

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
1998 Legislative Session

Bill No. _____ CB-74-1998
 Chapter No. _____
 Proposed and Presented by _____ Council Member Wilson
 Introduced by _____ Council Member Wilson
 Co-Sponsors _____
 Date of Introduction _____ May 12, 1998

ZONING BILL

1 AN ORDINANCE concerning

2 Dwellings

3 For the purpose of permitting multifamily and townhouse dwelling units for physically
 4 handicapped or elderly persons under certain circumstances.

5 BY repealing and reenacting with amendments:

6 Sections 27-441, and 27-442,

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 (1995 Edition, 1997 Supplement).

12 BY adding: Section 27-350.02,

13 being also

14 SUBTITLE 27. ZONING.

15 The Prince George's County Code

16 (1995 Edition, 1997 Supplement).

17 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 18 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 19 District in Prince George's County, Maryland, that Sections 27-441 and 27-442 of the Zoning
 20 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County Code, be and the same are hereby repealed and reenacted with the following amendments: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. RESIDENTIAL ZONES.

DIVISION 3. USES PERMITTED.

Sec. 27-441. Uses permitted.

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(b) TABLE OF USES

<i>USE</i>	<i>R-O-S</i>	<i>O-S</i>	<i>R-A</i>	<i>R-E</i>	<i>ZONE</i> <i>R-R</i>	<i>R-80</i>	<i>R-55</i>	<i>R-35</i>	<i>R-20</i>
*	*	*	*	*	*	*	*	*	*
(6) RESIDENTIAL/LODGING:									
*	*	*	*	*	*	*	*	*	*
<u>Dwellings, physically handicapped or elderly</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
*	*	*	*	*	*	*	*	*	*

<i>USE</i>	<i>R-T</i>	<i>R-30</i>	<i>R-30C</i>	<i>R-18</i>	<i>ZONE</i> <i>R-18C</i>	<i>R-10A</i>	<i>R-10</i>	<i>R-H</i>
*	*	*	*	*	*	*	*	*
(6) RESIDENTIAL/LODGING:								
*	*	*	*	*	*	*	*	*
<u>Dwellings, physically handicapped or elderly</u>	<u>SE</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>
*	*	*	*	*	*	*	*	*

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PART 8. RESIDENTIAL ZONES.
DIVISION 4. REGULATIONS.

Sec. 27-442. Regulations.

(a) Regulations tables.

(1) The following tables contain additional regulations for development in the Residential Zones.

*	*	*	*	*	*
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(g) TABLE VI - DISTANCE BETWEEN UNATTACHED MULTIFAMILY DWELLINGS AND COURTS (Minimum in Feet)^{1,6}

	<u>R-T</u>	R-30	R-30C	ZONE		R-18	R-18C	R-10A	R-10	R-H
Distance Between Unattached Multifamily Dwellings:										
In general	=	50	50	50	50	50	50	50	50	50
Additional distance for each 1 foot above 36 feet of taller building	=	-	-	2	2	0.5	0.5	0.5	0.5	-
Additional distance for each 1 foot above 30 feet of taller building	=	-	-	-	-	-	-	-	-	1
<u>Dwellings, physically handicapped or elderly</u>	<u>50</u>									
If 2 buildings are situated so that neither is visible from any window or public entrance of the other, or no line perpendicular to any wall of either building intersects any wall of the other building (See Figure 54.)	=	-	-	20 ⁴	20 ⁴	20 ⁵	20 ⁵	20 ⁵	20 ⁵	___ ³
Outer Court (Width)	=	50	50	___ ²	___ ²	___ ²	___ ²	___ ²	___ ²	-

(h) TABLE VII - DENSITY (Maximum Dwelling Units Per Net Acre of Net Lot/Tract Area)

*	*	*	*	*	*	*	*	*	*

¹⁰ These densities may increase pursuant to Section 27-350.02.

SECTION 2. BE IT FURTHER 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 Section 27-350.02 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 is hereby added:

SUBTITLE 27. ZONING

PART 4. SPECIAL EXCEPTIONS.

DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL EXCEPTIONS.

Sec. 27-350.02 Dwellings for Physically Handicapped or Elderly Persons.

(a) Dwellings for physically handicapped or elderly persons may be permitted subject to the following:

(1) In addition to the requirements of Section 27-296(c), the site plan shall show the density, and the type and total number of dwelling units proposed.

(2) The District Council shall find that the subject property is suitable for the type of development proposed, and is of sufficient size to properly accommodate the proposed number of dwelling units.

(3) Recreational and social amenities for the residents may be provided, if shown on the site plan and approved by the District Council.

(4) The height, lot coverage, density, frontage, yard, and green area requirements, including restrictions on the location and height of accessory buildings, as specified for the zone in which the use is proposed, shall not apply to uses or structures provided for in this section. The dimensions, percentages, and density shown on the approved site plan shall constitute the regulations for development under a given Special Exception.

(5) The number of dwelling units permitted shall not exceed 8 units per acre for townhouse units and 12 units per acre for multifamily units.

(6) The maximum acreage is 12 acres.

(7) The maximum number of dwelling units in any horizontal, continuous, attached group is twelve (12).

(8) The requirements of this section shall not apply to the use of existing surplus school buildings that have been conveyed by the Prince George's County Board of Education to

1 either Prince George's County or any municipality within the County.

2 (9) The minimum requirements for development of dwelling units in any horizontal
 3 continuous attached group shall be:

4 (A) There shall be not more than six (6) nor less than three (3) dwelling units in
 5 any horizontal, continuous, attached group, except where the Planning Board or District Council,
 6 as applicable, determines that more than six (6) dwelling units (but not more than twelve (12)
 7 dwelling units) would create a more attractive living environment, would be more
 8 environmentally sensitive, or would otherwise achieve the purposes of this Section.

9 (B) The minimum width of dwellings in any continuous, attached group shall be
 10 at least twenty (20) feet. Attached groups containing units all the same width and design should
 11 be avoided, and within each attached group attention should be given to the use of wider end
 12 units.

13 (C) Side and rear walls shall be articulated with windows, recesses, chimneys, or
 14 other architectural treatments. All endwalls shall have a minimum of two (2) architectural
 15 features. Buildings on lots where endwalls are prominent (such as corner lots, lots visible from
 16 public spaces, streets, or because of topography or road curvature) shall have additional endwall
 17 treatments consisting of architectural features in a balanced composition, or natural features
 18 which shall include brick, stone, or stucco.

19 (D) Above-grade foundation walls shall either be clad with finish materials
 20 compatible with the primary facade design, or shall be textured or formed to simulate a clad
 21 finished material such as brick, decorative block, or stucco. Exposed foundation walls of unclad
 22 or unfinished concrete are prohibited.

23 (10) A minimum of sixty percent (60%) of all dwelling units in any horizontal,
 24 continuous attached group shall have accents (excluding gables, bay windows, trim, and doors)
 25 of brick, stone, or stucco.

26 (11) Covenants shall be recorded which insure that all occupants will be physically
 27 handicapped or greater than 62 years in age. The covenants shall run to the benefit of the
 28 Maryland-National Capital Park and Planning Commission.

29 (b) The District Council shall find that the proposed use:

30 (1) Will serve the needs of the retirement-aged community or physically handicapped
 31 families; and

1 (2) Will not adversely affect the character of the surrounding residential community.
2 The District Council shall consider the lot size, height of the building, lot coverage of all
3 buildings on the property, setbacks from surrounding properties, street frontage, and sufficiency
4 of green area when determining the proposed development's effect on surrounding residential
5 communities.

6 (c) For the purposes of this section, a person shall be considered physically handicapped if
7 he has a physical impairment which:

- 8 (1) Is expected to be of continued and indefinite duration;
9 (2) Substantially impedes the ability to live independently; and
10 (3) Is of a nature that the ability could be improved by more suitable housing
11 conditions.

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

Adopted this _____ day of _____, 1998.

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: _____
Ronald V. Russell
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.