

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
1996 Legislative Session

Bill No. _____ CB-56-1996

Chapter No. _____ 61

Proposed and Presented by Council Members Del Giudice, Gourdine, Maloney & Russell

Introduced by Council Members Del Giudice, Gourdine, Maloney & Russell

Co-Sponsors

Date of Introduction _____ October 8, 1996

ZONING BILL

AN ORDINANCE concerning

Townhouses

For the purpose of requiring that townhouses in certain CDZs and Mixed Use Zones comply with certain site and building design guidelines and regulations, limiting the number of townhouses and multifamily dwellings in certain zones, and imposing a height limitation on multifamily buildings.

BY repealing and reenacting with amendments:

Sections 27-480, 27-515, 27-521, 27-528,

27-546.03, 27-546.04, 27-547, and 27-548,

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

being also

SUBTITLE 27. ZONING.

The Prince George's County Code

(1995 Edition).

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 27-480, 27-515, 27-521, 27-528, 27-546.03, 27-546.04, 27-547 and 27-548 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same are hereby repealed and reenacted with the following amendments: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 8. COMPREHENSIVE DESIGN ZONES.

DIVISION 1. GENERAL.

Sec. 27-480. General development regulations.

(a) With the exception of the minimum lot area requirement for townhouses, as set forth in (b), below, and the height limitation for multifamily dwellings, as set forth in (f), below, [Dimensions] dimensions for yards, building lines, lot area, lot frontage, lot coverage, and building height shown on an approved Specific Design Plan shall constitute the development regulations applicable to the development of the land area addressed by that particular Specific Design Plan.

(b) The minimum lot area requirement for townhouses constructed pursuant to a Specific Design Plan for which an application is filed after December 30, 1996, (with the exception of the V-L and V-M Zones), shall be one thousand eight hundred (1,800) square feet.

(c) A minimum of sixty percent (60%) of all townhouses constructed in the Comprehensive Design Zones pursuant to a Specific Design Plan for which an application is filed after December 30, 1996, (with the exception of the V-L and V-M Zones), shall have a full front facade (excluding gables, bay windows, trim, and doors) constructed of brick, stone, or stucco.

(d) There shall be no more than six (6) townhouses per building group in any Comprehensive Design Zone, (with the exception of the V-L and V-M Zones), for which an application for a Specific Design Plan is filed after December 30, 1996, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units), would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the SDP, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.

(e) The minimum building width for townhouses in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space for a townhouse shall be one thousand two hundred and fifty (1,250) square feet in any development for which an application for a Specific Design Plan is filed after December 30, 1996 (with the exception of townhouses in the V-L and V-M Zones). For the purposes of this subsection, "gross living space" shall be defined as all interior building space except the garage and unfinished basement or attic area.

(f) The maximum building height for multifamily dwellings for which an application for a Specific Design Plan is filed after December 30, 1996 shall be as follows: in the R-S and R-M Zones, forty (40) feet; in the R-U and L-A-C Zones, eighty (80) feet; and in the M-A-C Zone, one hundred and ten (110) feet.

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 | |
| * * * | * | | * | * | | * | * | * | * | |
| (7) RESIDENTIAL/LODGING: | | | | | | | | | | |
| Dwelling (any type, except mobile home, multifamily, three-family, two-family, and storefront) ²⁸ ___ | P | P | X | P | P | P | P | P ²³ | P ²³ | |
| * * * | * | | * | * | | * | * | * | * | |

²⁸ For Specific Design Plans for which an application is filed after December 30, 1996, the following restrictions shall apply. Townhouses may comprise not more than the following percentages of the total number of dwelling units included in the Comprehensive Design Plan: in the R-L Zone, 20%; R-S, 20%; R-M, 30%; R-U, 30%; L-A-C, 40%; and M-A-C, 30%. Multifamily dwelling units may comprise not more than the following percentages of the total number of dwelling units in the Comprehensive Design Plan: in the R-S Zone, 10%; R-M, 10%; R-U, 30%; L-A-C, 30%; and M-A-C, 40%. These multifamily restrictions do not apply to Transit District Overlay 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:

* * * * *

(10) The Plan incorporates the applicable design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle, and 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

* * * * *

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, [and] the applicable standards of the Landscape Manual[;], and 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);

* * * * *

PART 10. MIXED USE ZONES.

DIVISION 2. SPECIFIC MIXED USE ZONES.

Subdivision 2. M-X-C (Mixed Use Community).

Sec. 27-546.03. Uses.

* * * * *

(b) Each Preliminary Development Plan in the M-X-C Zone shall comply with the following minimum and maximum requirements for use areas:

| | Minimum Percentage of Gross Area of the Zone | Maximum Percentage of Gross Area of the Zone |
|-----------------------------------------------|---------------------------------------------------------------------|---------------------------------------------------------------------|
| Community Use Areas | 30% | N/A |
| Single-Family - Low Density Residential | 10% | N/A |
| Single-Family - Medium Density Residential | 20% | N/A |
| Other Residential | N/A | 15% |

In no event shall the number of
townhouses exceed 25% of the total
number of dwellings in the Zone

Nonresidential Areas:

In no event shall service or trade
uses exceed 10% of the gross area
of the Zone

5%

20%

* * * * *

Sec. 27-546.04. Other regulations.

* * * * *

(h) Residential areas shall include a variety of lot sizes and development standards, which shall be coordinated with street widths, views, topography, landscaping, and architecture. Townhouses shall be located on lots at least one thousand eight hundred (1,800) square feet in size, with at least sixty percent (60%) of the total number of building fronts constructed of brick, stone, or stucco. There shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units), would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing

more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the approved Preliminary Development Plan, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one-thousand two hundred and fifty (1,250) square feet for any townhouse in the M-X-C Zone. For the purposes of this subsection, "gross living space" shall be defined as all interior space except the garage and unfinished basement or attic area.

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DIVISION 3. USES PERMITTED.

Sec. 27-547. Uses permitted.

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(b) TABLE OF USES

| USE | ZONE | |
|--------------------------------------------|----------------|-------|
| | M-X-T | M-X-C |
| (7) RESIDENTIAL/LODGING: | | |
| | | |
| Dwellings, all types (except mobile homes) | P ¹ | P |
| | | |

¹ For development pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, the number of townhouses shall not exceed 20% of the total number of dwelling units in the total development.

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DIVISION 4. REGULATIONS.

Sec. 27-548. M-X-T Zone.

* * * * *

(h) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996 shall be on lots at least one thousand eight

hundred (1,800) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units), would create a more attractive living environment or would be more environmentally sensitive. In no event shall the number of building groups containing more than six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the total development, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width. The minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area.

(i) The maximum height of multifamily buildings shall be one hundred and ten (110) feet. This height restriction shall not apply within any Transit District Overlay Zone.

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Ordinance shall not apply to Specific Design Plans which limit the number of townhouses per building group to four, and for which a Comprehensive Design Plan was originally approved prior to July 1, 1988; property located within an infrastructure finance district approved prior to the effective date of this legislation; or to Detailed Site Plans and Specific Design Plans, whichever is applicable, which have been filed and accepted prior to the effective date of this legislation, provided building permits for ten percent of the dwelling units included in the Plan are issued within two years of the effective date of this legislation, and extensions of time for the permits do not exceed six months, and that the dwelling units are constructed pursuant to the permits.

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

Adopted this 12th day of November, 1996.

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:

Stephen J. Del Giudice
Chairman

ATTEST:

Joyce T. Sweeney
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.