

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

SITTING AS THE DISTRICT COUNCIL

Legislative Session _____ 1991 _____

Bill No. _____ CB-66-1991 _____

Chapter No. _____ 37 _____

Proposed and Presented by _____ Council Member Castaldi _____

Introduced by _____ Council Members Castaldi, Bell, Fletcher _____

_____ Del Giudice, Pemberton and Casula _____

Co-Sponsors _____

Date of Introduction _____ June 11, 1991 _____

ZONING BILL

AN ORDINANCE concerning

Opportunity Housing

FOR the purpose of defining Opportunity Housing; permitting a building or use associated with the development of Opportunity Housing in certain residential zones; and providing for site plan review of all Opportunity Housing development by the District Council.

BY repealing and reenacting with amendments:

Sections 27-107.1(a), and
27-441(b),

BY adding:

Sections 27-295.1,
27-295.2,

27-295.3, and

27-295.4,

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

SUBTITLE 27. ZONING.

The Prince George's County Code

(1987 Edition, 1989 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 27-107.1(a) and 27-441(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Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments: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. 27-107.1. Definitions.

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

* * * * *

(171.1) **Opportunity Housing:** "Dwellings" constructed by a not-for-profit housing organization pursuant to Subtitle 13, Division 8 of this Code, provided that the number of dwellings shall not exceed eight dwelling units per acre in a side by side configuration or twelve dwelling units per acre in a piggyback configuration, unless the zone in which such dwelling units are

constructed provides for greater density.

PART 5. RESIDENTIAL ZONES.

DIVISION 3. USES PERMITTED.

Sec. 27-441. Uses permitted.

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SECTION 2. BE IT FURTHER ENACTED that new Sections 27-295.1, 27-295.2, 27-295.3 and 27-295.4 be and the same are hereby added to the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, as follows:

SUBTITLE 27. ZONING.

PART 3. ADMINISTRATION.

DIVISION 12. APPROVAL OF OPPORTUNITY HOUSING BUILDINGS AND USES.

Sec. 27-295.1. Authorization.

(a) All buildings and uses, on land conveyed by Prince George's County, Maryland or the Prince George's County Housing Authority to a qualified non-profit organization for the development of Opportunity Housing, shall be specifically approved by the District Council and conform to the requirements of the Zoning Ordinance applicable to the building, structure, or use in the R-T Zone or the zone in which it is located, whichever shall provide the greater number of dwelling units.

Sec. 27-295.2. Application.

(a) The applicant (with the written concurrence of the County or the Housing Authority) desiring a building or use, providing Opportunity Housing, on land conveyed by Prince George's County, Maryland or the Prince George's County Housing Authority to a qualified non-profit organization for the development of Opportunity Housing, shall make a written request to the District Council.

(b) The request shall be accompanied by other material deemed necessary by the Council. The request shall be accompanied by a site plan prepared in accordance with Part 3, Division 9 of this

Subtitle that has been reviewed by Planning Commission staff for compliance with Zoning Ordinance provisions.

(c) An impact study shall set forth the effects of the buildings, structures, and uses on the area.

(d) The Clerk of the Council shall transmit the request to each municipality located either within the area of the proposed request or within one mile of that area. These municipalities shall be advised to submit their comments on the proposed use within thirty days of receipt of the request.

Sec. 27-295.3. Referral.

(a) The application shall be referred for review to any agency which State or local law requires.

(b) The application shall be referred for review to the Planning Board. The Planning Board shall communicate its findings and recommendations on the proposed location, character and compliance with this Subtitle to the District Council.

Sec. 27-295.4. Procedures.

(a) Method of approval

(1) The District Council may approve by resolution, after a public hearing, buildings and uses, providing Opportunity Housing, on land conveyed by Prince George's County, Maryland or the Prince George's County Housing Authority to a qualified non-profit organization for the development of Opportunity Housing, after its review of a site plan and an impact study that sets forth the effects of the use and all buildings and structures on the general

neighborhood.

(2) The Clerk of the Council shall notify all persons of record of the hearing by regular mail. The notice shall be mailed not less than fifteen, nor more than twenty-one, days prior to the scheduled public hearing.

(b) Criteria for approval

(1) In approving a request, the Council shall consider:

(A) The relationship of the project to the General Plan, Master Plan, Functional Master Plan, or other plan or policy document approved by the Council;

(B) The impact of the project on the area affected;
and

(C) The relative need for the uses or buildings.

(c) Denial

(1) If the Council denies the request, it shall set forth its reasons in writing.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect on December 31, 1991.

Adopted this 9th day of July, 1991.

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: _____
Richard J. Castaldi
Chairman

ATTEST:

Maurene W. Epps
Acting Clerk of the Council

KEY:

Underscoring indicates language added to existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.