

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2008 Legislative Session**

Bill No. CB-29-2008

Chapter No. 29

Proposed and Presented by Council Member Dean

Introduced by Council Members Dean and Harrison

Co-Sponsors _____

Date of Introduction July 1, 2008

ZONING BILL

1 AN ORDINANCE concerning

2 Regional Urban Community

3 For the purpose of defining the Regional Urban Community use; permitting the use in the M-X-
4 T Zone; permitting the use in the R-M Zone; and making related amendments to the Zoning
5 Ordinance.

6 BY repealing and reenacting with amendments:

7 Sections 27-107.01(a), 27-276, 27-508, 27-515(b),

8 27-521, 27-528, 27-544, and 27-547(b),

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

10 being also

11 SUBTITLE 27. ZONING.

12 The Prince George's County Code

13 (2003 Edition, 2006 Supplement).

14 BY adding:

15 Section 4.8,

16 The Prince George's County Landscape Manual,

17 Adopted by reference as a part of

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

19 Being also

20 SUBTITLE 27. ZONING.

The Prince George’s County Code
(2003 Edition, 2006 Supplement.)

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 27-107.01(a), 27-276, 27-508, 27-515(b), 27-521, 27-528, 27-544, 27-547(b) of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 27. ZONING.

PART 2. GENERAL.

DIVISION 1. DEFINITIONS.

Sec. 27-107.01. Definitions.

(a) Terms in the Zoning Ordinance are defined as follows:

* * * * *

(197.1) **Regional Urban Community:** A contiguous land area of 500 or more acres in the M-X-T or R-M Zone within a General Plan designated center in the Developing Tier, and which is to be developed as follows: a mixed use, urban town center including retail office and residential uses with a defined core, edge and fringe as defined by the Sector Plan; transit-and-pedestrian-oriented, with ample public spaces suitable for community events, adjacent to a planned or developed public park of 100 or more acres that includes a variety of recreational and cultural facilities for public use, such as amphitheatres, performance stages and plazas.

* * * * *

PART 3. ADMINISTRATION.

DIVISION 9. SITE PLANS.

Subdivision 2. Requirements for Conceptual Site Plans.

Sec. 27-276. Planning Board Procedures.

* * * * *

(b) **Required findings.**

* * * * *

(3) The Planning Board may approve a Conceptual Site Plan for a Regional Urban Community in the M-X-T Zone if it finds that proposed development meet the purposes and

1 applicable requirements of the M-X-T Zone and the Plan meets all requirements stated in the
2 definition of the use and Section 27-544 of this Code.

3 * * * * *

4 **PART 8. COMPREHENSIVE DESIGN ZONES.**

5 **DIVISION 2. SPECIFIC COMPREHENSIVE DESIGN ZONES.**

6 **Subdivision 5. R-M Zone (Residential Medium Development).**

7 **Sec. 27-508. Uses.**

8 (a) The general principle for land uses in this zone is that uses shall be either residential in
9 nature, or necessary to serve the dominant residential uses. These latter uses shall be integrated
10 with the residential environment without disrupting the residential character or residential
11 activities.

12 (b) The uses allowed in the R-M Zone are as provided for in the Table of Uses (Division 3
13 of this Part).

14 (c) A Regional Urban Community in the R-M Zone shall meet the following design
15 standards:

16 (1) The maximum percentage of attached dwelling units, which includes but is not
17 limited to townhouses, two over twos and triplexes, shall be fifty percent (50%) of the total units
18 in the project;

19 (2) End units on building groups shall be a minimum of twenty (20) feet in width and
20 the minimum building width of a contiguous attached group shall be sixteen (16) feet per unit. A
21 variety of townhouse sizes shall be provided. A maximum of ten percent (10%) of the units may
22 have a minimum gross living space of 1,500 square feet;

23 (3) The setback from any public or private right-of-way may be a minimum of seven
24 (7) feet; and

25 (4) For lots smaller than 1,800 square feet, a pro-rata reduction of the requirements
26 for the number of on-site trees as set forth in the Landscape Manual shall be permitted
27 proportional to lot size.

DIVISION 3. USES PERMITTED.

Sec. 27-515. Uses permitted.

(b) TABLE OF USES.

USE	ZONE									
	M-A-C	L-A-C	E-I-A	R-U	R-M	R-S	R-L	V-L	V-M	
* * * * *	*	*	*	*	*	*	*	*	*	
(4) MISCELLANEOUS:										
* * * * *	*	*	*	*	*	*	*	*	*	
Mixed-Use Planned Community; list of permitted uses is the same	X	X	P	X	X	X	X	X	X	
Mobile home, with use for which amusement taxes collected ¹³	P	P	P	P	P	P	P	X	X	
<u>Regional Urban Community</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>	
* * * * *										

**PART 8. COMPREHENSIVE DESIGN ZONES.
DIVISION 4. COMPREHENSIVE DESIGN PLANS
AND SPECIFIC DESIGN PLANS.**

Subdivision 1. Comprehensive Design Plans.

Sec. 27-521. Required findings for approval.

(a) Prior to approving a Comprehensive Design Plan, the Planning Board shall find that:

* * * * *

(9) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and except as provided in Section 27-521(a)(11), where townhouses are proposed in the Plan, with the exception of the V-L and V-M Zones, the requirements set forth in Section 27-433(d); [and]

(10) The Plan is in conformance with an approved Tree Conservation Plan [.] and

(11) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies the requirements for the use in Section 27-508(a)(1) and Section 27-508(a)(2) of this Code.

Subdivision 2. Specific Design Plans.

Sec. 27-528. Planning Board action.

(a) Prior to approving a Specific Design Plan, the Planning Board shall find that:

(1) The plan conforms to the approved Comprehensive Design Plan, the applicable standards of the Landscape Manual, and except as provided in Section 27-528(a)(1.1), for Specific Design Plans for which an application is filed after December 30, 1996, with the exception of the V-L and V-M Zones, the applicable design guidelines for townhouses set forth in Section 27-274(a)(1)(B) and (a)(11), and the applicable regulations for townhouses set forth in Section 27-433(d) and, as it applies to property in the L-A-C Zone, if any portion lies within one-half (1/2) mile of an existing or Washington Metropolitan Area Transit Authority Metrorail station, the regulations set forth in Section 27-480(d) and (e);

(1.1) For a Regional Urban Community, the plan conforms to the requirements stated in the definition of the use and satisfies all requirements for the use in Section 27-508 of the Zoning Ordinance;

* * * * *

PART 10. MIXED USE ZONES.

DIVISION 2. SPECIFIC MIXED USE ZONES.

Subdivision 1. M-X-T Zone (Mixed Use – Transportation Oriented)

Sec. 27-544. Regulations.

* * * * *

(e) Regional Urban Community Regulations.

(1) A Regional Urban Community shall conform to the definitions, regulations, and requirements set forth in Sections 27-107.01, 27-276, and 27-508 of the Zoning Ordinance.

(2) In addition to the definition, regulations, and other requirements set forth in Sections 27-107.01, 27-276, and 27-508 of this Code, the following regulations shall apply to a Regional Urban Community in the M-X-T Zone:

(A) The maximum percentage of attached dwelling units, which includes but is not limited to townhouses, two over twos and triplexes, shall be fifty percent (50%) of the total units in the project;

(B) For Regional Urban Community developments in the M-X-T Zone, the woodland conservation and afforestation thresholds shall be fifteen percent (15%) with no requirement for on-site mitigation. A fee-in-lieu of \$0.30 per square foot shall be required.

(C) Innovative stormwater management techniques may be used upon a finding that the techniques meet the purpose of the M-X-T Zone as set forth in Section 27-541(a)(2), including but not limited to the utilization of stream channel and floodplain enhancement and restoration. Stream restoration may be utilized to meet channel protection and water quality volumes.

(D) No setback shall be required from the 100-year floodplain to the lot line. There shall be a twenty-five (25) foot setback from the building to the 100-year floodplain for residences as a building restriction line as set forth in Section 24-129.

(E) The maximum number of townhouse dwelling units per building group shall be ten (10). No more than thirty percent (30%) of the building groups shall contain nine (9) to ten (10) dwelling units. All other townhouse building groups shall contain no more than eight (8) dwelling units.

1 (F) The number of parking spaces required in the core area of the Regional
2 Urban Community are to be calculated by the applicant and submitted for Planning Board
3 approval at the time of Detailed Site Plan approval. The applicant shall submit the methodology,
4 assumptions, and data used in performing the calculations with the Detailed Site Plan. The
5 number of parking spaces within the core area of the Regional Urban Community shall be
6 calculated based on the procedures described in Sections 27-574(b) and (c).

7 (G) End units on townhouse building groups shall be a minimum of twenty (20)
8 feet in width and the minimum building width of a contiguous attached townhouse building
9 group shall be sixteen (16) feet per unit. A variety of townhouse sizes shall be provided, with a
10 minimum gross living space of a townhouse unit shall be 1,500 square feet except that ten
11 percent (10%) of the townhouse units may be reduced to 1,200 square feet.

12 (H) The minimum front setback from any public or private right-of-way may be
13 reduced to seven (7) feet. In the core area, the public maintenance shall be one foot from back-
14 of-curb to one foot to back-of-curb.

DIVISION 3. USES PERMITTED.

Sec. 27-547. Uses permitted.

* * * * *

(b) TABLE OF USES.

USE	ZONE	
	M-X-T	M-X-C
* * * * *	*	*
(4) MISCELLANEOUS:		
* * * * *	*	*
Other uses of appropriate size, which can be justified as similar to one of the uses listed in this Section	P	P
Real estate subdivision sales office as a temporary use, in accordance with Sections 27-260 and 27-261	P	P
<u>Regional Urban Community</u>	<u>P</u>	<u>X</u>
* * * * *	*	*

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1 SECTION 2. BE IT FURTHER ENACTED that Section 4.8 of the Prince George’s County
 2 Landscape Manual, adopted by reference as part of the Zoning Ordinance of Prince George’s
 3 County, Maryland, being also Subtitle 27 of the Prince George’s County Code, be and the same
 4 is hereby added:

5 **Sec. 4.8. Landscape Requirements in a Regional Urban Community.**

6 The landscape requirements for a Regional Urban community shall be determined at the
 7 time of the Conceptual Site Plan pursuant to Section 27-544 of the Zoning Ordinance or,
 8 where appropriate, at the time of the Comprehensive Design Plan pursuant to Section 27-
 9 480 of the Zoning Ordinance. The requirements, at a minimum, shall include:

10 **(A) RESIDENTIAL REQUIREMENTS**

- 11 • All one family detached lots that are smaller than 9,500 square feet shall be planted with
 12 a minimum of 1 shade tree or 1 ornamental tree on individual lots
- 13 • For townhouses, one family semi-detached, two family and three family dwellings a
 14 minimum total of 1 shade tree and 1 ornamental or evergreen tree per every two units
 15 shall be provided on individual lots or on public or private open space
- 16 • For multi-family units, 1 major shade tree per 2,400 square feet of green area provided
 17 shall be required. The number of trees may be satisfied on a 2:1 basis by the use of
 18 ornamental trees or evergreen trees, not to exceed one quarter of the number of shade
 19 trees provided on individual lots or on public or private open space

20 **(B) SCREENING REQUIREMENTS**

- 21 • Screening materials shall consist of evergreen trees and shrubs, wall, and fences.
- 22 • At the time of installation or planting of screening materials, screening must occupy 75%
 23 of a vertical rectangular plane, excluding driveways, sufficiently high and long to
 24 accomplish the required screening.
- 25 • All loading areas consisting of loading spaces, loading docks, vehicular lanes providing
 26 access to them and service or maintenance areas shall be screened from residential areas
 27 (single family and townhouses) and all adjacent public roads
- 28 • All dumpsters, trash pads, and trash collection or storage areas shall be carefully located
 29 and oriented on the site to be as inconspicuous as possible.
- 30 • All mechanical equipment and meters shall be screened accordingly to prevent excessive
 31 noise on surrounding properties

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- Screening options may include:
 - 6 foot high sight-tight fence
 - Architecturally decorative walls
 - Evergreen screen (height, spacing and variety to be determined by size and location of area to be screened

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

Adopted this 23rd day of July, 2008.

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: _____
Samuel H. Dean
Chairman

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.