

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

1996 Legislative Session

Bill No. _____ CB-30-1996

Chapter No. _____ 18

Proposed and Presented by _____ Council Member Maloney

Introduced by _____ Council Members Maloney, Estepp, and Gourdine

Co-Sponsors

Date of Introduction _____ July 2, 1996

ZONING BILL

AN ORDINANCE concerning

Comprehensive Design Zones

For the purpose of distinguishing between the base density and the minimum density in the Comprehensive Design Zones.

BY repealing and reenacting with amendments:

Sections 27-192,

27-195,

27-486,

27-505,

27-509,

27-513, and

27-514.10,

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 27-192, 27-195, 27-486, 27-505, 27-509, 27-513, and 27-514.10, 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Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same are hereby repealed and reenacted with the following amendments: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 3. ADMINISTRATION.

DIVISION 2. ZONING MAP AMENDMENT.

Subdivision 3. Comprehensive Design Zones.

Sec. 27-192. Recommendation of Planning Board.

(a) After the hearing is concluded, the Planning Board shall prepare a written recommendation. The recommendation shall be in the form of a resolution adopted at a regularly scheduled public meeting.

(b) The Planning Board shall send copies of the resolution to the District Council and all persons of record.

(c) The Planning Board may recommend to the District Council that the application (including the Basic Plan) be approved, approved with modification or conditions, or denied. A recommendation for approval shall address the land use types, land use relationships, and maximum and minimum land use quantities as well as the base density. The Planning Board may also recommend that certain planning or development matters (known as "considerations") be considered at the time the Comprehensive and Specific Design Plans are reviewed. In making its recommendation, the Planning Board shall find that the applicant has demonstrated that the entire development, and any proposed stage thereof, meets all of the criteria for District Council approval of the application (Section 27-195), as well as all of the criteria imposed by Part 4A, of this Subtitle and Subtitle 13, Division 8, where that Part and Subtitle are applicable.

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Sec. 27-195. Map Amendment approval.

(a) **In general.**

(1) The District Council may approve or deny the application (including the Basic Plan). Approval shall be an approval of the general land use types, range of dwelling unit

densities including the base, minimum and maximum densities, and commercial/industrial intensities, general circulation pattern, general location of major access points and land use relationships shown on the Basic Plan. Whenever an applicant designates a limitation of uses within an application, the District Council may approve specific land use types and their general locations within the development, in accordance with the applicant's designation, as part of its approval of the Basic Plan, in order to ensure overall compatibility of land use types within the proposed development and with surrounding land uses. Such an approval by the District Council shall become a part of the approved Basic Plan. The District Council may also specify certain planning and development matters (known as "considerations") for the Planning Board and Technical Staff to consider in later Comprehensive Design Plan, Specific Design Plan, or subdivision plat review. The specifics of the considerations shall be followed, unless there is a clear showing that the requirement is unreasonable under the circumstances.

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(b) Criteria for approval.

(1) Prior to the approval of the application and the Basic Plan, the applicant shall demonstrate, to the satisfaction of the District Council, that the entire development meets the following criteria:

* * * * *

(C) Transportation facilities (including streets and public transit) (i) which are existing, (ii) which are under construction, or (iii) for which one hundred percent (100%) of the construction funds are allocated within the adopted County Capital Improvement Program, within the current State Consolidated Transportation Program, or will be provided by the applicant, will be adequate to carry the anticipated traffic generated by the development based on the maximum proposed density. The uses proposed will not generate traffic which would lower the level of service anticipated by the land use and circulation systems shown on the approved General or Area Master Plans, or urban renewal plans;

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PART 8. COMPREHENSIVE DESIGN ZONES.

DIVISION 1. GENERAL.

Sec. 27-486. Density and intensity calculations.

(a) Residential density determinations in the L-A-C and M-A-C Zones shall be based on an average number of dwelling units per gross residential acre. Residential density determinations in the R-S, R-M, R-U, V-M, V-L, and R-L Zones shall be based on an average number of dwelling units per gross acre, minus fifty (50) percent of the density attributed to any land located within a one hundred (100) year floodplain.¹ The base residential density shall be the numerical base to which increment factors may be applied. The base density shall not establish the minimum density for development in the zone. Motel units, hotel units, and living accommodations in institutions shall not be considered as dwelling units.

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DIVISION 2. SPECIFIC COMPREHENSIVE DESIGN ZONES.**Subdivision 4. R-U Zone (Residential Urban Development).****Sec. 27-505. Regulations.****(a) General standards.**

	<i>Residential Urban 8.0²</i>	<i>Residential Urban 12.0²</i>
(1) Minimum size of zone (except as provided for in Section 27-506)	5 adjoining gross acres ¹	5 adjoining gross acres ¹
(2) Base residential density	8.0 dwelling units per gross acre	12.0 dwelling units per gross acre
(3) Maximum residential density	11.9 dwelling units per gross acre	16.9 dwelling units per gross acre

1 Applies only to Comprehensive Design Zones for which Zoning Map Amendment applications were filed after October 31, 1978. For Comprehensive Design Zones approved pursuant to applications filed prior to this date, the minimum size is four (4) adjoining gross acres.

2 The base density shall not establish the minimum density for development in the zone.

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Subdivision 5. R-M Zone (Residential Medium Development)**Sec. 27-509. Regulations.****(a) General standards.**

	<i>Residential Medium 3.6²</i>	<i>Residential Medium 5.8²</i>
(1) Minimum size of zone (except as provided for in Section 27-510)	10 adjoining gross acres ¹	10 adjoining gross acres ¹
(2) Base residential density	3.6 dwelling units per gross acre	5.8 dwelling units per gross acre
(3) Maximum residential density	5.7 dwelling units per gross acre	7.9 dwelling units per gross acre

1 Applies only to Comprehensive Design Zones for which Zoning Map Amendment applications were filed after October 31, 1978. For Comprehensive Design Zones approved pursuant to applications filed prior to this date, the minimum size is four (4) adjoining gross acres.

2 The base density shall not establish the minimum density for development in the zone.

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Subdivision 6. R-S Zone (Residential Suburban Development)**Sec. 27-513. Regulations.****(a) General standards.**

	<i>Residential Suburban 1.6²</i>	<i>Residential Suburban 2.7²</i>
(1) Minimum size of zone (except as provided for in Section 27-514)	25 adjoining gross acres ¹	25 adjoining gross acres ¹
(2) Base residential density	1.6 dwelling units per gross acre	2.7 dwelling units per gross acre
(3) Maximum residential density	2.6 dwelling units per gross acre	3.5 dwelling units per gross acre

1 Applies only to Comprehensive Design Zones for which Zoning Map Amendment applications were filed after October 31, 1978. For Comprehensive Design Zones approved pursuant to applications filed prior to this date, the minimum size is four (4) adjoining gross acres.

2 The base density shall not establish the minimum density for development in the zone.

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Subdivision 8. R-L Zone (Residential Low Development)

Sec. 27-514.10. Regulations.

(a) General standards.

	<i>Residential Low 0.5¹</i>	<i>Residential Low 1.0¹</i>
(1) Minimum size of Zone (except as provided below)	100 adjoining gross acres	100 adjoining gross acres
(2) Base residential density	0.5 dwelling units per gross acre	1.0 dwelling units per gross acre
(3) Maximum residential density	0.9 dwelling units per gross acre	1.5 dwelling units per gross acre

1 The base density shall not establish the minimum density for development in the zone.

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

Adopted this 30th day of July, 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.