

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

Bill No. _____ CB-46-1998

Chapter No. _____

Proposed and Presented by _____ Council Member Wilson

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

ZONING BILL

1 AN ORDINANCE concerning

2 Dwellings

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

5 BY repealing and reenacting with amendments:

6 Sections 27-433, 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, 1996 Supplement, as amended by

12 CB-44-1997, CB-78-1997 and CB-83-1997).

13 BY adding: Section 27-445.09,

14 being also

15 SUBTITLE 27. ZONING.

16 The Prince George's County Code

17 (1995 Edition, 1996 Supplement).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 19 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
 20 District in Prince George's County, Maryland, that Sections 27-433, 27-441 and 27-442 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Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments: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 5. RESIDENTIAL ZONES.

DIVISION 2. SPECIFIC RESIDENTIAL ZONES.

Sec. 27-433. R-T Zone (Townhouse).

* * * * *

(d) Dwellings.

(1) All dwellings shall be located on record lots shown on a record plat.

(2) There shall be not more than six (6) nor less than three (3) dwelling units in any horizontal, continuous, attached group, except where the Planning Board or District Council, as applicable, determines that more than six (6) dwelling units (but not more than eight (8) dwelling units, except that there may be a maximum of twelve (12) dwelling units in accordance with Section 27-445.09), or that one-family semidetached dwellings would create a more attractive living environment, would be more environmentally sensitive, or would otherwise achieve the purposes of this Division. 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, except in accordance with Section 27-445.09, and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.

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

(4) The minimum gross living space, which shall include all interior space except garage and unfinished basement or attic area, shall be one thousand two hundred and fifty (1,250) square feet.

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

1 which shall include brick, stone, or stucco.

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

6 (7) A minimum of sixty percent (60%) of all townhouse units in a development shall
7 have a full front facade (excluding gables, bay windows, trim, and doors) of brick, stone, or
8 stucco. Each building shall be deemed to have only one "front."

9 **PART 8. RESIDENTIAL ZONES.**

10 **DIVISION 3. USES PERMITTED.**

11 **Sec. 27-441. Uses permitted.**

12 * * * * *

(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-80</i>	<i>R-55</i>	<i>R-35</i>	<i>R-20</i>
					<i>R-R</i>					
* * * *	*	*	*	*	*	*	*	*	*	*
(6) RESIDENTIAL/LODGING:										
* * * *	*	*	*	*	*	*	*	*	*	*
<u>Dwellings, physically handicapped or elderly, in accordance with Section 27-445.09</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>	<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-10A</i>	<i>R-10</i>	<i>R-H</i>	
					<i>R-18C</i>					
* * * *	*	*	*	*	*	*	*	*	*	*
(6) RESIDENTIAL/LODGING:										
* * * *	*	*	*	*	*	*	*	*	*	*
<u>Dwellings, physically handicapped or elderly, in accordance with Section 27-445.09</u>	<u>P</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>
* * * *	*	*	*	*	*	*	*	*	*	*

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.

* * * * *

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

	<i>ZONE</i>							
	<i><u>R-T</u></i>	<i>R-30</i>	<i>R-30C</i>	<i>R-18</i>	<i>R-18C</i>	<i>R-10A</i>	<i>R-10</i>	<i>R-H</i>
Distance Between Unattached Multifamily Dwellings:								
In general	<u>50</u>	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	-
Additional distance for each 1 foot above 30 feet of taller building	-	-	-	-	-	-	-	1
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	___ ³
Outer Court (Width)	<u>50</u>	50	50	___ 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 27-445.09(a).

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 27-445.09 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 5. RESIDENTIAL ZONES.

Sec. 27-445.09 Dwellings for Physically Handicapped or Elderly Persons.

(a) Dwellings for physically handicapped or elderly persons permitted (P) in Table of Uses shall be subject to the following:

(1) The number of dwelling units permitted shall not exceed 18 units per acre.

(2) The maximum acreage is 10 acres.

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

(4) 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 either Prince George's County or any municipality within the County.

(5) The minimum requirements for development of attached dwellings shall be those set forth in Section 27-433(d)1-3. Those requirements set forth in Section 27-433(d)4-7 shall not apply.

(6) Regulations concerning the height of structure, lot size and coverage, frontage, setbacks and other requirements of the specific zone in which such development is to be located, shall not apply to uses and structures provided for in this section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for development.

(7) The minimum requirements for development of attached dwellings shall be those set forth in Section 27-433(d)1-3. Those requirements set forth in Section 27-433(d)4-7 shall not apply.

(8) Regulations concerning the height of structure, lot size and coverage, frontage, setbacks and other requirements of the specific zone in which such development is to be located, shall not apply to uses and structures provided for in this section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for development.

(9) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. In addition to the requirements of Section 27-282, the Site Plan shall show the density, type and total number of dwelling units proposed.

(10) Covenants shall be recorded which insure that all occupants will be physically handicapped or greater than 62 years in age. The covenants shall run to the benefit of the municipality within which the land is located or, if not located within a municipality, to the County.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (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.