *	*	*	*	*	*	*
(6) Residential/Lodging:						
* * * * *	*	*	*	*	*	*
Hotel or motel:						
(A) Hotel or motel in general	P ²²	X	P	SE	P	P
(B) Including any use allowed in the C-S-C Zone (but not generally allowed in the C-M Zone, excluding those permitted by Special Exception), when located within a hotel, provided the uses shall not be located above the ground floor; not more than fifteen (15) percent of the gross floor area of the building shall be devoted to the uses; and not more than 3,000 square feet shall be allotted to any one use (CB-105-1985; CB-58-1990)	X	X	X	X	PA	X
<u>Planned retirement community</u>	P ³⁹	X	X	X	X	X
Tourist cabin camp	X	X	X	SE	SE	X
* * * * *	*	*	*	*	*	*

39 Provided:

- (A) The property in the C-O Zone is within a Special Taxing District and adjoins or lies across a public right-of-way from land in the R-H Zone with an existing planned retirement community.
- (B) The Planning Board approves a Detailed Site Plan, in accordance with Part 3, Division 9, and makes the following findings:
- (1) The site plan meets all Special Exception requirements in Section 27-395; and
 - (2) The proposed project will serve, in a high-quality, well-designed retirement community, the needs of a retirement-aged population while not adversely affecting the character of the surrounding neighborhood.

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

Adopted this 4th day of June, 2002.

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: _____
Peter A. Shapiro
Chair

ATTEST:

Redis C. Floyd
Acting Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.