

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2008 Legislative Session**

Bill No. _____ CB-32 -2008
Chapter No. _____ 42
Proposed and Presented by _____ Council Member Dernoga
Introduced by _____ Council Member Dernoga
Co-Sponsors _____
Date of Introduction _____ July 23, 2008

ZONING BILL

1 AN ORDINANCE concerning

2 Residential Zones

3 For the purpose of defining a Conservation Subdivision, a Public Benefit Conservation
4 Subdivision, permitting a Public Benefit Conservation Subdivision in the R-R Zone and
5 establishing bulk regulations for this use.

6 BY repealing and reenacting with amendments:

7 Sections 27-107.01, 27-441 and 27-445.12,

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

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (2003 Edition, 2007 Supplement).

13 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
14 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
15 District in Prince George's County, Maryland, that Sections 27-107.01, 27-441 and 27-445.12 of
16 the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince
17 George's County Code, be and the same are hereby repealed and reenacted with the following
18 amendments:

19 **SUBTITLE 27. ZONING.**

20 **PART 2. GENERAL.**

DIVISION 1. DEFINITIONS.

Sec. 27-107.01. Definitions.

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

* * * * *

(52.3) **Conservation Subdivision:** A conservation subdivision protects the character of land through the permanent preservation of farmland, woodland, sensitive natural features, scenic and historic landscapes, vistas, and unique features of the site in keeping with the General Plan and Countywide Green Infrastructure Plan. A conservation subdivision is intended to maintain large contiguous, unfragmented farming, forested areas and, unique and significant features. The standards provide for lots, open space and internal street designs that conserve woodlands, farmland, farm structures, historic structures, and the scenic and unique character of development sites. A conservation subdivision prioritizes site characteristics for conservation and creates a site layout that conserves important site features such as open space networks, blocks of productive farmland, and unique characteristics of a site, scenic view sheds within and of the site from adjoining properties and streets, and contiguous woodland habitats. The site design should encourage agricultural pursuits (in the Rural Tier), create attractive development layouts respecting existing features of the site, and encourage connectivity between scenic, historic, agricultural, and environmental characteristics of abutting properties and streets.

* * * * *

(184.1) **Prisons, Detention Centers, and Corrections Facilities:** Buildings or structures used for the incarceration of persons convicted of crimes or awaiting trial, or otherwise held under legal authority.

(184.2) **Public Benefit Conservation Subdivision:** A conservation subdivision that prioritizes site characteristics which conserve important site features such as open space networks and contiguous woodland habitats adjacent to other existing open spaces tracts. The site design of such subdivisions should encourage connectivity between environmental characteristics of adjacent properties and should provide a continuous open space network between the proposed development layout and the adjacent properties. Intermodal trails which provide a link to adjacent properties as an enhancement of recreational opportunities are encouraged. A Public Benefit Conservation Subdivision shall provide for more tree conservation on site than required and significantly more conservation acreage in parcels more than the 40%

1 gross tract area requirement for a conservation subdivision.

2 (185) **Public Buildings and Uses:** Any land, “Building,” or “Structure” used for public
3 purposes by any agency, department, or branch of County, State, Municipal, or Federal
4 Government; but not including any vehicle or trailer parking, storage, or marshalling use which
5 does not serve a public building or use in the County.

6 * * * * *

7 **SUBTITLE 27. ZONING.**

8 **PART 5. RESIDENTIAL ZONES.**

9 **DIVISION 3. USES PERMITTED.**

Sec. 27-441. Uses permitted.

(b) TABLE OF USES.

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
(6) Residential/Lodging:									
* * * * *	*	*	*	*	*	*	*	*	*
Planned retirement community	X	X	SE	SE ⁸⁰	SE	SE	SE	SE	SE
<u>Public Benefit Conservation Subdivision pursuant to Section 24-152 of Subtitle 24</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P⁸⁵</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Recreational Community Development, in accordance with Section 27-444	SE	P	P	P	P ⁴²	X	X	X	X
* * * * *	*	*	*	*	*	*	*	*	*

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
(6) Residential/Lodging:								
* * * * *	*	*	*	*	*	*	*	*
Planned retirement community	SE	SE	SE	SE	SE	X	SE	SE ⁶²
<u>Public Benefit Conservation Subdivision pursuant to Section 24-152 of Subtitle 24</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>
Recreational Community Development, in accordance with Section 27-444	X	X	X	X	X	X	X	X
* * * * *	*	*	*	*	*	*	*	*

⁸⁵ In a Public Benefit Conservation Subdivision, townhouses, one-family semidetached, and one-family metropolitan dwellings are allowed subject to the approval of a Detailed Site Plan and subject to the design guidelines of Section 27-274 (a) (11) and the regulations for development set forth in Section 27-433 (c) through (k). Townhouses, one-family semidetached, and one-family metropolitan dwellings may not comprise more than twenty-five percent (25%) of the total number of units included in a Public Benefit Conservation Subdivision.

DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.

Sec. 27-445.12. Bulk regulations for [c]Conservation [s]Subdivisions and Public Benefit Conservation Subdivisions.

(a) Density and lot design.

(1) **Density.** The density of a conservation subdivision shall conform to Table 1 below.

* * * * *

(b) TABLE 1A – DENSITY, MINIMUM NET LOT AREA, AND LOT/WIDTH FRONTAGE

Zoning District (Dwelling Type)	Maximum Density (dwelling units per net tract area)	Minimum Net Lot Area	Minimum Lot Width at the front building line and front street line	Minimum Lot Width at the building line and street line <u>adjacent to a scenic or historic road</u>	Minimum Lot Width at the front street line on a cul-de-sac
O-S	0.2	40,000 square feet	80 feet	200 feet	50 feet
R-A	0.5	30,000 square feet	80 feet	200 feet	50 feet
R-E	1.08	20,000 square feet	60 feet	200 feet	45 feet
R-R	2.17	10,000 square feet	60 feet	200 feet	45 feet
<u>R-R Public Benefit Conservation Subdivision One Family Detached Dwelling</u>	<u>2.17</u>	<u>6,500 square feet</u>	<u>60 feet</u>	<u>200 feet</u>	<u>45 feet</u>
<u>Public Benefit Conservation Subdivision Townhouse, One-Family Semi-detached or One-Family Metropolitan Dwelling</u>	<u>2.17</u>	<u>1,800 square feet</u>			

(2) Net lot area.

* * * * *

(3) **Maximum net lot coverage.** Lot coverage shall not exceed the following:

* * * * *

Table 2A

Zoning District	Lot Size							
	<u>1,800 square feet</u>	<u>6,000-9,999 square feet</u>	<u>10,000-19,999 square feet</u>	<u>20,000 - 29,999 square feet</u>	<u>30,000 - 39,999 square feet</u>	<u>40,000 square feet - 2 acres</u>	<u>over 2 but less than 5 acres</u>	<u>5 or more acres</u>
O-S	--	--	--	--	--	20%	10%	5%
R-A	--	--	--	--	25%	20%	10%	5%
R-E	--	--	--	25%	25%	20%	10%	5%
R-R	--	--	30%	25%	25%	20%	10%	5%
<u>R-R Public Benefit Conservation Subdivision One-Family Detached</u>	--	<u>55%</u>	<u>35%</u>	<u>25%</u>	<u>25%</u>	<u>20%</u>	<u>10%</u>	<u>5%</u>
<u>R-R Public Benefit Conservation Subdivision One-Family Semi-attached</u>	<u>25%</u>	<u>55%</u>	<u>35%</u>	<u>25%</u>	<u>25%</u>	<u>20%</u>	<u>10%</u>	<u>5%</u>
<u>R-R Public Benefit Conservation Subdivision One-Family Metropolitan</u>	<u>25%</u>	<u>55%</u>	<u>35%</u>	<u>25%</u>	<u>25%</u>	<u>20%</u>	<u>10%</u>	<u>5%</u>
<u>R-R Public Benefit Conservation Subdivision Townhouse</u>	<u>25%</u>	<u>55%</u>	<u>35%</u>	<u>25%</u>	<u>25%</u>	<u>20%</u>	<u>10%</u>	<u>5%</u>

(4) **Yards.** Main building setbacks shall meet the following standards:

* * * * *

<u>Internal yards, Residential Development</u>				
<u>Area:</u>				
<u>Front yard</u>	--	--	--	<u>20 feet</u>
<u>Side Yard</u>	--	--	--	<u>5 feet</u>
<u>Rear Yard</u>	--	--	--	<u>20 feet</u>
<u>Corner lot where the side or rear of the dwelling is oriented toward a street or driveway</u>	--	--	--	<u>40 feet</u>
<u>Corner lot where the side or rear of the dwelling is oriented toward a street or driveway in a Public Benefit Conservation Subdivision</u>	--	--	--	<u>20 feet</u>
<u>From agriculturally used land on a conservation parcel or lot</u>	--	--	--	<u>150 feet</u>
<u>Yards from abutting properties and perimeter streets:</u>				
<u>From agriculturally used land on a conservation parcel or lot</u>	--	--	--	<u>150 feet</u>
<u>From perimeter street, below collector</u>	--	--	--	<u>25 feet</u>
<u>Front yard</u>	--	--	--	<u>20 feet</u>
<u>Side Yard</u>	--	--	--	<u>5 feet</u>
<u>Rear Yard</u>	--	--	--	<u>20 feet</u>
<u>Scenic Historic Road</u>	--	--	--	<u>150 feet</u>
<u>Existing or planned roadway of collector classification or higher</u>	--	--	--	<u>50 feet</u>
<u>Conservation Lot/or Parcel:</u>				
<u>Additional setbacks may be established by the preliminary plat in all zones, and reflected on the record plat as building restriction lines.</u>				
<u>Agricultural Buildings:</u>				
<u>Existing agricultural buildings are exempt from setback and height requirements</u>				
<u>For townhouses, one-family semidetached, and one-family metropolitan dwellings, specific individual yards are not required. Instead, at least eight hundred (800) square feet per lot shall be allocated for front, side, or rear yard purposes; however, the actual yard area may be reduced to not less than five hundred (500) square feet for the purpose of providing steps, terraces and open porches (decks) which project into the otherwise required yard area. Not more than three (3) continuous, attached dwellings may have the same setback. Variations in setbacks shall be at least two (2) feet.</u>				

1 (b) **Regulations.** Additional regulations concerning the location, size and other provisions
2 for buildings, structures, accessory structures and uses are as provided for in Subtitle 27 and the
3 *Landscape Manual.*

4 * * * * *

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

Adopted this 9th day of September , 2008

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: _____
Samuel H. Dean
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.