

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2022 Legislative Session**

Bill No. CB-071-2022

Chapter No. 46

Proposed and Presented by Council Member Streeter

Introduced by Council Members Streeter, Hawkins, Harrison and Franklin

Co-Sponsors \_\_\_\_\_

Date of Introduction September 20,2022

**ZONING BILL**

1 AN ORDINANCE concerning  
2 Apartment Housing for Elderly or Physically Disabled Families  
3 For the purpose of permitting, by special exception, increased density in the Local Transit  
4 Oriented – Edge (LTO-E) Zone for multifamily senior citizen dwellings.

5 BY repealing and reenacting with amendments:  
6 Sections 27-5101, 27-5401  
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 (2019 Edition; 2021 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
14 District in Prince George's County, Maryland, that Sections 27-5101 and 27-5401 of the Zoning  
15 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's  
16 County Code, be and the same is hereby repealed and reenacted with the following amendments:

17 **SUBTITLE 27. ZONING.**  
18 **PART 27-5. USE REGULATIONS.**  
19 **SECTION 27-5100. PRINCIPAL USES.**

Sec. 27-5101. Principal Use Tables.

(d) PRINCIPAL USE TABLE FOR NONRESIDENTIAL, TRANSIT-ORIENTED/ACTIVITY CENTER, AND OTHER BASE ZONES.

Table 27-5101(d): Principal Use Table for Nonresidential, Transit-Oriented/Activity Center, and Other Base Zones																		
P = Permitted by Right SE = Allowed only with approval of a Special Exception X = Prohibited																		
Principal Use Category	Principal Use Type	Nonresidential Base Zones					Transit-Oriented/Activity Center Base Zones								Other Base Zones	Use-Specific Standards		
							NAC	TAC		LTO		RTO-L		RTO-H				
		CN	CS	CGO	IE	IH		Core	Edge	Core	Edge	Core	Edge	Core	Edge		RMH	
<b>Residential Uses</b>																		
	Dwelling, two-family						P	X	X	X	X	X	X	X	X	X	X	
	Elderly housing (single-family attached dwellings)						X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Elderly housing (single-family detached dwellings)						X	X	X	X	X	X	X	X	X	X	X	Refer to special exception standards
	Manufactured home park						X	X	X	X	X	X	X	X	X	X	X	27-5102(c)(1)(E)
	Mobile home						X	X	X	X	X	X	X	X	X	X	X	27-5102(c)(1)(C)
<b>Group Living Uses</b>	Apartment housing for elderly or physically disabled families						X	X	SE	X	X	X	[X]SE	X	X	X	X	Refer to special exception standards

\* \* \* \* \*

**SECTION 27-5400. SPECIAL EXCEPTION STANDARDS.**

**Sec. 27-5402. Additional Requirements for Specific Special Exception Uses**

(h) Apartment Housing for Elderly or Physically Disabled Families.

\* \* \* \* \*

(2) Apartment housing and related facilities for elderly or physically disabled families may be permitted within a building other than a surplus public school building, subject to the following:

(A) The owner of the property shall record among the Land Records of Prince George's County a Declaration of Covenants which establishes that the premises will be solely occupied by elderly or disabled families for a fixed term of not less than twenty (20) years. The covenants shall run to the benefit of the Maryland-National Capital Park and Planning Commission;

(B) In the RMF-20 and RMF-48 zones, the following shall apply:

- (i) The owner shall be a private, nonprofit organization;
- (ii) In addition to the requirements of Section 27-3604(c), Special Exception Submittal Requirements, the site plan shall show the density, type, and total number of dwelling units proposed. The minimum net lot area may be reduced and density may exceed that normally permitted in the applicable zone, provided that:

(aa) The net lot area shall not be less than fifty percent (50%) of the minimum net lot area normally required in the zone; and

(bb) The density shall not be greater than twice that normally allowed in the zone;

(C) In the CGO Zone, the following shall apply:

(i) The subject property shall contain at least two (2) contiguous acres, and shall not contain more than forty-eight (48) dwelling units per acre of net lot area. The density may be increased by one (1) unit per acre for each one thousand (1,000) square feet of indoor space available for common use by the residents for social, recreational, or educational purposes. The indoor space shall be shown on the site plan;

(ii) Not less than fifty percent (50%) of the net lot area shall be devoted to green

1 area; and

2 (iii) The District Council shall find that existing development and uses in the  
3 neighborhood (particularly on adjacent properties) will not adversely affect the proposed  
4 development;

5 (D) In the RR, RSF-95, and RSF-65 zones, the following shall apply:

6 (i) The requirements of paragraphs (A), (B), (C), and (D) of Subsection (1),  
7 above, shall be met; and

8 (ii) The District Council shall find that the proposed use:

9 (aa) Will serve the needs of the elderly families or physically disabled  
10 families; and

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

16 (E) In the LTO-Edge zone, the density shall not be greater than twice that normally  
17 allowed in the zone.

18 (3) For the purposes of this Section, the term "elderly family" means a family which is  
19 included within age restrictions in conformance with the Federal Fair Housing Act and  
20 "physically disabled family" means a family in which the head of the family, or his dependent, is  
21 physically disabled. A person shall be considered physically disabled if he has a physical  
22 impairment which:

23 (A) Is expected to be of continued and indefinite duration;

24 (B) Substantially impedes the ability to live independently; and

25 (C) Is of a nature that the ability could be improved by more suitable housing  
26 conditions.

27 \* \* \* \* \*

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

Adopted this 25<sup>th</sup> day of October, 2022.

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: \_\_\_\_\_  
Calvin S. Hawkins, II  
Chair

ATTEST:

\_\_\_\_\_  
Donna J. Brown  
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.

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