

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2010 Legislative Session**

Bill No. CB-14-2010
Chapter No. 8
Proposed and Presented by Council Member Dernoga
Introduced by Council Member Dernoga
Co-Sponsors _____
Date of Introduction April 27, 2010

ZONING BILL

1 AN ORDINANCE concerning
2 Mixed Use and Comprehensive Design Zones
3 For the purpose of authorizing certain density limitations in Mixed Use and Comprehensive
4 Design Zones

5 BY repealing and reenacting with amendments:

6 Section 27-486,
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 (2007 Edition, 2009 Supplement).

12 BY adding:

13 Section 27-547.01,
14 The Zoning Ordinance of Prince George's County, Maryland,
15 being also
16 SUBTITLE 27. ZONING.
17 The Prince George's County Code
18 (2007 Edition, 2009 Supplement).

19 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
20 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional

1 District in Prince George's County, Maryland, that Section 27-486 of the Zoning Ordinance of
 2 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
 3 be and the same is hereby repealed and reenacted with the following amendments:

4 **SUBTITLE 27. ZONING.**

5 **PART 8. COMPREHENSIVE DESIGN ZONES.**

6 **DIVISION 1. GENERAL.**

7 **Sec. 27-486. Density and intensity calculations.**

8 (a) Residential density determinations in the L-A-C and M-A-C Zones shall be based on
 9 an average number of dwelling units per gross residential acre. Residential density
 10 determinations in the R-S, R-M, R-U, V-M, V-L, and R-L Zones shall be based on an average
 11 number of dwelling units per gross acre, minus fifty (50) percent of the density attributed to any
 12 land located within a one hundred (100) year floodplain.¹ The base residential density shall be
 13 the numerical base to which increment factors may be applied. The base density shall not
 14 establish the minimum density for development in the zone. Motel units, hotel units, and living
 15 accommodations in institutions shall not be considered as dwelling units.

16 (b) Portions of the proposal devoted exclusively to a mixed retirement development shall
 17 be excluded from the density calculations for the overall proposal, and shall be subject to a
 18 separate density calculation specified for mixed retirement development in the general standards
 19 for each zone. For the purposes of density calculations, each separate living unit provided in any
 20 nursing or care home or assisted living facility shall be considered a dwelling unit. Whatever
 21 property in the zone that is not utilized for mixed retirement development shall maintain its
 22 approved density, and no density transfer shall be approved.

23 (c) Commercial intensity determinations shall be based on a gross-building-area-to-gross-
 24 commercial-land-area ratio. The base commercial floor area ratio shall be the numerical base to
 25 which increment factors may be applied.

26 (d) Increments shall not be allowed for any improvement which is required to be made by
 27 the developer (by other laws or regulations).

28 (e) Notwithstanding Subsections (a) through (d), above, density limits or a range of
 29 density limits lower than those recited in this Section for Comprehensive Design Zones may be
 30 established as part of the text of an approved Master Plan, Sector Plan, or other comprehensive
 31 planning document.

1 SECTION 2. BE IT FURTHER ENACTED that Section 27-547.01 of the Zoning Ordinance of
2 Prince George’s County, Maryland, be and the same is hereby added:

3 **PART 10. MIXED USE ZONES.**

4 **DIVISION 4. REGULATIONS.**

5 **Sec. 27-547.01. Density Limitations pursuant to Comprehensive Plan.**

6 Density limits or a range of density limits lower than those recited in this Part for Mixed
7 Use Zones may be approved as part of the text of an approved Master Plan, Sector Plan, or other
8 comprehensive planning document.

9 SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
10 (45) calendar days after its adoption.

Adopted this 1st day of June , 2010.

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: _____
Thomas E. Dernoga
Chair

ATTEST:

Redis C. Floyd
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.