

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2003 Legislative Session**

Bill No. CB-57-2003

Chapter No. 48

Proposed and Presented by Council Member Peters

Introduced by Council Members Peters, Dean and Harrington

Co-Sponsors _____

Date of Introduction July 29, 2003

ZONING BILL

1 AN ORDINANCE concerning

2 Definitions

3 For the purpose of amending the definition of "street."

4 BY repealing and reenacting with amendments:

5 Section 27-107.01,

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

7 being also

8 **SUBTITLE 27. ZONING.**

9 The Prince George's County Code

10 (1999 Edition, 2002 Supplement).

11 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
12 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
13 District in Prince George's County, Maryland, that Section 27-107.01 of the Zoning Ordinance of
14 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
15 be and the same is hereby repealed and reenacted with the following amendments:

16 **SUBTITLE 27. ZONING.**

17 **PART 2. GENERAL.**

18 **DIVISION 1. DEFINITIONS.**

1 **Sec. 27-107.01. Definitions.**

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

3 * * * * *

4 (223) **Story:** The space (excluding a "Crawl Space") between the surface of two
5 successive floors in a "Building" or between the top floor and the ceiling or underside of the roof
6 framing. A "Story" is not a first "Story" if its floor level is more than five (5) feet above the
7 "Average Building Grade" and there is another floor beneath it. A "Basement" shall be counted
8 as a "Story" if its ceiling is over five (5) feet above the "Average Building Grade" or it is not
9 used exclusively for storage or the mechanical elements of the "Building." The space between a
10 mezzanine floor and the floor above it shall be counted as a "Story" if it covers more than one-
11 third (1/3) of the area of the floor below it, or if the distance between the floors immediately
12 below and above the mezzanine is at least twenty (20) feet. (See Figure 1.)

13 (224) **Story, Half:** See "Half-Story."

14 (225) **Street:**

15 (A) A "Street" is:

16 (i) A public or dedicated right-of-way at least thirty (30) feet in width; or a
17 private road, right-of-way, or easement along which development is authorized pursuant to
18 Subtitle 24, except for easements created under Section 24-128(b)(9), to avoid potentially
19 hazardous or dangerous traffic situations, [or] for easements utilized pursuant to Section 24-
20 128(b)(10) for opportunity housing, or for right-of-way easements in an integrated shopping
21 center pursuant to Section 24-128(b)(15); or

22 (ii) A proposed "Street" right-of-way or widening shown on the applicable
23 "General Plan," "Master Plan," or "Functional Master Plan"; or in the current Capital
24 Improvement Program or Maryland State Consolidated Transportation Program; or on a "Record
25 Plat."

26 (B) An "Other Public Road" designated by the Director of the Department of Public
27 Works and Transportation shall be deemed a public street for the purpose of constructing a one-
28 family detached dwelling, provided that:

29 (i) The "Other Public Road" has a right-of-way width of at least thirty (30) feet;

30 and

1 (ii) No subdivision plat is required prior to development of the lot which abuts
2 the "Other Public Road."

3 (226) **Street, Center Line of:**

4 (A) The line established as the center of a "Street" by any State, County, or other
5 governing body having jurisdiction over the "Street," and shown as such on an officially adopted
6 or legally recorded map;

7 (B) The line lying midway between the "Street Lines," if no "Center Line" has been
8 established in (A), above, or there exists a conflict among several maps; or

9 (C) The line midway between the edges of the "Street" pavement or well defined
10 travelled way, if the "Center Line" has not been determined under (A) or (B), above.

11 * * * * *

12 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
13 (45) calendar days after its adoption

Adopted this 9th day of September, 2003.

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: _____
Peter A. Shapiro
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.