



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Office of the Planning Director

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October 2, 2021

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Andree Green Checkley, Planning Director, Planning Department

FROM: Rana Hightower, Intergovernmental Affairs Coordinator^{REH}

SUBJECT: **CB-106-2021**

Andree Green Checkley
Digitally signed by Andree Green Checkley
Date: 2021.10.05 13:46:14 -0400

Purpose: A bill to permit "Elderly Housing (One-family Attached Dwellings) in the Rural Residential (R-R) Zone, under certain circumstances.

Policy Analysis: This bill amends Section 27-352.01 Elderly Housing, (One-family Attached Dwellings) to permit the use on a property located in the Rural Residential (R-R) Zone with specific development regulations. The proposed legislation will impact seven properties. Three of the seven properties are owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC). The addresses for the other four properties are 1661 Tucker Road, 9401 Westphalia Road, 0 Duckettown Road, and 12804 Windbrook Drive. The tax identification numbers are 1304625, 1711555, 1657287, and 400077.

The staff has numerous concerns and comments for District Council consideration.

Perhaps the bill could simplify the title for "Elderly Housing, (One-family Attached Dwellings)". The use could be renamed "One-Family Attached Dwellings for the Elderly". "Elderly Housing (One-Family Attached Dwelling)" is already a use permitted with Special Exception approval. Section 27-441, the Residential Table of Uses is where the use should be with a footnote that indicates the use is permitted per Section 27-352.01(b).

The language on page 2, lines 10 through 14, under number (5) waives all requirements and regulations for the R-R Zone. It establishes that all development standards except for density will be based upon the Special Exception site plan. This process defeats the entire purpose of zoning and denies the District Council, Planning Board, and Zoning Hearing Examiner the ability to apply any objective standards for development.

The language under number (6), lines 15 through 19, should be deleted. Section 24-135 (Fee in Lieu and recreational facilities.) of the Subdivision Regulations requires recreational facilities to be properly developed and maintained to benefit future residents through covenants, recreational facilities agreements, or other appropriate means.

The agreement is legally binding upon the subdivider and their heirs, successors, and assigns; and is enforceable by the Planning Board. Therefore, the language should be deleted. It is duplicative of a process already required during the Preliminary Plan of Subdivision review.

Staff recommends opposition to the proposed legislation. It does not include development regulations, which leaves the development of the site to be determined subjectively.

Staff strongly recommends that the District Council wait until the new ordinance is in place. We strongly recommend that the District Council not make additional changes to the current Zoning Ordinance.

Impacted Property:

The bill will affect seven properties. Three of the seven properties are owned by The Maryland-National Capital Park and Planning Commission (M-NCPPC). The addresses for the other four properties are 1661 Tucker Road, 9401 Westphalia Road, 0 Duckettown Road, and 12804 Windbrook Drive. The tax identification numbers are 1304625, 711555, 1657287, and 400077.

Adopted Zoning Ordinance:

The R-R Zone will be named the Residential Rural (RR) Zone. Elderly housing (Single-family attached dwellings) will require Special Exception approval.

Recommendation:

Oppose.

Staff recommends the Planning Board vote to oppose CB-106-2021.