

DEPARTMENT OF ENVIRONMENTAL RESOURCES
REQUEST FOR VALIDATION OF PERMIT ISSUED IN ERROR
(Section 27-258, Prince George's County Code)

Official Use Only:

Validation of Permit # 47380-2014 Appl. No. ERR _____

Issued in Error on January 20, 2015 Zoning Category R-10

Type of Permit: Building U&O Sign Apt. License

Applicant to Complete:

Describe Use of Property: Multifamily apartment building with 55 dwelling units

Applicant's Name: JH Calvert Park, LLC Owners: Same as Applicant

Address: 5023 Riverdale Road, Riverdale Park, MD 20737

Agent: O'Malley Miles, Nysten and Gilmore, Attn: Nathaniel Forman Phone: 301-572-3237

Email: nforman@omng.com

The District Council needs to have evidence in the record upon which a final resolution can be made to validate the permit. At a minimum, two copies of the following data is to be supplied by the applicant for inclusion in the record.

1. A copy of the permit issued in error or apartment license to be validated.
2. A specific statement of the error alleged.
3. A written statement from appropriate agency/department that reviewed or issued the permit or license.
4. A copy of relevant materials from County/M-NCPPC files regarding the permit or license and property for which the permit or license was issued.
5. A copy of zoning map of subject and surrounding property.
6. A site plan for the subject property showing all existing improvements. The site plan shall provide information in accordance with page 3 of this application.

Along with the application, the applicant shall submit the following:

1. A statement listing the names of the individuals and their respective business and residential addresses having at least a five percent (5%) financial interest in the subject property;
2. If any owner is a corporation, a statement listing the officers of the corporation, their business and residential addresses, and the date on which they assumed their respective offices. The statement shall also list the current board of directors' names, their business and residential address, and the dates of each director's term. An owner that is a corporation listed on a national stock exchange shall be exempt from the requirement to provide residential addresses of its officers and directors;

3. If the owner is a corporation (except one listed on a national stock exchange), a statement containing the names and residential addresses of those individuals owning at least five percent (5%) of the shares of any class of corporate security (including stocks and serial maturity bonds).

I hereby request that the above described permit or license be validated. No fraud or misrepresentation occurred in obtaining the permit or license. At the time of permit's or license's issuance, no appeal or controversy regarding its issuance was pending before any body. I have acted in good faith, expending funds or incurring obligations in reliance on this permit or license.

Applicant's Signature: Jonathan Hook Date 7/2/2021
7860CF57F6E7496...

**STATEMENT OF JUSTIFICATION
VALIDATION OF PERMIT ISSUED IN ERROR
APPLICATION NO.: 47380-2014**

APPLICANT: JH Calvert Park, LLC
5023 Riverdale Road
Riverdale Park, MD 20737

CORRESPONDENT: Nathaniel Forman, Esq.
O'Malley, Miles, Nylen & Gilmore, P.A.
7850 Walker Drive, Suite 310
Greenbelt, MD 20770
(P): (301) 572-3237
nforman@omng.com

This application is a request to validate Prince George's County Permit No.: 47380-2014 for the erection of a six (6) foot fence to enclose a dumpster (attached hereto as Attachment 1), for property located at 5023 Riverdale Road, approximately 530 feet east of its intersection with Taylor Road within the corporate limits of the Town of Riverdale Park, shown as Lots 8, 9 and 10¹ on the Map of Riverdale Park Subdivision filed in Plat Book A, Plat 40 among the Land Records of Prince George's County ("Subject Property" or "Property"). The Subject Property consists of 1.211 acres of land in the R-10 zone. It is bounded to the east by open space and the Northeast Branch of the Anacostia River in the R-O-S zone²; to the west by single-family detached homes in the R-55 zone; to the south [beyond a berm] by single-family detached homes in the R-55 Zone, and to the north across Riverdale Road by Riverdale Elementary School in the R-55 Zone, as well as a community playground and open space in the R-O-S zone.

The Subject Property was constructed around 1965 and is improved with a single five (5) story multifamily apartment building in a "T" configuration with 55 dwelling units according to the Town of Riverdale Park's Multifamily Rental License (License No. MF21-081608) that was issued on November 24, 2020 (attached hereto as Attachment 2). The building contains sixteen (16) one-bedroom units, thirty-four (34) two-bedroom units and five (5) three-bedroom units. As

¹ A portion of Lots 8, 9 and 10 are reserved as a Washington Suburban Sanitary Commission ("WSSC") storm drainage right-of-way as recorded in Liber 8412 at Folio 168 among the Land Records of Prince George's County.

² A paper street known as Riverside Drive abuts the Subject Property to the east, and appears to be a remnant from the original plat for the Map of Riverdale Park Subdivision. This roadway is unlikely to be constructed anytime in the future since the street would impact the WSSC storm drainage right-of-way.

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
July 7, 2021

shown on the attached site plan³ (attached hereto as Attachment 3), the site provides fifty-four (54) standard size parking spaces according to parking space design regulations promulgated in the 1964 Zoning Ordinance for Prince George's County. According to an email dated June 28, 2021 from Michelle Hughes of the Permit Review Section of the Maryland-National Capital Park and Planning Commission (attached hereto as Attachment 3), the 1964 Zoning Ordinance required sixty-nine (69) parking spaces, therefore parking requirements were not met on the date of construction and the Subject Property is nonconforming. There is no record of Prince George's County issuing a Use and Occupancy Permit or a multifamily rental license for the Subject Property. All rental licenses to date were issued by the Town of Riverdale Park. For this reason, the Applicant is seeking validation of Building Permit No. 47380-2014 issued on January 20, 2015 as being issued in error by Prince George's County in accordance with § 27-258 of the Zoning Ordinance.

I. CONFORMANCE TO § 27-258. VALIDATION OF PERMIT ISSUED IN ERROR.

“(g) Criteria for Approval.

(1) The District Council shall only approve the application if:

(A) No fraud or misrepresentation had been practiced in obtaining the permit.”

RESPONSE: There is no evidence that any fraud or misrepresentation took place in applying for the building permit.

“(B) If at the time of the permit's issuance, no appeal or controversy regarding its issuance was pending before any body,”

RESPONSE: There is no evidence to suggest that there was any appeal or controversy regarding the issuance of this permit pending before any body.

“(C) The applicant has acted in good faith, expending funds or incurring obligations in reliance on the permit,”

³ To avoid confusion, inaccurate parking totals and nonconforming parking spaces have been crossed out on the site plan.

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
July 7, 2021

RESPONSE: Given that Prince George’s County had issued this building permit for the Subject Property, the Applicant acted in good faith expending funds in purchasing the property and making improvements. Evidence to this effect will be presented at the Zoning Hearing on this application.

“(D) The application meets the criteria of Section 27-244 of this Subtitle;”

RESPONSE: Compliance with this section is discussed below.

“(E) The validation will not be against the public interest.”

RESPONSE: The continued operation of the Subject Property will not be against the public interest. The Subject Property has been continuously operated as a multifamily apartment building since it was constructed around 1965. To the Applicant’s knowledge, there have been no complaints from the surrounding community prior to, or since, purchasing the property. Moreover, this apartment building provides economical housing options within the Town of Riverdale Park. The exterior of the Property is well maintained by the Applicant (see Attachments 4, 5, 6, 7 and 8), while residents enjoy the benefits from the open space and other amenities in the immediate vicinity. The Northwest Branch of the Anacostia River and the Northeast Branch hiker/biker trail forms part of the larger Anacostia Stream Valley Trail abut the Property to the east, while north across Riverdale Road is a Town of Riverdale Park maintained playground, as well as Maryland-National Capital Park and Planning Commission maintained open space. Finally, residents remain connected to the region through public transportation since the Subject Property is served by Washington Metropolitan Area Transit Authority Bus Route F4, which connects the Subject Property to the New Carrollton Metro Station to the east and the Paul S. Sarbanes Transit Center (Silver Spring Metro Station) to the west via Prince George’s Plaza Metro Station. Through this bus route, residents have access to three (3) different Metrorail lines.

II. CONFORMANCE TO § 27-244. CERTIFICATION.

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
July 7, 2021

In November 2017 the County Council for Prince George's County amended § 27-258 of the Zoning Ordinance to require applications to demonstrate compliance with § 27-244. The Applicant respectfully submits that full compliance with § 27-244 is impracticable, if not impossible, because the provisions promulgated in § 27-258 were not originally designed—nor revised following adoption of CB-49-2017—to be compatible with § 27-244. Nevertheless, this application complies with the provisions of § 27-244, where applicable, for the reasons discussed in more detail below.

Section 27-244 (a) In general.

“(1) A nonconforming use may only continue if a use and occupancy permit identifying the use as nonconforming is issued after the Planning Board (or its authorized representative) or the District Council certifies that the use is nonconforming is not illegal (except as provided for in Section 27-246 and Subdivision 2 of this Division). Any person making use of or relying upon the certification that is violating or has violated any conditions thereof, or that the use for which the certification was granted is being, or has been exercised contrary to the terms or conditions of such approval shall be grounds for revocation proceedings in accordance with this Code.”

RESPONSE: Approval of this application will permit the Subject Property to operate as a certified nonconforming use. Should this application be approved, the Subject Property will be used in conformance with the granted certification.

“(b) Application for use and occupancy permit.

- (1) The applicant shall file for a use and occupancy permit in accordance with Division 7 of this Part.
- (2) Along with the application and accompanying plans, the applicant shall provide the following:
 - (A) Documentary evidence, such as tax records, business records, public utility installation or payment records, and sworn affidavits, showing the commencing date and continuous existence of the nonconforming use;
 - (B) Evidence that the nonconforming use has not ceased to operate for more than one hundred eighty (180) consecutive calendar days between the time the use became nonconforming and the date when the application is submitted, or that conditions of nonoperation for

more than one hundred eighty (180) consecutive calendar days were beyond the applicant's and/or owner's control, were for the purpose of correcting Code violations, or were due to the seasonal nature of the use;

- (C) Specific data showing:
 - (i) The exact nature, size, and location of the building, structure, and use;
 - (ii) A legal description of the property; and
 - (iii) The precise location and limits of the use on the property and within any building it occupies;
- (D) A copy of a valid use and occupancy permit issued for the use prior to the date upon which it became a nonconforming use, if the applicant possesses one.
- (E)
 - (i) In the case of outdoor advertising signs, the requirements of Section 27-244(b)(2)(B) are not applicable. Documentary evidence, including, but not limited to deeds, tax records, business records, approved plats or development plans, permits, public utility installation or payment records, photographs, and sworn affidavits, showing that the outdoor advertising sign was constructed prior to and has operated continuously since January 1, 2002.
 - (ii) Notwithstanding any provision of this Subtitle to the contrary, in the case of outdoor advertising signs that were in existence as of November 15, 2016, that were certified as nonconforming or could have been certified as nonconforming uses, but were removed prior to December 31, 2018, the owner may be certified pursuant to this Division, provided that the use is accepted as filed through an application for Certification of a Nonconforming Use on or before June 30, 2019.
 - (iii) Notwithstanding any provision of this Subtitle to the contrary, in the case of outdoor advertising signs that were in existence as of November 15, 2016, that were certified as nonconforming or could have been certified as nonconforming uses, but were removed after December 31, 2018, the outdoor advertising sign may be certified pursuant to this Division, provided that an application for Certification of a Nonconforming Use is filed and accepted for processing no later than 180 days after the outdoor advertising sign is removed. Upon approval of the application, a permit to reconstruct the sign may be issued, including a permit to construct a digital billboard provided

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
July 7, 2021

that said use conforms with the requirements of Section 27-630.03 of this Subtitle.”

RESPONSE: Use and Occupancy Permit No. 35661-2020 was filed on August 26, 2020 in accordance with the filing requirements established by the Prince George’s County Department of Permitting, Inspections and Enforcement (“DPIE”).

“(c) Notice.

- (1) Notice of the proposed application shall be provided by the applicant in accordance with Section 27-125.01 of this Subtitle.
- (2) The following notice provisions shall not apply to uses that, with the exception of parking in accordance with Section 27-549, occur solely within an enclosed building.
- (3) The Planning Board shall post the property with a durable sign(s) within ten (10) days of acceptance of the application and accompanying documentation. The signs(s) shall provide notice of the application; the nature of the nonconforming use for which the permit is sought; a date, at least twenty (20) days after posting, by which written comments and/or supporting documentary evidence relating to the commencing date and continuity of such use, and/or a request for public hearing from a party of interest will be received; and instructions for obtaining additional information. Requirements regarding posting fees, the number, and the location of signs shall conform to the requirements set forth in Subsection (f), below. “

RESPONSE: The Applicant respectfully submits that compliance with the notice provisions of § 27-125.01 is not required for two reasons. First, the Validation of Permits Issued in Error is not included among the list of development applications that require informational mailings under Subsection (a) of this section. Second—assuming for the sake of argument that a Validation of Permit Issued in Error is included within the general category of “Nonconforming Use Certifications”—the notice provisions assume that applications will be filed with Maryland-National Capital Park and Planning Commission. Validation of Permit applications are not filed with M-NCPPC, but rather with the Zoning Hearing Examiner’s office after an application for a Use and Occupancy Permit has been filed with DPIE. Since this application is not one of the applications specifically directed to be filed with the M-NCPPC, this application will comply

with the notice provisions of § 27-258(e), which requires posting the Subject Property thirty (30) days prior to public hearing and the publication of notice within a County newspaper of record.

“(d) Administrative review.

- (1) Except for outdoor advertising signs, if a copy of a valid use and occupancy permit is submitted with the application, where applicable a request is not submitted for the Planning Board to conduct a public hearing, and, based on the documentary evidence presented, the Planning Board's authorized representative is satisfied as to the commencing date and continuity of the nonconforming use, the representative shall recommend certification of the use as nonconforming for the purpose of issuing a new use and occupancy permit identifying the use as nonconforming, upon finding, within the administrative record for the application, that the use to be certified as nonconforming has no outstanding Code violations with the Department of Permitting, Inspections, and Enforcement regarding the property other than failure to have a use and occupancy permit. This recommendation shall not be made prior to the specified date on which written comments and/or requests for public hearing are accepted.
- (2) For outdoor advertising signs, if satisfactory documentary evidence described in Section 27-244(b)(2)(E) is received, the Planning Board's authorized representative shall recommend certification of the use as nonconforming for the purpose of issuing applicable permits and certifying the use as nonconforming. This recommendation shall not be made prior to the specified date on which written comments and/or requests for public hearing are accepted.
- (3) Following a recommendation of certification of the use as nonconforming, the Planning Board's authorized representative shall notify the District Council of the recommendation. Electronic notice of the recommendation for certification shall also be made by the Planning Board's authorized representative not later than seven (7) calendar days after the date of the recommendation. The Planning Director shall also publish the development activity report on the Planning Department's website.
- (4) If the District Council does not elect to review the recommendation within thirty (30) days of receipt of the recommendation as authorized by Subsection (e), below, the representative shall certify the use as nonconforming.
- (5) Subsections (3) and (4), above, and Subsection (e), below, shall not apply to uses that, with the exception of parking in accordance with Section 27-549, occur solely within an enclosed building.”

RESPONSE: This application cannot be approved through the administrative review process, and this subsection is thus not applicable to this application.

“(e) District Council review.

- (1) The District Council may, on its own motion, vote to review the Planning Board representative's recommendation, for the purpose of determining whether the use should be certified as nonconforming, within thirty (30) days of receipt of the recommendation.
- (2) If the District Council decides to review the proposed certification, the Clerk of the Council shall notify the Planning Board of the Council's decision. Within seven (7) calendar days after receiving this notice, the Planning Board shall transmit to the Council all materials submitted to it in connection with the application.
- (3) The Zoning Hearing Examiner shall conduct a public hearing on the application. The Zoning Hearing Examiner shall make the same findings required for Administrative review or approval by Planning Board required in this Section, as well as any other applicable prescriptions regulating the proposed use specified within any other applicable Subtitle of this Code.
- (4) The Zoning Hearing Examiner shall file a written recommendation with the District Council within thirty (30) days after the close of the hearing record.
- (5) Any person of record may appeal the recommendation of the Zoning Hearing Examiner within fifteen (15) days of the filing of the Zoning Hearing Examiner's recommendation with the District Council. If appealed, all persons of record may testify before the District Council.
- (6) Persons arguing shall adhere to the District Council's Rules of Procedure, and argument shall be limited to thirty (30) minutes for each side, and to the record of the hearing.
- (7) The District Council shall affirm the certification only if it finds that a nonconforming use exists and has continuously operated, and upon finding, within the administrative record for the application, that the use to be certified as nonconforming has no outstanding Code violations with the Department of Permitting, Inspections, and Enforcement regarding the property, other than failure to have a use and occupancy permit.
- (8) The District Council shall make its decision within forty-five (45) days from the filing of the Zoning Hearing Examiner's recommendation. Failure of the Council to take action within this time shall constitute a decision to certify the use.”

RESPONSE: This provision is inapplicable because there will be no administrative decision by a representative of the Planning Board for the District Council to review. Instead, the District Council has authority to hear and decide this application under § 27-258(f) of the Prince George's County Code.

“(f) Planning Board review.

- (1) Required hearing.
 - (A) If a copy of a valid use and occupancy permit is not submitted with the application, if the documentary evidence submitted is not satisfactory to the Planning Board's authorized representative to prove the commencing date or continuity of the use, or if a public hearing has been requested by any party of interest challenging the commencing date and/or continuity of the use, the Planning Board shall conduct a public hearing on the application for the purpose of determining whether the use should be certified as nonconforming.
- (2) Application for certification.
 - (A) Whenever the Planning Board will hold a hearing on a certification of the use as nonconforming, the applicant shall complete the appropriate form provided by the Planning Board.
- (3) At least seven (7) calendar days prior to the public hearing, the Planning Board shall send written notice of the date, time, and place of the hearing to the applicant and to all persons of record.
- (4) Planning Board action.
 - (A) The Planning Board may decide to either grant or deny certification of the use as nonconforming. If it decides to certify that a nonconforming use actually exists and has continuously operated and upon finding, within the administrative record for the application, that the use to be certified as nonconforming has no outstanding Code violations with the Department of Permitting, Inspections, and Enforcement regarding the property, other than failure to have a use and occupancy permit.
 - (B) The recommendation of the Planning Board shall be in the form of a resolution adopted at a regularly scheduled public meeting. The resolution shall set forth findings of fact and conclusions of law in support of the Planning Board's recommendation.
 - (C) The Planning Board shall send a copy of the resolution to all persons of record.
- (5) District Council election to review; Appeal of Planning Board's recommendation.

- (A) The recommendation of the Planning Board may be appealed by any person of record to the District Council by filing an appeal with the Clerk of the Council. In addition, and notwithstanding any appeal of the Planning Board's recommendation filed by a person of record, the District Council may, on its own motion, vote to review the Planning Board's recommendation for the purpose of making a final decision as to whether the use should be certified as nonconforming.
- (B) The appeal shall be filed, or District Council vote to review the Planning Board recommendation shall occur, within thirty (30) calendar days after the resolution of the Planning Board was mailed. If no appeal is filed, and the District Council does not elect to review the recommendation of Planning Board within thirty (30) calendar days after the resolution of the Planning Board is mailed, the Planning Board's recommendation shall become the final decision as to the application to certify the use as nonconforming.
- (C) Before the District Council makes a decision on the application, it shall hold a public hearing.
- (D) The Council may decide to affirm, reverse, or modify the recommendation of the Planning Board. The decision of the Council shall be based on the record made before the Planning Board. No new evidence shall be entered into the record of the case unless it is remanded to the Planning Board and a rehearing is ordered."

RESPONSE: The Planning Board is not authorized to hear applications for Validation of Permits Issued in Error pursuant to § 27-258 of the Prince George's County Code.

“(g) Applicability.

- (1) This Section shall not apply to nonconforming buildings or structures occupied by conforming uses. (See Section 27-243.03.)”

RESPONSE: This does not apply to the subject application.

III. CONCLUSION

For all of the above-stated reasons, the Applicant respectfully requests that this request for Validation of a Permit Issued in Error for the Subject Property, to continue to operate as a multifamily apartment building with fifty-five (55) dwelling units, be approved.

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
July 7, 2021

Respectfully submitted,

O'MALLEY, MILES, NYLEN & GILMORE, P.A.

By:



Nathaniel Forman
7850 Walker Drive, Suite 310
Greenbelt, MD 20770
(301) 572-3237

Attorney for Applicant

APPLICATION FORM DISCLOSURE

List all persons having at least five percent (5%) interest in the subject property **ONLY required for Special Exception and Zoning Map Amendment Applications.**

Owner(s) Name - printed	Signature and Date	Residence Address

If the property is owned by a corporation, please fill in below.

Officers	Date Assumed Duties	Residence Address	Business Address

Board of Directors	Date Assumed Duties	Date Term Expires	Residence Address	Business Address

THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
14741 GOVERNOR ODEN BOWIE DRIVE
UPPER MARLBORO, MD 20772
DEVELOPMENT REVIEW DIVISION
301-952-3530

STATE OF MARYLAND
Department of Assessments and Taxation

I, MICHAEL L. HIGGS OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO LIMITED LIABILITY COMPANIES , OR THE RIGHTS OF LIMITED LIABILITY COMPANIES TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT JH CALVERT PARK, LLC (W20046132) , REGISTERED OCTOBER 27, 2019, IS A LIMITED LIABILITY COMPANY EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF MARYLAND, AND THAT THE LIMITED LIABILITY COMPANY IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING TO TRANSACT BUSINESS.

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS JULY 07, 2021.



Michael L. Higgs
Director



301 West Preston Street, Baltimore, Maryland 21201
Telephone Baltimore Metro (410) 767-1340 / Outside Baltimore Metro (888) 246-5941
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice

Online Certificate Authentication Code: **sxPt65frM02uJkEfg0f2pQ**
To verify the Authentication Code, visit <http://dat.maryland.gov/verify>

Professional Certification

I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed Professional Engineer under the Laws of the State of Maryland, Lic. No. 16905 Exp. Date: 04-21-2022

OWNER: JH CALVERT PARK, LLC

ADDRESS: 3809 Clarks Lane,
Suite 100D
Baltimore, MD 21215

PHONE: 443-468-8499
EMAIL: llyb@waa-properties.com

REVISIONS

NO.	DESCRIPTION	DATE

TAX MAP 42 WSSC 207NE04

PLAT A-41

19TH ELECTION DISTRICT
PRINCE GEORGE'S COUNTY
MARYLAND

**RIVERDALE PARK
BLOCK 49
PART OF LOTS - 8, 9, & 10
PLAT BOOK: JWB 5
PLAT No.: 688**

PROJ. MGR DAC

DRAWN BY SEC

SCALE 1" = 20'

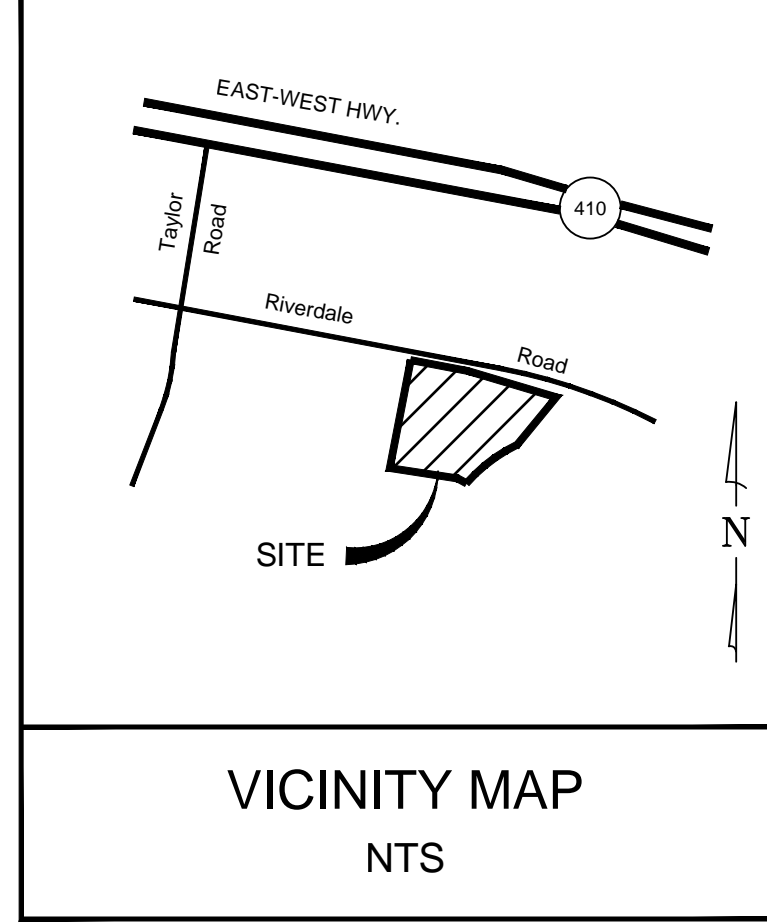
DATE 01.28.2021

**SITE PLAN FOR USE and
OCCUPANCY PERMIT**

PROJECT NO. 2020.119.11

SHEET NO. 1 OF 1

LEGEND



PROPERTY INFORMATION

PROPERTY RECORD DATA:	PART OF LOTS 8, 9 & 10 BOOK: 44045 PAGE: 157 TAX ACCOUNT NO: 19-2154861
PROPERTY ADDRESS:	5223 RIVERDALE ROAD RIVERDALE, MD 20737
OWNERS OF RECORD:	JH CALVERT PARK, LLC
EXISTING PARCEL AREA:	1.211 ACRES OR 52,768 SQUARE FEET
EXISTING ZONING CLASSIFICATION:	R-10 (MULTIFAMILY HIGH DENSITY RESIDENTIAL)
EXISTING USE:	APARTMENTS

UNIT TABLE

1 BEDROOM UNITS	2 BEDROOM UNITS	3 BEDROOM UNITS
16	34	5
TOTAL		55

PARKING SCHEDULE

PARKING / LOADING / REQUIRED	PARKING / LOADING / PROVIDED
STANDARD 130 SPACES (CURRENT ORDINANCE) 69 SPACES (1969 ORDINANCE)	STANDARD 70 SPACES
ACCESSIBLE 3 SPACES	ACCESSIBLE 2 SPACES
LOADING SPACES NONE REQ'D	NONE

N/F
PRINCE GEORGE'S COUNTY
BOARD OF EDUCATION
Tax ID: 19-2125714

ZONE: R-55
USE: Riverdale Elementary School

N/F
MNCPPC
L.1125, F. 473
Tax ID: 19-2148880

ZONE: R-O-S
USE: Open Space

**DEVELOPMENT STANDARDS: R-10 ZONE
SEC. 18.0 1964 ZONING ORDINANCE**

	PERMITTED/REQUIRED	PROVIDED PER THIS PLAN
NET LOT AREA (MINIMUM IN SQUARE FEET):	20,000 SQ. FT.	52,768 SQ. FT.
LOT FRONTAGE (MINIMUM):		
LOT WIDTH AT FRONT BUILDING LINE:	150 FT.	334 FT.
LOT WIDTH AT FRONT STREET LINE:	150 FT.	356 FT.
YARDS:		
FRONT YARD:	35.7 FT. (1)	30.9 FT. (RIVERDALE ROAD) 24.5 FT. (RIVERSIDE DRIVE)
MINIMUM DISTANCE OF FRONT BUILDING LINE TO CENTER LINE OF EXISTING OR PROPOSED STREET UPON WHICH IT FRONTS:	60 FT.	60.5 FT. (AVERAGE)
SIDE YARD, MINIMUM OF EITHER/SUM OF BOTH:	15.7 FT. / 35.7 FT. (1)	24.5 FT. / 87.9 FT.
REAR YARD:	35.7 FT. (1)	23.8 FT.
BUILDING HEIGHT (MINIMUM):	52 FT.	47.4 FT.
BUILDING HEIGHT (MAXIMUM):	110 FT.	47.4 FT.
DISTANCE BETWEEN MULTIPLE-GROUP BUILDINGS:	50 FT.	NOT APPLICABLE
COURTS:		
OUTER COURTS:	50 FT.	NOT APPLICABLE
INNER COURTS:	PROHIBITED	NOT APPLICABLE
OFF-STREET PARKING: (2)	1.25 SPACES PER UNIT OR 68.75 SPACES	70 SPACES OR 1.27 SPACES PER UNIT
GREEN AREA (MINIMUM):	50% OR 26,384 SQ. FT.	13,539 SQ. FT. OR 26%

(1) For building more than thirty-six (36) feet in height, each yard dimensions specified in this Section shall be increased by one (1) foot for each two (2) feet by which the building exceeds thirty-six (36) feet.
(2) Each parking space shall have a minimum width of nine (9) feet and a minimum length of twenty (20) feet, exclusive of adequate driveways for access.

**DEVELOPMENT STANDARDS: R-10 ZONE
SEC. 27-439**

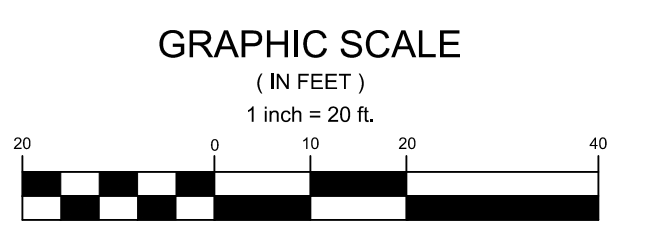
	PERMITTED/REQUIRED	PROVIDED PER THIS PLAN
NET LOT AREA (MINIMUM IN SQUARE FEET):	20,000 SQ. FT.	52,768 SQ. FT.
LOT COVERAGE (MAXIMUM % OF NET LOT AREA):	50% OR 16,384 SQ. FT.	13,439 SQ. FT. OR 25%
GREEN AREA (MINIMUM % OF NET LOT AREA):	50% OR 26,384 SQ. FT.	13,539 SQ. FT. OR 26%
LOT WIDTH AT FRONT BUILDING LINE:	150 FT. (1)	334 FT.
LOT WIDTH AT FRONT STREET LINE:	150 FT. (1)	356 FT.
FRONT YARD:	35.7 FT. (2)	30.9 FT. (RIVERDALE ROAD) 24.5 FT. (RIVERSIDE DRIVE)
MINIMUM DISTANCE OF FRONT BUILDING LINE TO CENTER LINE OF EXISTING OR PROPOSED STREET UPON WHICH IT FRONTS:	60 FT. (2)	60.5 FT. (AVERAGE)
SIDE YARD, MINIMUM OF EITHER/SUM OF BOTH:	15.7 FT. / 35.7 FT. (2)	24.5 FT. / 87.9 FT.
REAR YARD:	35.7 FT. (2)	23.8 FT.
BUILDING HEIGHT:	110 FT.	47.4 FT.
DISTANCE BETWEEN UNATTACHED MULTIFAMILY BUILDINGS:	50 FT.	NOT APPLICABLE
DENSITY (MAXIMUM DWELLING UNITS PER NET ACRE OF NET LOT/TRACT AREA):	48.00 UNITS/ACRE OR 58 UNITS	55 UNITS OR 45.4 UNITS PER ACRE
ACCESSORY BUILDINGS:	NOT APPLICABLE	NOT APPLICABLE

(1) Lot or parcel used for multifamily project - one hundred fifty (150) feet.
(2) For each two (2) feet the building exceeds thirty-six (36) feet in height, the yards shall be increased by one (1) foot.

NOTE: DEVELOPMENT NOTED HEREON ARE FROM THE INFORMATION IN THE PRINCE GEORGE'S COUNTY ZONING ORDINANCE AND ARE TO BE USED FOR REFERENCE PURPOSES ONLY AND ARE SUBJECT TO THE INTERPRETATION BY THE LOCAL ZONING AUTHORITY.

GENERAL NOTES:

- THE PLANIMETRIC INFORMATION SHOWN HEREON IS FROM AN ALTA/NSPS LAND TITLE SURVEY PREPARED BY LMS SURVEYING, LTD. DATED DECEMBER 4, 2019.
- NO CONSTRUCTION IS PROPOSED BY THE PLAN.
- BASED ON THE BEST AVAILABLE PUBLIC INFORMATION, THE SUBJECT BUILDING WAS CONSTRUCTED BETWEEN 1960 AND 1965.
 - A LOCAL MAP AMENDMENT, A-3516, FOR LOTS 8, 9, AND 10 WAS APPROVED IN FEBRUARY 1960.
 - THE 1965 USCS WASHINGTON EAST QUADRANGLE INDICATES THAT THE SUBJECT AREA IS DEVELOPED.
- THE PLAT INFORMATION SHOWN HEREON IS BASED ON THE BEST AVAILABLE RECORDS, THE RECORD DOCUMENT IS DAMAGED AND THE PORTION COVERING THE SUBJECT PROPERTY IS MISSING.



UTILITY CERTIFICATION I hereby certify that the existing and/or proposed underground utility information shown herein has been correctly duplicated from available utility company records. Further that this project has been carefully coordinated with each involved utility company and all available underground information relative to this plan has been solicited from them.	GRADING CERTIFICATION I hereby certify that, to the best of my professional knowledge, information, and belief, this plan conforms to the requirements of Subtitle 32, Division 2 of the Code of Prince George's County, Water Resources Protection and Grading Code, and that I or my staff have inspected the site and that drainage flows from up gradient properties onto this property and from this property onto down gradient properties have been addressed in substantial accordance with applicable codes.
DATE _____ Stephen E. Cum, P.E. MD Registration No. 16905	DATE _____ Stephen E. Cum, P.E. MD Registration No. 16905

N/F
Rodriguez Investment Group LLC
L. 42358, F. 287
Tax ID: 19 - 2164051

ZONE: R-55
USE: Residential

N/F
Prince George's County
L. 1792, F. 089
Tax ID: 19 - 2166239

ZONE: R-55
USE: Storm Drain
Right-of-Way

N/F
Prince George's County
L. 1792, F. 086
Tax ID: 19 - 2166353

ZONE: R-55
USE: Storm Drain
Right-of-Way

ZONE: R-55
USE: Storm Drain
Right-of-Way

N/F
MNCPPC
L. 1125, F. 473
Tax ID: 19-2148880

ZONE: R-O-S
USE: Open Space

N/F
Rachel T. Malcolm
L. 18089, F. 610
Tax ID: 19-2150258

Saving & Excepting
L. 1792, F. 89

Saving & Excepting
L. 1792, F. 86

PRINCE GEORGE'S COUNTY

PERMIT

EXPIRATION DATE :

ISSUANCE DATE : Jan-20-2015

DEPARTMENT OF PERMITTING, INSPECTIONS AND ENFORCEMENT PERMITTING CENTER
 9400 PEPPERCORN PLACE, 1st FLOOR, LARGO, MD 20774 (301) 883-5900

YOU MUST COMPLY WITH MUNICIPAL, HOMEOWNER/CIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION HAS BEGUN WITHOUT REQUIRED APPROVALS.

PROPERTY OWNER
 DANERIC ENTERPRISE LIMITED PRTRNSH # 300
 8701 GEORGIA AVE
 SILVER SPRING, MD 20910



CONTRACTOR
 BADEN INC
 3208 IRON GATE LN
 BOWIE, MD 20715 (301) 412-7751
 LICENSE NUMBER:

OCCUPANT

ARCHITECT

TYPE OF PERMIT : **DPIE CEW**
 WORK DESCRIPTION : **6' FENCE TO ENCLOSE DUMPSTER**
 EXISTING USE : **APARTMENTS**
 USE (MNCPPC ZONING) : **DWELLING/MULTI FAMILY**
 SUBDIVISION : **RIVERDALE PARK**
 OWNERSHIP :
 LIBER : 30759
 FOLIO : 001
 ED/ACCT NO. : 19 / 2154961
 LOT :
 BLOCK : 49
 TAX MAP : 042
 SCD :
 SPEC EXCEPT :
 HEIGHT FT :
 WIDTH FT :
 DEPTH FT :
 NO STORIES :
 DWELL UNTS :
 PARKING SP : 0
 LIVE LOAD :
 USE GROUP :
 TYPE CONST :

OCCUPANCY LOAD :
 SITE CERTIFICATE :
 STRUCTURE CERT :
 SEWER :
 WATER :
 HEATING :
 PARCEL :

ELECTRICITY :
 CENTRAL A/C :
 ELEVATOR :
 ESCALATOR :
 BASEMENT :
 BOILER NUMBER :
 CBCA : N
 HISTORICAL : N
 SIGN NUMBER :

Conditions

As outlined in County Code Subtitle 4-111 no work shall be performed during the hours of 9:00 p.m. to 7:00 a.m., unless work is performed pursuant to Section 4-120 of this Subtitle.

Only the Licensed Contractor or Homeowner, named on the Permit as contractor, is permitted to perform the scope of work on the permit at the address specified.

YOU MUST COMPLY WITH MUNICIPAL, HOMEOWNER/CIVIC ASSOCIATION AND LOCAL COVENANTS. A FINE MAY BE IMPOSED IF CONSTRUCTION IS BEGUN WITHOUT REQUIRED APPROVALS.

THIS PERMIT IS VOID SIX (6) MONTHS FROM DATE ISSUED IF CONSTRUCTION HAS NOT STARTED, HAS BEEN SUSPENDED OR DISCONTINUED UNLESS OTHERWISE INDICATED

Melinda Bolling

INSPECTION AREA :

INSPECTION APPROVALS

Melinda Bolling

BUILDING INSPECTOR	HEALTH	ELECTRICAL	PLUMBING	FIRE MARSHALL
APPROVED :				



Town of Riverdale Park, Maryland
Office of Neighborhood Services

License Number: MF21-081608

MULTI-FAMILY RENTAL LICENSE
The Current @ Riverdale Park Apartments
FY 2021
Expires June 30, 2021

This is to certify that a license has been granted to **JH Calvert Park LLC** to operate a multi-family residential rental dwelling at **5023 Riverdale Road, Riverdale Park, MD 20737**, unless revoked pursuant to Chapter 55 of the Riverdale Park Town Code.

The licensee is obligated to promptly inform this office of any changes to information contained in the application for this license. This includes changes of managing agents, resident manager, and/or contact information.

Jessica Barnes

Jessica Barnes, Town Clerk
Office of Administrative Services

Date Issued: November 24, 2020

Rental Units: 55

This license shall be conspicuously posted on the premises, or produced on demand of any tenant or prospective tenant, and shall be available at reasonable times for inspection by the Town's Development Services' staff or other Town official such designated.

Thank you for your investment and for growing with us!



Nathaniel Forman

From: Stephen Crum <scrum@mhgpa.com>
Sent: Monday, June 28, 2021 11:29 AM
To: Nathaniel Forman
Subject: FW: Riverdale Park (35661-2020-U)

Nat-

Final comment from Prince George's County below.

Best of luck-

Steve-



Phone: 301.670.0840 x 1019 • Direct: 240.912.0819
Mobile: 301.717.5983
Email: scrum@mhgpa.com
Web: www.mhgpa.com

From: Hughes, Michelle <Michelle.Hughes@ppd.mncppc.org>
Sent: Monday, June 28, 2021 10:36 AM
To: Stephen Crum <scrum@mhgpa.com>
Subject: RE: Riverdale Park (35661-2020-U)

Mr. Crum,

The site must be in compliance with the 1964 regulations. According to the 1964 Zoning Ordinance parking calculations there are 69 parking spaces required. The site is providing only 54 standard size parking spaces, therefore parking requirements were not met on the date of construction. Do you know if there were any rental licenses or certificate of occupancy issued to the property from Prince George's County? If so, the owner can pursue Validation of a permit/rental license issued in error.

Michelle Hughes

Planning Information Review Supervisor | Development Review Division



14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772
301-952-5409/240-253-6491

Michelle.Hughes@ppd.mncppc.org



Attachment 5

Main Entrance



Attachment 6

The Front of the Building



Attachment 7

East Side of the Building



Attachment 8

The West Side and Rear of the Building



Attachment 9

The Rear of the Building





ATTORNEY AT LAW

Stan Brown, Esq.

Stan Derwin Brown Law Office, LLC
1300 Caraway Court, Suite 101 • Largo, Maryland 20774-5462
Telephone: 301.883.8888 • Fax: 301.883.8606
Website: StanBrown.law
E-mail: attorney@StanBrown.law
Licensed in Maryland & Washington, D.C.

To: Clerk of the Council
All Parties of Record
Zoning Hearing Examiner
Planning Board
District Council

Fr: Stan Brown, People's Zoning Counsel

Date: July 15, 2021

Re: ERR-284, JH Calvert Park, LLC

NOTICE OF INTENTION TO PARTICIPATE

Pursuant to Prince George's County Zoning Ordinance § 27-139.01 (C) (Powers & Duties), this memo is formal notification that the People's Zoning Counsel intends to participate in the above-noted pending zoning cases before the Prince George's County District Council, the Prince George's County Planning Board and/or the Prince George's County Zoning Hearing Examiner. Please file this memo in your official file for the record in the above-noted zoning cases.

Stan Brown, Esq.
People's Zoning Counsel

SIGN POSTING INFORMATION

Application Number: ERR-284

Applicant(s) Name: JH Calvert Park, LLC.

Date sign(s) were transmitted to applicant or applicant's agent: _____

Number of signs transmitted: Two (2)

Person to whom signs were transmitted: Jay Silver (Print)

Jay Silver (Signature)

Capacity in which that person was acting: Agent
(owner, applicant, agent)

Date of scheduled Zoning Hearing Examiner meeting: August 18, 2021

Last date sign(s) can be posted: July 18, 2021

SIGN POSTING AND INSPECTION AFFIDAVIT

I, Jay Silver, hereby certify that the subject property was posted with
(print or type name)
Two (2) sign(s) on 7/16/2021
specify number) (date)

I further certify that the signs were inspected no later than the 15th day of posting and were maintained in a reasonable manner.

Signature: Jay Silver

Application Numbers: ERR 284 Name: JH Calvert Park, LLC

Date: 7/16/2021

Address: 308 5023 Riverdale Rd, Riverdale MD 20737

Telephone: 410-218-2266

Capacity in which you are acting: Agent
(Owner, Applicant, Agent)

NOTE: Attach legible photograph(s) showing sign(s) in place. Return this affidavit and photographs to the Zoning Hearing Examiner no later than 15 days prior to the scheduled Zoning Hearing Examiner meeting (see attached map for posting locations).

* * * * *

The affidavit must be received no later than 15 days prior to the Zoning Hearing Examiner hearing. Failure to deliver the affidavit may result in rescheduling your hearing date or a recommendation for denial of the application.

Zoning Hearing Examiner

Prince George's County • 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772 • 301-952-3644

NOTICE OF VIRTUAL HEARING

Application Number: ERR-284

Applicant(s) Name: JH Calvert Park, LLC

Date and time of scheduled Zoning Hearing Examiner meeting: August 18, 2021 at 9:30 A.M.

Description of Request: Application of JH Calvert Park, LLC, for VALIDATION OF PERMIT ISSUED IN ERROR,

Building Permit No. 47380-2014, for the erection of a six (6) foot fence to enclose a dumpster on approximately 1.211 acres of land, zoned R-10 (Multifamily High Density Residential), improved with a single five (5) story multifamily apartment building with 55 dwelling units, located approximately 530 feet east of its intersection with Taylor Road and identified as 5023 Riverdale Road, Riverdale Park, Maryland 20737.

* * * * *

Attention: Due to the current state of the novel coronavirus (COVID-19) pandemic, and the implications of the Council's Emergency Resolutions including, CR-35-2020, the Zoning Hearing Examiners Office is operating under emergency procedures. As authorized by CB-33-2020, all or a portion of the hearing will be conducted virtually and in accordance with District Council Rules of Procedure.

Requests to become Persons of Record should be submitted electronically by email to: ZHE@co.pg.md.us no later than 5:00 p.m. on August 16, 2021. Persons of Record will receive an email with information to join the virtual meeting platform. **Once you have received your Notice of Hearing, please provide an email address to ZHE@co.pg.md.us**

If you have not viewed the documents you can find them at <https://pgccouncil.us/LZIS>. Once there select "Guide", then "ZHE", then the application name and hearing date, then "meeting details" and finally "attachments".

Upon notification of an evidentiary hearing before the Zoning Hearing Examiner, any interested party shall submit documents for the record in person, by email, by other electronic portals, or in the County provided drop box. **A copy of all large Site Plans or other documents must be submitted in person or the County provided drop box.** All documents for the record shall be submitted no later than five (5) business days before the scheduled evidentiary hearing. With permission from the Zoning Hearing Examiner, a party may submit supplemental documents for the record. Any interested party may contact The Office of the Zoning Hearing Examiner to receive a paper copy of a document if the document is not accessible online

The Zoning Hearing Examiner shall not be responsible for resolving any technical difficulties incurred by any person participating in a virtual/remote hearing.

This notice is for informational purposes only. Per CB-1-2004 you have received this Notice of Public Hearing because you signed up to become a Person of Record. If you have any questions, please contact the Zoning Hearing Examiner at email ZHE@co.pg.md.us. or call (301) 952-3644.

DATE MAILED BY US POSTAL SERVICE/EMAILED: July 16, 2021 to Persons of Record (List attached to original in file)

ZONING HEARING EXAMINER

HEARING

FOR INFORMATION

301-952-3644

APPLICATION# ~~ERB-284~~

ERB-284

for more info, please contact via Email
ZHECO, PG. MD. US or Call: 301-952-3644

DATE: 8-18-2021

TIME: 9:30 A.M.

VIRTUAL HEARING

COUNTY ADMINISTRATION BUILDING

UPPER MARLBORO, MD

www.princegeorgescountymd.gov

ZONING HEARING EXAMINER
HEARING

FOR INFORMATION

301-952-3644

APPLICATION# *ERR-284*

ERR-284

*for more info please contact
ZHECCO. PG. MD. US or Call: 301-952-3644*

DATE: *8-18-2021*

TIME: *9:30 A.M*

VIRTUAL HEARING

COUNTY ADMINISTRATION BUILDING
UPPER MARLBORO, MD
www.princegeorgescountymd.gov



Your electric bill - Feb 2021

for the period **January 12, 2021 to February 8, 2021**



WAYS TO SAVE: FIND TIPS AND PROGRAMS THAT HELP

Learn more at pepco.com/WaysToSave

JH CALVERT PARK LLC

Account number: 5002 4127 552
Your service address: 5023 RIVERDALE RD
 RIVERDALE MD 20737

Bill Issue date: Feb 10, 2021

Summary of your charges

Balance from your last bill	\$4,178.18
Your payment(s) - thank you	\$4,178.18-
Balance forward as of Feb 10, 2021	\$0.00
New electric charges	\$1,420.63
New ENGIE Resources supply charges	\$2,139.91
Total amount due by Mar 3, 2021	\$3,560.54

After Mar 3, 2021, a Late Payment Charge of \$52.18 will be added, increasing the amount due to \$3,612.72.

Your smart electric meter is read wirelessly. Visit My Account at pepco.com to view your daily and hourly energy usage.

If you are moving or discontinuing service, please contact Pepco at least three days in advance.

Information regarding rate schedules and how to verify the accuracy of your bill will be mailed upon request.

Follow us on Twitter at twitter.com/PepcoConnect. Like us on Facebook at facebook.com/PepcoConnect.

The EmPOWER MD charge funds programs that can help you reduce your energy consumption and save you money. For more information, including how to participate, go to pepco.com/saveenergy.

How to contact us

Customer Service (Mon-Fri, 7am - 8 pm)	202-833-7500
TTY English	1-800-735-2258
TTY Spanish	1-800-877-1264
¿Problemas con la factura?	202-833-7500
Electric emergencies & outages (24 hours)	1-877-737-2662
Visit pepco.com for service, billing and correspondence information.	

You can help a Pepco customer in need of assistance with their energy bills by contributing to the Good Neighbor Energy Fund. Simply pay exactly \$1.00 over your Pepco bill amount and that dollar will be contributed to the Good Neighbor Energy Fund administered by a 501(c)3 non-profit organization in your community. Program contributions must be exactly \$1.00 over the billed amount; amounts over \$1.00 will not be identified as a program contribution and will result in a credit to your account. Pepco will match each donation by contributing a dollar to the fund, up to \$100,000.

Please tear on the dotted line below. Invoice Number: 200691411182 Page 1 of 4

Return this coupon with your payment made payable to Pepco

Account number	5002 4127 552
Total amount due by Mar 3, 2021	\$3,560.54
Total amount due after Mar 3, 2021	\$3,612.72

14185 1 AV 0.386 2MR13488



JH CALVERT PARK LLC
 LEASING OFFICE
 5600 54TH AVENUE OFC
 RIVERDALE MD 20737-2201



Amount Paid: \$.

PO BOX 13608
 PHILADELPHIA PA 19101



Details of your Electric Charges

Non-Residential-MGT-LV IIB - service number 0500 2412 7552 7001 3041 14
 Electricity you used this period

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	Use (kWh)	Feb 8	Jan 12	28	30073
	On-Peak Use (kWh)	Feb 8	Jan 12	28	6778
	Int-Peak Use (kWh)	Feb 8	Jan 12	28	7066
	Off-Peak Use (kWh)	Feb 8	Jan 12	28	16229
	On-Peak Demand (kW)	Feb 8	Jan 12	28	62.36
	Int-Peak Demand (kW)	Feb 8	Jan 12	28	64.58
	Off-Peak Demand (kW)	Feb 8	Jan 12	28	60

Electric Summary	
Balance from your last bill	\$1,625.04
Payment Feb 02	\$1,625.04-
Total Payments	\$1,625.04-
Electric Charges (Non-Residential-MGT-LV IIB)	\$1,420.63
New electric charges	\$1,420.63
Total amount due by Mar 3, 2021	\$1,420.63

Total use-kWh **30073**

Your meter records hourly use. Total use is the sum of this hourly data. Please visit My Account at pepco.com to view your energy use data.

Your next bill period is scheduled to end on March 9, 2021

Delivery Charges: These charges reflect the cost of bringing electricity to you. Current charges for 28 days, **winter rates in effect.**

<u>Type of charge</u>	<u>How we calculate this charge</u>	<u>Amount(\$)</u>
Distribution Services:		
Customer Charge		44.96
Energy Charge	30073 kWh X \$0.0196090 per kWh	589.70
Maximum Demand	64.60 kW X \$3.1663000 per kW	204.54
Franchise Tax (Delivery)	30073 kWh X \$0.0006200 per kWh	18.65
Universal Service Charge		24.56
MD Environmental Surcharge	30073 kWh X \$0.0001290 per kWh	3.88
Empower MD Chg	30073 kWh X \$0.0062730 per kWh	188.65

Check here to enroll in the Direct Debit plan Sign and date here _____

By signing here, you authorize Pepco to electronically deduct the amount of your monthly bill from your checking account each month. The check you send with this signed authorization will be used to set up Direct Debit. You understand that we will notify you each month of the date and amount of the debit, which will be on or after the due date stated on your monthly bill. You understand that to withdraw this authorization you must call Pepco. You understand that Pepco does not charge for this service, but that your bank may have charges for this service.

Customer Service Centers

Washington DC		Maryland	
701 Ninth St NW	(Mon - Fri) 8:30am - 5:15pm	201 West Gude Dr, Rockville	(Mon - Fri) 10:00am - 2:00pm
2300 Martin Luther King Jr Ave SE	(Mon - Fri) 9:00am - 5:00pm	8300 Old Marlboro Pk, Forestville	(Mon, Wed, Fri) 10:00am - 2:00pm

Any inquiry or complaint about this bill should be made prior to the due date, in order to avoid late charges.

Electronic Check Conversion - When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
January 12, 2021 to February 8, 2021

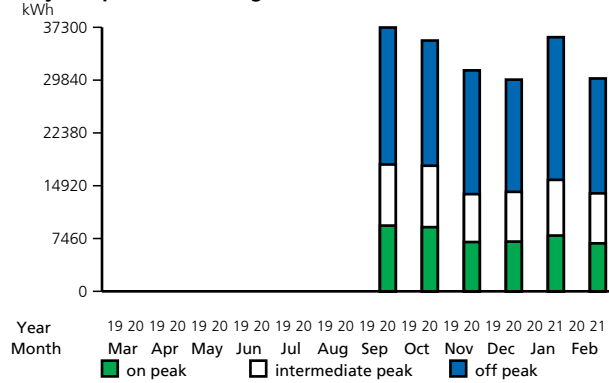


Gross Receipts Tax	at 2.0408%	21.93
Prince George's County Energy Tax	30073 kWh X \$0.0095880 per kWh	288.34
Administrative Credit	30073 kWh X \$0.0009459- per kWh	28.45-
Sales Tax	at 6%	63.87
Total Electric Delivery Charges		1,420.63

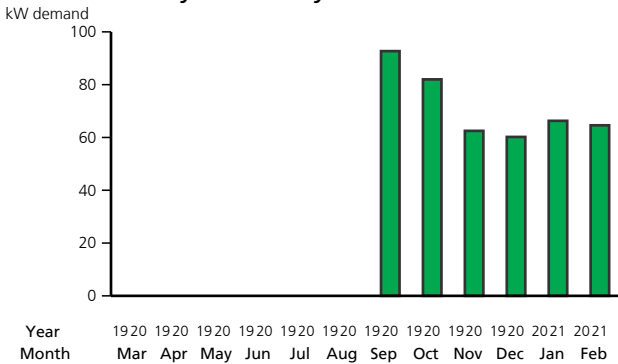
Total Electric Charges - Non-Residential-MGT-LV IIB 1,420.63

Your monthly Electricity use in kWh

Daily temperature averages: Feb 2021: 37° F

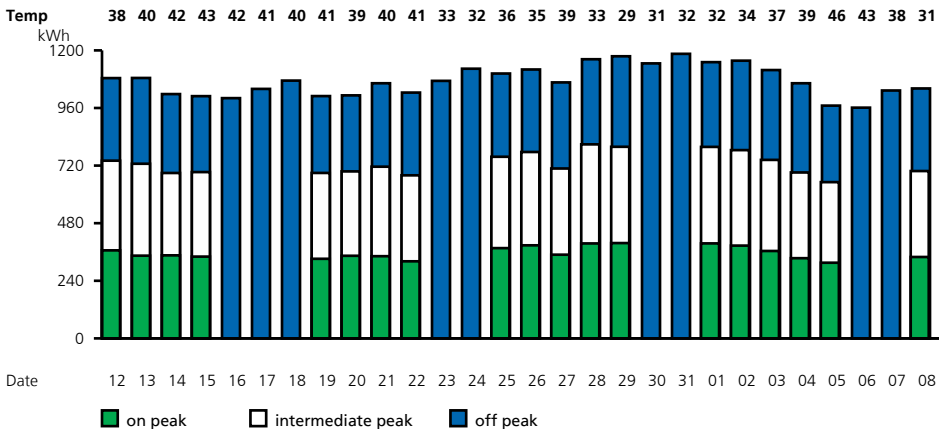


Your monthly Electricity use in kW demand



Your daily electricity use for this bill period. Visit My Account at pepco.com to see your hourly electricity use.

Meter Number KZD351641395



JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
January 12, 2021 to February 8, 2021

ENGIE Resources electric supply charges

Service number 0500 2412 7552 7001 3041 14

Your electricity is supplied by ENGIE Resources, LLC. If you have any questions about your electric supply charges, call ENGIE Resources, LLC at 1-888-232-6206.

Billing period: Jan 12, 2021 to Feb 8, 2021 (28 days)

Type of service: Non-Residential-MGT-LV IIB

Fixed Price @ 30072 KWH @ \$ 0.06724 PER KWH \$2,022.09

TEC Charge \$4.40-

Trans Tariff Change 100 KW @ \$ 0.00039 \$1.09

Sales tax \$121.13

RMR Charge \$0.00

Amount(\$)

ENGIE Resources electric charges

2,139.91

ENGIE Resources Electric Supply Summary	
Balance from your last bill	\$2,553.14
Payment Feb 02	\$2,553.14-
Total Payments	\$2,553.14-
Total Current Charges	\$2,139.91
New ENGIE Resources electric supply charges	\$2,139.91
Total amount due by Mar 3, 2021	\$2,139.91



Your electric bill - Mar 2021
for the period February 9, 2021 to March 9, 2021



WAYS TO SAVE: FIND TIPS AND PROGRAMS THAT HELP

Learn more at pepco.com/WaysToSave

JH CALVERT PARK LLC

Account number: 5002 4127 552

Your service address: 5023 RIVERDALE RD
RIVERDALE MD 20737

Bill Issue date: Mar 11, 2021

Summary of your charges

Table with 2 columns: Description and Amount. Rows include: Balance from your last bill (\$3,560.54), Your payment(s) - thank you (\$3,560.54), Balance forward as of Mar 11, 2021 (\$0.00), New electric charges (\$1,342.46), New ENGIE Resources supply charges (\$2,037.10), Total amount due by Apr 1, 2021 (\$3,379.56)

After Apr 1, 2021, a Late Payment Charge of \$49.54 will be added, increasing the amount due to \$3,429.10.

Your smart electric meter is read wirelessly. Visit My Account at pepco.com to view your daily and hourly energy usage.

If you are moving or discontinuing service, please contact Pepco at least three days in advance.

Information regarding rate schedules and how to verify the accuracy of your bill will be mailed upon request.

Follow us on Twitter at twitter.com/PepcoConnect. Like us on Facebook at facebook.com/PepcoConnect.

The EmPOWER MD charge funds programs that can help you reduce your energy consumption and save you money. For more information, including how to participate, go to pepco.com/saveenergy.

How to contact us

Table with 2 columns: Contact Method and Phone Number. Rows include: Customer Service (Mon-Fri, 7am - 8 pm) 202-833-7500, TTY English 1-800-735-2258, TTY Spanish 1-800-877-1264, ¿Problemas con la factura? 202-833-7500, Electric emergencies & outages (24 hours) 1-877-737-2662, Visit pepco.com for service, billing and correspondence information.

You can help a Pepco customer in need of assistance with their energy bills by contributing to the Good Neighbor Energy Fund. Simply pay exactly \$1.00 over your Pepco bill amount and that dollar will be contributed to the Good Neighbor Energy Fund administered by a 501(c)3 non-profit organization in your community. Program contributions must be exactly \$1.00 over the billed amount; amounts over \$1.00 will not be identified as a program contribution and will result in a credit to your account. Pepco will match each donation by contributing a dollar to the fund, up to \$100,000.

Please tear on the dotted line below. Invoice Number: 200841369433 Page 1 of 4

Return this coupon with your payment made payable to Pepco

Table with 2 columns: Description and Amount. Rows include: Account number 5002 4127 552, Total amount due by Apr 1, 2021 \$3,379.56, Total amount due after Apr 1, 2021 \$3,429.10

13560 1 AV 0.386 2MR12894



JH CALVERT PARK LLC
LEASING OFFICE
5600 54TH AVENUE OFC
RIVERDALE MD 20737-2201



Amount Paid: \$ [] [] [] [] . [] []

PO BOX 13608
PHILADELPHIA PA 19101



Details of your Electric Charges

Non-Residential-MGT-LV IIB - service number 0500 2412 7552 7001 3041 14
 Electricity you used this period

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	Use (kWh)	Mar 9	Feb 9	29	28647
	On-Peak Use (kWh)	Mar 9	Feb 9	29	6487
	Int-Peak Use (kWh)	Mar 9	Feb 9	29	6772
	Off-Peak Use (kWh)	Mar 9	Feb 9	29	15388
	On-Peak Demand (kW)	Mar 9	Feb 9	29	54.87
	Int-Peak Demand (kW)	Mar 9	Feb 9	29	56.33
	Off-Peak Demand (kW)	Mar 9	Feb 9	29	55.86

Electric Summary	
Balance from your last bill	\$1,420.63
Payment Mar 03	\$1,420.63-
Total Payments	\$1,420.63-
Electric Charges (Non-Residential-MGT-LV IIB)	\$1,342.46
New electric charges	\$1,342.46
Total amount due by Apr 1, 2021	\$1,342.46

Total use-kWh **28647**

Your meter records hourly use. Total use is the sum of this hourly data. Please visit My Account at pepco.com to view your energy use data.

Your next bill period is scheduled to end on April 9, 2021

Delivery Charges: These charges reflect the cost of bringing electricity to you. Current charges for 29 days, **winter rates in effect.**

<u>Type of charge</u>	<u>How we calculate this charge</u>	<u>Amount(\$)</u>
Distribution Services:		
Customer Charge		44.96
Energy Charge	28647 kWh X \$0.0195700 per kWh	560.62
Maximum Demand	56.30 kW X \$3.1663000 per kW	178.26
Franchise Tax (Delivery)	28647 kWh X \$0.0006200 per kWh	17.76
Universal Service Charge		24.56
MD Environmental Surcharge	28647 kWh X \$0.0001290 per kWh	3.70
Empower MD Chg	28647 kWh X \$0.0063840 per kWh	182.89

Check here to enroll in the Direct Debit plan Sign and date here _____

By signing here, you authorize Pepco to electronically deduct the amount of your monthly bill from your checking account each month. The check you send with this signed authorization will be used to set up Direct Debit. You understand that we will notify you each month of the date and amount of the debit, which will be on or after the due date stated on your monthly bill. You understand that to withdraw this authorization you must call Pepco. You understand that Pepco does not charge for this service, but that your bank may have charges for this service.

Customer Service Centers

Washington DC		Maryland	
701 Ninth St NW	(Mon - Fri) 8:30am - 5:15pm	201 West Gude Dr, Rockville	(Mon - Fri) 10:00am - 2:00pm
2300 Martin Luther King Jr Ave SE	(Mon - Fri) 9:00am - 5:00pm	8300 Old Marlboro Pk, Forestville	(Mon, Wed, Fri) 10:00am - 2:00pm

Any inquiry or complaint about this bill should be made prior to the due date, in order to avoid late charges.

Electronic Check Conversion - When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
February 9, 2021 to March 9, 2021

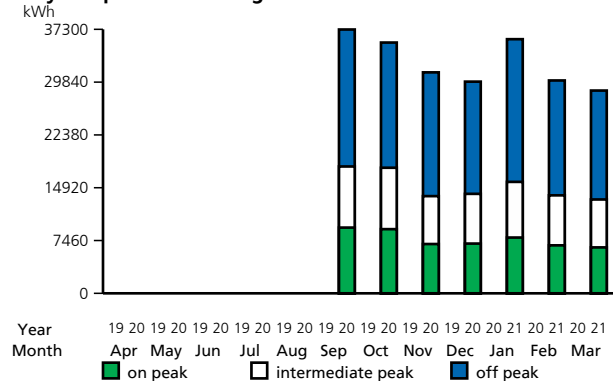


Gross Receipts Tax	at 2.0408%	20.66
Prince George's County Energy Tax	28647 kWh X \$0.0095880 per kWh	274.67
Administrative Credit	28647 kWh X \$0.0009019- per kWh	25.84-
Sales Tax	at 6%	60.22
Total Electric Delivery Charges		1,342.46

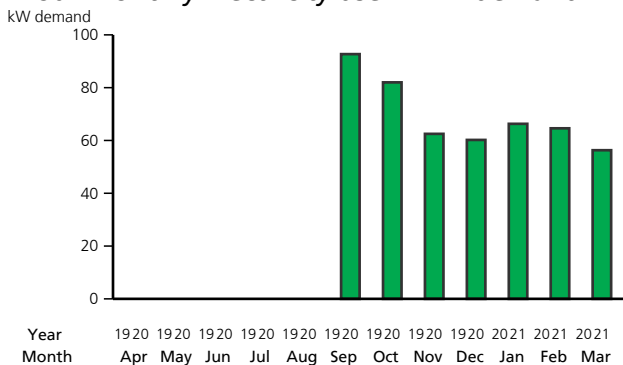
Total Electric Charges - Non-Residential-MGT-LV IIB 1,342.46

Your monthly Electricity use in kWh

Daily temperature averages: Mar 2021: 39° F

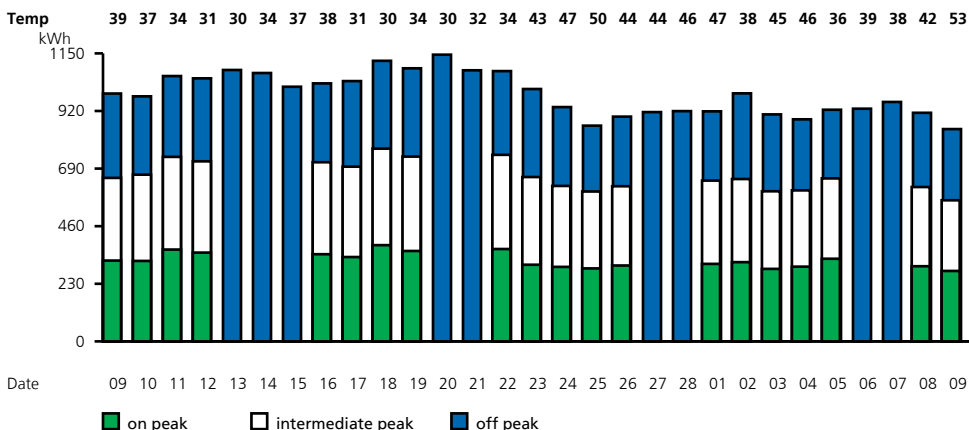


Your monthly Electricity use in kW demand



Your daily electricity use for this bill period. Visit My Account at pepco.com to see your hourly electricity use.

Meter Number KZD351641395



JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
February 9, 2021 to March 9, 2021

ENGIE Resources electric supply charges

Service number 0500 2412 7552 7001 3041 14

Your electricity is supplied by ENGIE Resources, LLC. If you have any questions about your electric supply charges, call ENGIE Resources, LLC at 1-888-232-6206.

Billing period: Feb 9, 2021 to Mar 9, 2021 (29 days)

Type of service: Non-Residential-MGT-LV IIB

Fixed Price @ 28646 KWH @ \$ 0.06724 PER KWH \$1,926.21

Trans Tariff Change 100 KW @ \$ 0.01128 \$1.13

TEC Charge \$5.55-

Sales tax \$115.31

RMR Charge \$0.00

ENGIE Resources electric charges

Amount(\$)
2,037.10

ENGIE Resources Electric Supply Summary	
Balance from your last bill	\$2,139.91
Payment Mar 03	\$2,139.91-
Total Payments	\$2,139.91-
Total Current Charges	\$2,037.10
New ENGIE Resources electric supply charges	\$2,037.10
Total amount due by Apr 1, 2021	\$2,037.10



Your electric bill - Apr 2021 for the period **March 10, 2021 to April 9, 2021**



WAYS TO SAVE: FIND TIPS AND PROGRAMS THAT HELP

[Learn more at pepco.com/WaysToSave](http://pepco.com/WaysToSave)

JH CALVERT PARK LLC

Account number: 5002 4127 552
Your service address: 5023 RIVERDALE RD
RIVERDALE MD 20737
Bill Issue date: Apr 14, 2021

Summary of your charges

Balance from your last bill	\$3,379.56
Your payment(s) - thank you	\$3,379.56
Balance forward as of Apr 14, 2021	\$0.00
New electric charges	\$1,227.14
New ENGIE Resources supply charges	\$1,836.88
Total amount due by May 5, 2021	\$3,064.02

After May 5, 2021, a Late Payment Charge of \$44.90 will be added, increasing the amount due to \$3,108.92.

Your smart electric meter is read wirelessly. Visit My Account at pepco.com to view your daily and hourly energy usage.

If you are moving or discontinuing service, please contact Pepco at least three days in advance.

Information regarding rate schedules and how to verify the accuracy of your bill will be mailed upon request.

Follow us on Twitter at twitter.com/PepcoConnect. Like us on Facebook at facebook.com/PepcoConnect.

The EmPOWER MD charge funds programs that can help you reduce your energy consumption and save you money. For more information, including how to participate, go to pepco.com/saveenergy.

How to contact us

Customer Service (Mon-Fri, 7am - 8 pm)	202-833-7500
TTY English	1-800-735-2258
TTY Spanish	1-800-877-1264
¿Problemas con la factura?	202-833-7500
Electric emergencies & outages (24 hours)	1-877-737-2662
Visit pepco.com for service, billing and correspondence information.	

You can help a Pepco customer in need of assistance with their energy bills by contributing to the Good Neighbor Energy Fund. Simply pay exactly \$1.00 over your Pepco bill amount and that dollar will be contributed to the Good Neighbor Energy Fund administered by a 501(c)3 non-profit organization in your community. Program contributions must be exactly \$1.00 over the billed amount; amounts over \$1.00 will not be identified as a program contribution and will result in a credit to your account. Pepco will match each donation by contributing a dollar to the fund, up to \$100,000.

Please tear on the dotted line below. Invoice Number: 200891346584 Page 1 of 4

Return this coupon with your payment made payable to Pepco

Account number	5002 4127 552
Total amount due by May 5, 2021	\$3,064.02
Total amount due after May 5, 2021	\$3,108.92

15854 1 AV 0.386 2MR15178

JH CALVERT PARK LLC
LEASING OFFICE
5600 54TH AVENUE OFC
RIVERDALE MD 20737-2201



Amount Paid: \$.

PO BOX 13608
PHILADELPHIA PA 19101



700001500241275520000000000000000000000003064020000003064020019

Details of your Electric Charges

Non-Residential-MGT-LV IIB - service number 0500 2412 7552 7001 3041 14
 Electricity you used this period

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	Use (kWh)	Apr 9	Mar 10	31	25823
	On-Peak Use (kWh)	Apr 9	Mar 10	31	6677
	Int-Peak Use (kWh)	Apr 9	Mar 10	31	6697
	Off-Peak Use (kWh)	Apr 9	Mar 10	31	12449
	On-Peak Demand (kW)	Apr 9	Mar 10	31	50.03
	Int-Peak Demand (kW)	Apr 9	Mar 10	31	53.06
	Off-Peak Demand (kW)	Apr 9	Mar 10	31	43.13

Electric Summary	
Balance from your last bill	\$1,342.46
Payment Mar 24	\$1,342.46-
Total Payments	\$1,342.46-
Electric Charges (Non-Residential-MGT-LV IIB)	\$1,227.14
New electric charges	\$1,227.14
Total amount due by May 5, 2021	\$1,227.14

Total use-kWh **25823**

Your meter records hourly use. Total use is the sum of this hourly data. Please visit My Account at pepco.com to view your energy use data.

Your next bill period is scheduled to end on May 11, 2021

Delivery Charges: These charges reflect the cost of bringing electricity to you. Current charges for 31 days, **winter rates in effect.**

<u>Type of charge</u>	<u>How we calculate this charge</u>	<u>Amount(\$)</u>
Distribution Services:		
Customer Charge		44.96
Energy Charge	25823 kWh X \$0.0195840 per kWh	505.71
Maximum Demand	53.10 kW X \$3.1663000 per kW	168.13
Franchise Tax (Delivery)	25823 kWh X \$0.0006200 per kWh	16.01
Universal Service Charge		24.56
MD Environmental Surcharge	25823 kWh X \$0.0001290 per kWh	3.33
Empower MD Chg	25823 kWh X \$0.0063840 per kWh	164.85

Check here to enroll in the Direct Debit plan Sign and date here _____

By signing here, you authorize Pepco to electronically deduct the amount of your monthly bill from your checking account each month. The check you send with this signed authorization will be used to set up Direct Debit. You understand that we will notify you each month of the date and amount of the debit, which will be on or after the due date stated on your monthly bill. You understand that to withdraw this authorization you must call Pepco. You understand that Pepco does not charge for this service, but that your bank may have charges for this service.

Customer Service Centers

Washington DC		Maryland	
701 Ninth St NW	(Mon - Fri) 8:30am - 5:15pm	201 West Gude Dr, Rockville	(Mon - Fri) 10:00am - 2:00pm
2300 Martin Luther King Jr Ave SE	(Mon - Fri) 9:00am - 5:00pm	8300 Old Marlboro Pk, Forestville	(Mon, Wed, Fri) 10:00am - 2:00pm

Any inquiry or complaint about this bill should be made prior to the due date, in order to avoid late charges.

Electronic Check Conversion - When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
March 10, 2021 to April 9, 2021

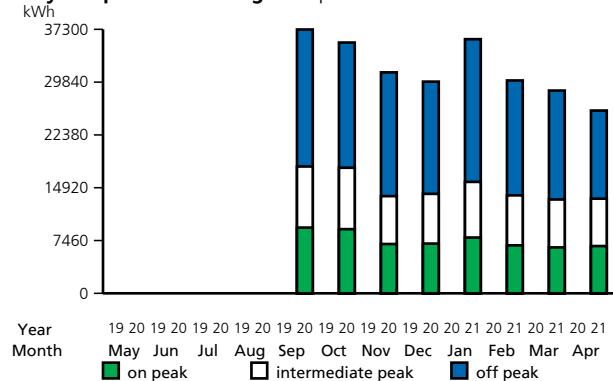


Gross Receipts Tax	at 2.0408%	18.92
Prince George's County Energy Tax	25823 kWh X \$0.0095880 per kWh	247.59
Administrative Credit	25823 kWh X \$0.0008584- per kWh	22.17-
Sales Tax	at 6%	55.25
Total Electric Delivery Charges		1,227.14

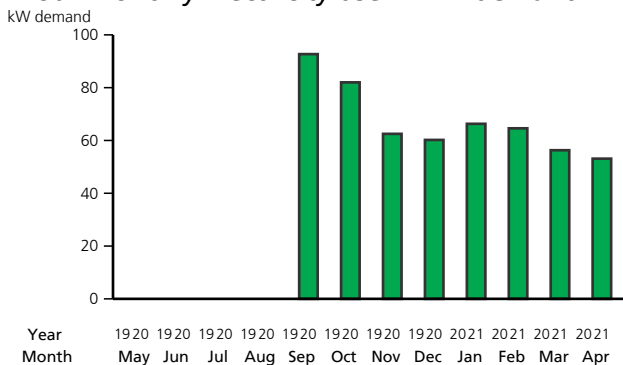
Total Electric Charges - Non-Residential-MGT-LV IIB 1,227.14

Your monthly Electricity use in kWh

Daily temperature averages: Apr 2021: 55° F

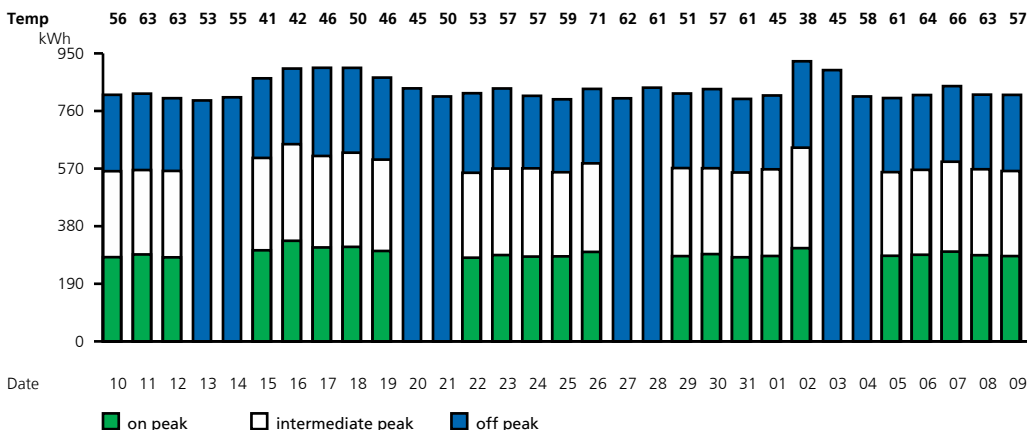


Your monthly Electricity use in kW demand



Your daily electricity use for this bill period. Visit My Account at pepco.com to see your hourly electricity use.

Meter Number KZD351641395



JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
March 10, 2021 to April 9, 2021

ENGIE Resources electric supply charges

Service number 0500 2412 7552 7001 3041 14

Your electricity is supplied by ENGIE Resources, LLC. If you have any questions about your electric supply charges, call ENGIE Resources, LLC at 1-888-232-6206.

Billing period: Mar 10, 2021 to Apr 9, 2021 (31 days)

Type of service: Non-Residential-MGT-LV IIB

Fixed Price @ 25822.916 KWH @ \$ 0.06724 PER KW \$1,736.33

TEC Charge \$4.63-

Trans Tariff Change 100.2 KW @ \$ 0.01208 \$1.21

Sales tax \$103.97

RMR Charge \$0.00

Amount(\$)

ENGIE Resources electric charges

1,836.88

ENGIE Resources Electric Supply Summary	
Balance from your last bill	\$2,037.10
Payment Mar 24	\$2,037.10-
Total Payments	\$2,037.10-
Total Current Charges	\$1,836.88
New ENGIE Resources electric supply charges	\$1,836.88
Total amount due by May 5, 2021	\$1,836.88



Your electric bill - May 2021
for the period **April 10, 2021 to May 11, 2021**



WAYS TO SAVE: FIND TIPS AND PROGRAMS THAT HELP

Learn more at pepco.com/WaysToSave

JH CALVERT PARK LLC

Account number: 5002 4127 552
Your service address: 5023 RIVERDALE RD
RIVERDALE MD 20737
Bill Issue date: May 13, 2021

Summary of your charges

Balance from your last bill	\$3,064.02
Your payment(s) - thank you	\$3,064.02-
Balance forward as of May 13, 2021	\$0.00
New electric charges	\$1,294.92
New ENGIE Resources supply charges	\$1,899.67
Total amount due by Jun 3, 2021	\$3,194.59

After Jun 3, 2021, a Late Payment Charge of \$46.79 will be added, increasing the amount due to \$3,241.38.

Your smart electric meter is read wirelessly. Visit My Account at pepco.com to view your daily and hourly energy usage.

If you are moving or discontinuing service, please contact Pepco at least three days in advance.

Information regarding rate schedules and how to verify the accuracy of your bill will be mailed upon request.

Follow us on Twitter at twitter.com/PepcoConnect. Like us on Facebook at facebook.com/PepcoConnect.

The EmPOWER MD charge funds programs that can help you reduce your energy consumption and save you money. For more information, including how to participate, go to pepco.com/saveenergy.

How to contact us

Customer Service (Mon-Fri, 7am - 8 pm)	202-833-7500
TTY English	1-800-735-2258
TTY Spanish	1-800-877-1264
¿Problemas con la factura?	202-833-7500
Electric emergencies & outages (24 hours)	1-877-737-2662
Visit pepco.com for service, billing and correspondence information.	

You can help a Pepco customer in need of assistance with their energy bills by contributing to the Good Neighbor Energy Fund. Simply pay exactly \$1.00 over your Pepco bill amount and that dollar will be contributed to the Good Neighbor Energy Fund administered by a 501(c)3 non-profit organization in your community. Program contributions must be exactly \$1.00 over the billed amount; amounts over \$1.00 will not be identified as a program contribution and will result in a credit to your account. Pepco will match each donation by contributing a dollar to the fund, up to \$100,000.

Please tear on the dotted line below. Invoice Number: 200561500748 Page 1 of 4

Return this coupon with your payment made payable to Pepco

Account number	5002 4127 552
Total amount due by Jun 3, 2021	\$3,194.59
Total amount due after Jun 3, 2021	\$3,241.38

13679 1 AV 0.386 2MR13005



JH CALVERT PARK LLC
LEASING OFFICE
5600 54TH AVENUE OFC
RIVERDALE MD 20737-2201



Amount Paid: \$.

PO BOX 13608
PHILADELPHIA PA 19101



Details of your Electric Charges

Non-Residential-MGT-LV IIB - service number 0500 2412 7552 7001 3041 14
 Electricity you used this period

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	Use (kWh)	May 11	Apr 10	32	26688
	On-Peak Use (kWh)	May 11	Apr 10	32	6370
	Int-Peak Use (kWh)	May 11	Apr 10	32	6432
	Off-Peak Use (kWh)	May 11	Apr 10	32	13887
	On-Peak Demand (kW)	May 11	Apr 10	32	62.78
	Int-Peak Demand (kW)	May 11	Apr 10	32	52.58
	Off-Peak Demand (kW)	May 11	Apr 10	32	49.23

Electric Summary	
Balance from your last bill	\$1,227.14
Payment May 10	\$1,227.14-
Total Payments	\$1,227.14-
Electric Charges (Non-Residential-MGT-LV IIB)	\$1,294.92
New electric charges	\$1,294.92
Total amount due by Jun 3, 2021	\$1,294.92

Total use-kWh **26689**

Your meter records hourly use. Total use is the sum of this hourly data. Please visit My Account at pepco.com to view your energy use data.

Your next bill period is scheduled to end on June 9, 2021

Delivery Charges: These charges reflect the cost of bringing electricity to you. Current charges for 32 days, **winter rates in effect.**

<u>Type of charge</u>	<u>How we calculate this charge</u>	<u>Amount(\$)</u>
Distribution Services:		
Customer Charge		44.96
Energy Charge	26689 kWh X \$0.0196730 per kWh	525.05
Maximum Demand	62.80 kW X \$3.1663000 per kW	198.84
Franchise Tax (Delivery)	26689 kWh X \$0.0006200 per kWh	16.55
Universal Service Charge		24.56
MD Environmental Surcharge	26689 kWh X \$0.0001290 per kWh	3.44
Empower MD Chg	26689 kWh X \$0.0063840 per kWh	170.38

Check here to enroll in the Direct Debit plan Sign and date here _____

By signing here, you authorize Pepco to electronically deduct the amount of your monthly bill from your checking account each month. The check you send with this signed authorization will be used to set up Direct Debit. You understand that we will notify you each month of the date and amount of the debit, which will be on or after the due date stated on your monthly bill. You understand that to withdraw this authorization you must call Pepco. You understand that Pepco does not charge for this service, but that your bank may have charges for this service.

Customer Service Centers

Washington DC		Maryland	
701 Ninth St NW	(Mon - Fri) 8:30am - 5:15pm	201 West Gude Dr, Rockville	(Mon - Fri) 10:00am - 2:00pm
2300 Martin Luther King Jr Ave SE	(Mon - Fri) 9:00am - 5:00pm	8300 Old Marlboro Pk, Forestville	(Mon, Wed, Fri) 10:00am - 2:00pm

Any inquiry or complaint about this bill should be made prior to the due date, in order to avoid late charges.

Electronic Check Conversion - When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
April 10, 2021 to May 11, 2021

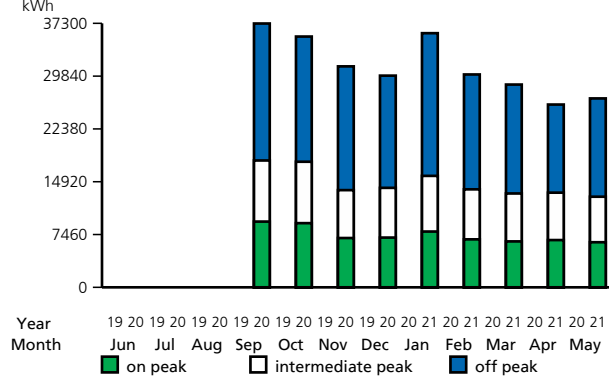


Gross Receipts Tax	at 2.0408%	20.07
Prince George's County Energy Tax	26689 kWh X \$0.0095880 per kWh	255.89
Administrative Credit	26689 kWh X \$0.0008782- per kWh	23.44-
Sales Tax	at 6%	58.62
Total Electric Delivery Charges		1,294.92

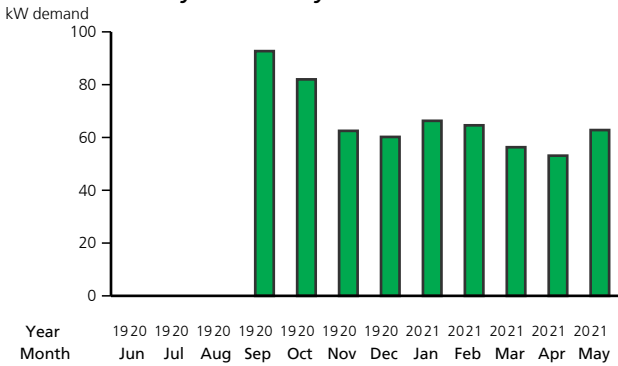
Total Electric Charges - Non-Residential-MGT-LV IIB 1,294.92

Your monthly Electricity use in kWh

Daily temperature averages: May 2021: 60° F

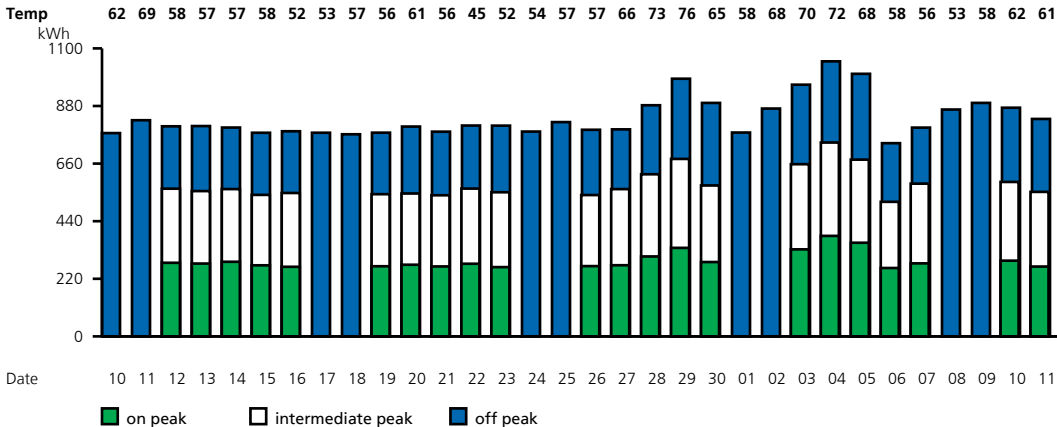


Your monthly Electricity use in kW demand



Your daily electricity use for this bill period. Visit My Account at pepco.com to see your hourly electricity use.

Meter Number KZD351641395



JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
April 10, 2021 to May 11, 2021

ENGIE Resources electric supply charges

Service number 0500 2412 7552 7001 3041 14

Your electricity is supplied by ENGIE Resources, LLC. If you have any questions about your electric supply charges, call ENGIE Resources, LLC at 1-888-232-6206.

Billing period: Apr 10, 2021 to May 11, 2021 (32 days)

Type of service: Non-Residential-MGT-LV IIB

Fixed Price @ 26688.064 KWH @ \$ 0.06724 PER KW \$1,794.51

TEC Charge \$3.62-

Trans Tariff Change 100.2 KW @ \$ 0.01248 \$1.25

Sales tax \$107.53

RMR Charge \$0.00

ENGIE Resources electric charges

Amount(\$)
1,899.67

ENGIE Resources Electric Supply Summary	
Balance from your last bill	\$1,836.88
Payment May 10	\$1,836.88-
Total Payments	\$1,836.88-
Total Current Charges	\$1,899.67
New ENGIE Resources electric supply charges	\$1,899.67
Total amount due by Jun 3, 2021	\$1,899.67



Your electric bill - Jun 2021
for the period **May 12, 2021 to June 9, 2021**



WAYS TO SAVE: FIND TIPS AND PROGRAMS THAT HELP

Learn more at pepco.com/WaysToSave

JH CALVERT PARK LLC

Account number: 5002 4127 552
Your service address: 5023 RIVERDALE RD
RIVERDALE MD 20737

Bill Issue date: Jun 11, 2021

Summary of your charges

Balance from your last bill	\$3,194.59
Your payment(s) - thank you	\$3,194.59-
Balance forward as of Jun 11, 2021	\$0.00
New electric charges	\$1,798.15
New ENGIE Resources supply charges	\$2,652.88
Total amount due by Jul 2, 2021	\$4,451.03

After Jul 2, 2021, a Late Payment Charge of \$65.20 will be added, increasing the amount due to \$4,516.23.

Your smart electric meter is read wirelessly. Visit My Account at pepco.com to view your daily and hourly energy usage.

If you are moving or discontinuing service, please contact Pepco at least three days in advance.

Information regarding rate schedules and how to verify the accuracy of your bill will be mailed upon request.

Follow us on Twitter at twitter.com/PepcoConnect. Like us on Facebook at facebook.com/PepcoConnect.

The EmPOWER MD charge funds programs that can help you reduce your energy consumption and save you money. For more information, including how to participate, go to pepco.com/saveenergy.

How to contact us

Customer Service (Mon-Fri, 7am - 8 pm)	202-833-7500
TTY English	1-800-735-2258
TTY Spanish	1-800-877-1264
¿Problemas con la factura?	202-833-7500
Electric emergencies & outages (24 hours)	1-877-737-2662
Visit pepco.com for service, billing and correspondence information.	

You can help a Pepco customer in need of assistance with their energy bills by contributing to the Good Neighbor Energy Fund. Simply pay exactly \$1.00 over your Pepco bill amount and that dollar will be contributed to the Good Neighbor Energy Fund administered by a 501(c)3 non-profit organization in your community. Program contributions must be exactly \$1.00 over the billed amount; amounts over \$1.00 will not be identified as a program contribution and will result in a credit to your account. Pepco will match each donation by contributing a dollar to the fund, up to \$100,000.

Pepco EV charging stations are in a neighborhood near you, learn more here Pepco.com/ev.

Please tear on the dotted line below. Invoice Number: 200111596387 Page 1 of 4

Return this coupon with your payment made payable to Pepco

Account number	5002 4127 552
Total amount due by Jul 2, 2021	\$4,451.03
Total amount due after Jul 2, 2021	\$4,516.23

14640 1 AV 0.386 2MR13780



JH CALVERT PARK LLC
LEASING OFFICE
5600 54TH AVENUE OFC
RIVERDALE MD 20737-2201



Amount Paid: \$.

PO BOX 13608
PHILADELPHIA PA 19101



Details of your Electric Charges

Non-Residential-MGT-LV IIB - service number 0500 2412 7552 7001 3041 14
 Electricity you used this period

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	Use (kWh)	Jun 9	May 12	29	37178
		<u>Reading</u> 048476	<u>Reading</u> 048011	<u>Multiplier</u> 80	

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	On-Peak Use (kWh)	Jun 9	May 12	29	9260
		<u>Reading</u> 011647	<u>Reading</u> 011531	<u>Multiplier</u> 80	

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	Int-Peak Use (kWh)	Jun 9	May 12	29	8729
		<u>Reading</u> 011368	<u>Reading</u> 011259	<u>Multiplier</u> 80	

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	Off-Peak Use (kWh)	Jun 9	May 12	29	19190
		<u>Reading</u> 025460	<u>Reading</u> 025220	<u>Multiplier</u> 80	

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	On-Peak Demand (kW)	Jun 9	May 12	29	87.42
	Int-Peak Demand (kW)	Jun 9	May 12	29	88.44
	Off-Peak Demand (kW)	Jun 9	May 12	29	89.68

Total use-kWh **37179**

Electric Summary	
Balance from your last bill	\$1,294.92
Payment Jun 01	\$1,294.92-
Total Payments	\$1,294.92-
Electric Charges (Non-Residential-MGT-LV IIB)	\$1,798.15
New electric charges	\$1,798.15
Total amount due by Jul 2, 2021	\$1,798.15

Check here to enroll in the Direct Debit plan

Sign and date here _____

By signing here, you authorize Pepco to electronically deduct the amount of your monthly bill from your checking account each month. The check you send with this signed authorization will be used to set up Direct Debit. You understand that we will notify you each month of the date and amount of the debit, which will be on or after the due date stated on your monthly bill. You understand that to withdraw this authorization you must call Pepco. You understand that Pepco does not charge for this service, but that your bank may have charges for this service.

Customer Service Centers

Washington DC
 701 Ninth St NW (Mon - Fri) 8:30am - 5:15pm
 2300 Martin Luther King Jr Ave SE (Mon - Fri) 9:00am - 5:00pm

Maryland
 201 West Gude Dr, Rockville (Mon - Fri) 10:00am - 2:00pm
 8300 Old Marlboro Pk, Forestville (Mon, Wed, Fri) 10:00am - 2:00pm

Any inquiry or complaint about this bill should be made prior to the due date, in order to avoid late charges.

Electronic Check Conversion - When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
May 12, 2021 to June 9, 2021



Your meter records electric energy use in hourly intervals. Your bill is the total of all hourly intervals recorded during your billing period. End and start date kWh meter readings are provided for informational purposes only. Please visit My Account at pepco.com to view your energy use data.

Your next bill period is scheduled to end on July 12, 2021

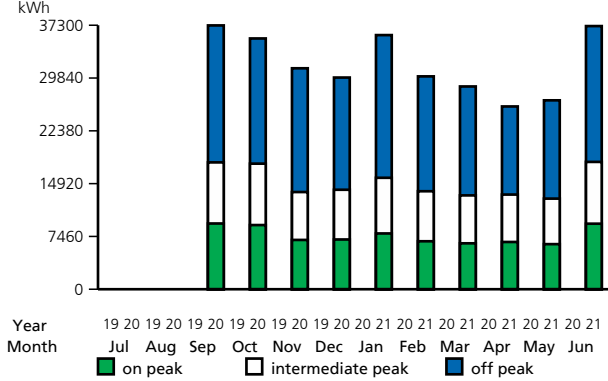
Delivery Charges: These charges reflect the cost of bringing electricity to you. Current charges for 29 days, **summer rates in effect.**

<u>Type of charge</u>	<u>How we calculate this charge</u>	<u>Amount(\$)</u>
Distribution Services:		
Customer Charge		44.96
Energy Charge	37179 kWh X \$0.0200840 per kWh	746.70
Maximum Demand	89.70 kW X \$3.1663000 per kW	284.02
Franchise Tax (Delivery)	37179 kWh X \$0.0006200 per kWh	23.05
Universal Service Charge		24.56
MD Environmental Surcharge	37179 kWh X \$0.0001290 per kWh	4.80
Empower MD Chg	37179 kWh X \$0.0063840 per kWh	237.35
Gross Receipts Tax	at 2.0408%	27.86
Prince George's County Energy Tax	37179 kWh X \$0.0095880 per kWh	356.47
Administrative Credit	37179 kWh X \$0.0008859- per kWh	32.94-
Sales Tax	at 6%	81.32
Total Electric Delivery Charges		1,798.15

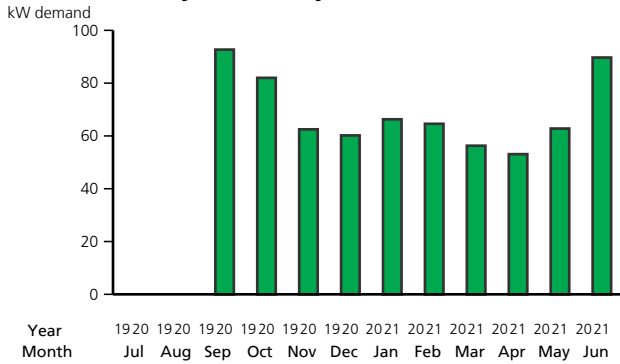
Total Electric Charges - Non-Residential-MGT-LV IIB **1,798.15**

Your monthly Electricity use in kWh

Daily temperature averages: Jun 2021: 71° F

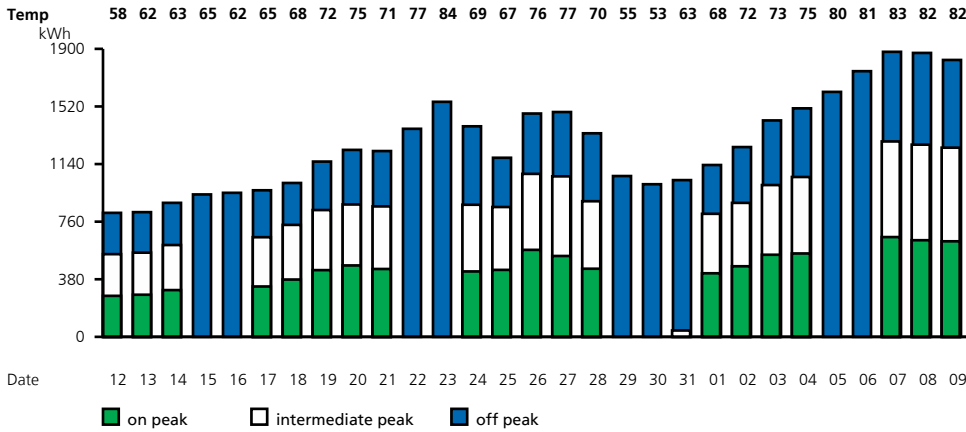


Your monthly Electricity use in kW demand



Your daily electricity use for this bill period. Visit My Account at pepco.com to see your hourly electricity use.

Meter Number KZD351641395



ENGIE Resources electric supply charges

Service number 0500 2412 7552 7001 3041 14

Your electricity is supplied by ENGIE Resources, LLC. If you have any questions about your electric supply charges, call ENGIE Resources, LLC at 1-888-232-6206.

Billing period: May 12, 2021 to Jun 9, 2021 (29 days)

Type of service: Non-Residential-MGT-LV IIB

Fixed Price @ 37178.384 KWH @ \$ 0.06724 PER KW \$2,499.87

TEC Charge \$6.51-

Trans Tariff Change 100.2 KW @ \$ 0.09341 \$9.36

Sales tax \$150.16

RMR Charge \$0.00

ENGIE Resources electric charges

Amount(\$)
2,652.88

ENGIE Resources Electric Supply Summary	
Balance from your last bill \$1,899.67	
Payment Jun 01	\$1,899.67-
Total Payments	\$1,899.67-
Total Current Charges	\$2,652.88
New ENGIE Resources electric supply charges	\$2,652.88
Total amount due by Jul 2, 2021	\$2,652.88



Your electric bill - Jul 2021

for the period **June 10, 2021 to July 12, 2021**



WAYS TO SAVE: FIND TIPS AND PROGRAMS THAT HELP

Learn more at [pepco.com/WaysToSave](https://www.pepco.com/WaysToSave)

JH CALVERT PARK LLC

Account number: 5002 4127 552
Your service address: 5023 RIVERDALE RD
RIVERDALE MD 20737

Bill Issue date: Jul 15, 2021

Summary of your charges

Balance from your last bill	\$4,451.03
Your payment(s) - thank you	\$4,451.03-
Balance forward as of Jul 15, 2021	\$0.00
New electric charges	\$2,499.12
New ENGIE Resources supply charges	\$3,921.27
Total amount due by Aug 5, 2021	\$6,420.39

After Aug 5, 2021, a Late Payment Charge of \$94.19 will be added, increasing the amount due to \$6,514.58.

Your smart electric meter is read wirelessly. Visit My Account at [pepco.com](https://www.pepco.com) to view your daily and hourly energy usage.

If you are moving or discontinuing service, please contact Pepco at least three days in advance.

Information regarding rate schedules and how to verify the accuracy of your bill will be mailed upon request.

Follow us on Twitter at twitter.com/PepcoConnect. Like us on Facebook at facebook.com/PepcoConnect.

The EmPOWER MD charge funds programs that can help you reduce your energy consumption and save you money. For more information, including how to participate, go to [pepco.com/saveenergy](https://www.pepco.com/saveenergy).

How to contact us

Customer Service (Mon-Fri, 7am - 8 pm) **202-833-7500**
 TTY English **1-800-735-2258**
 TTY Spanish **1-800-877-1264**
 ¿Problemas con la factura? **202-833-7500**
 Electric emergencies & outages (24 hours) **1-877-737-2662**
 Visit [pepco.com](https://www.pepco.com) for service, billing and correspondence information.

You can help a Pepco customer in need of assistance with their energy bills by contributing to the Good Neighbor Energy Fund. Simply pay exactly \$1.00 over your Pepco bill amount and that dollar will be contributed to the Good Neighbor Energy Fund administered by a 501(c)3 non-profit organization in your community. Program contributions must be exactly \$1.00 over the billed amount; amounts over \$1.00 will not be identified as a program contribution and will result in a credit to your account. Pepco will match each donation by contributing a dollar to the fund, up to \$100,000.

Pepco EV charging stations are in a neighborhood near you, learn more here [Pepco.com/ev](https://www.Pepco.com/ev).

Please tear on the dotted line below. Invoice Number: 200321591405 Page 1 of 4

Return this coupon with your payment
made payable to Pepco

Account number	5002 4127 552
Total amount due by Aug 5, 2021	\$6,420.39
Total amount due after Aug 5, 2021	\$6,514.58

16224 1 AV 0.386 2MR15467



JH CALVERT PARK LLC
LEASING OFFICE
5600 54TH AVENUE OFC
RIVERDALE MD 20737-2201



Amount Paid: \$.

PO BOX 13608
PHILADELPHIA PA 19101



Details of your Electric Charges

Non-Residential-MGT-LV IIB - service number 0500 2412 7552 7001 3041 14
 Electricity you used this period

<u>Meter Number</u>	<u>Energy Type</u>	<u>End Date</u>	<u>Start Date</u>	<u>Number Of Days</u>	<u>Total Use</u>
KZD351641395	Use (kWh)	Jul 12 <u>Reading</u> 049160	Jun 10 <u>Reading</u> 048476	33 <u>Multiplier</u> 80	54651
KZD351641395	On-Peak Use (kWh)	Jul 12 <u>Reading</u> 011806	Jun 10 <u>Reading</u> 011647	33 <u>Multiplier</u> 80	12698
KZD351641395	Int-Peak Use (kWh)	Jul 12 <u>Reading</u> 011521	Jun 10 <u>Reading</u> 011368	33 <u>Multiplier</u> 80	12216
KZD351641395	Off-Peak Use (kWh)	Jul 12 <u>Reading</u> 025831	Jun 10 <u>Reading</u> 025460	33 <u>Multiplier</u> 80	29737
KZD351641395	On-Peak Demand (kW)	Jul 12	Jun 10	33	99.29
	Int-Peak Demand (kW)	Jul 12	Jun 10	33	95.22
	Off-Peak Demand (kW)	Jul 12	Jun 10	33	106.78
Total use-kWh					54651

Electric Summary	
Balance from your last bill	\$1,798.15
Payment Jun 29	\$1,798.15-
Total Payments	\$1,798.15-
Electric Charges (Non-Residential-MGT-LV IIB)	\$2,499.12
New electric charges	\$2,499.12
Total amount due by Aug 5, 2021	\$2,499.12

Check here to enroll in the Direct Debit plan

Sign and date here _____

By signing here, you authorize Pepco to electronically deduct the amount of your monthly bill from your checking account each month. The check you send with this signed authorization will be used to set up Direct Debit. You understand that we will notify you each month of the date and amount of the debit, which will be on or after the due date stated on your monthly bill. You understand that to withdraw this authorization you must call Pepco. You understand that Pepco does not charge for this service, but that your bank may have charges for this service.

Customer Service Centers

Washington DC
 701 Ninth St NW (Mon - Fri) 8:30am - 5:15pm
 2300 Martin Luther King Jr Ave SE (Mon - Fri) 9:00am - 5:00pm

Maryland
 201 West Gude Dr, Rockville (Mon - Fri) 10:00am - 2:00pm
 8300 Old Marlboro Pk, Forestville (Mon, Wed, Fri) 10:00am - 2:00pm

Any inquiry or complaint about this bill should be made prior to the due date, in order to avoid late charges.

Electronic Check Conversion - When you provide a check as payment, you authorize us either to use information from your check to make a one-time electronic fund transfer from your account or to process the payment as a check transaction.

JH CALVERT PARK LLC
Account number: 5002 4127 552

Your electric bill for the period
June 10, 2021 to July 12, 2021



Your meter records electric energy use in hourly intervals. Your bill is the total of all hourly intervals recorded during your billing period. End and start date kWh meter readings are provided for informational purposes only. Please visit My Account at pepco.com to view your energy use data.

Your next bill period is scheduled to end on August 10, 2021

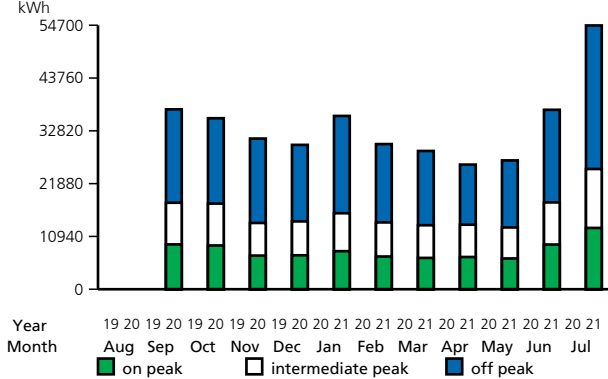
Delivery Charges: These charges reflect the cost of bringing electricity to you. Current charges for 33 days, **summer rates in effect.**

<u>Type of charge</u>	<u>How we calculate this charge</u>	<u>Amount(\$)</u>
Distribution Services:		
Customer Charge		44.96
Energy Charge	54651 kWh X \$0.0195500 per kWh	1,068.43
Maximum Demand	106.80 kW X \$3.1663000 per kW	338.16
Franchise Tax (Delivery)	54651 kWh X \$0.0006200 per kWh	33.88
Universal Service Charge		24.56
MD Environmental Surcharge	54651 kWh X \$0.0001470 per kWh	8.03
Empower MD Chg	54651 kWh X \$0.0063840 per kWh	348.89
Gross Receipts Tax	at 2.0408%	38.08
Prince George's County Energy Tax	54651 kWh X \$0.0097100 per kWh	530.66
Administrative Credit	54651 kWh X \$0.0008689- per kWh	47.49-
Sales Tax	at 6%	110.96
Total Electric Delivery Charges		2,499.12

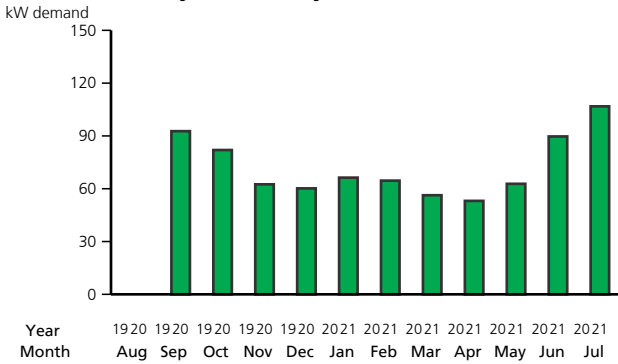
Total Electric Charges - Non-Residential-MGT-LV IIB **2,499.12**

Your monthly Electricity use in kWh

Daily temperature averages: Jul 2021: 77° F

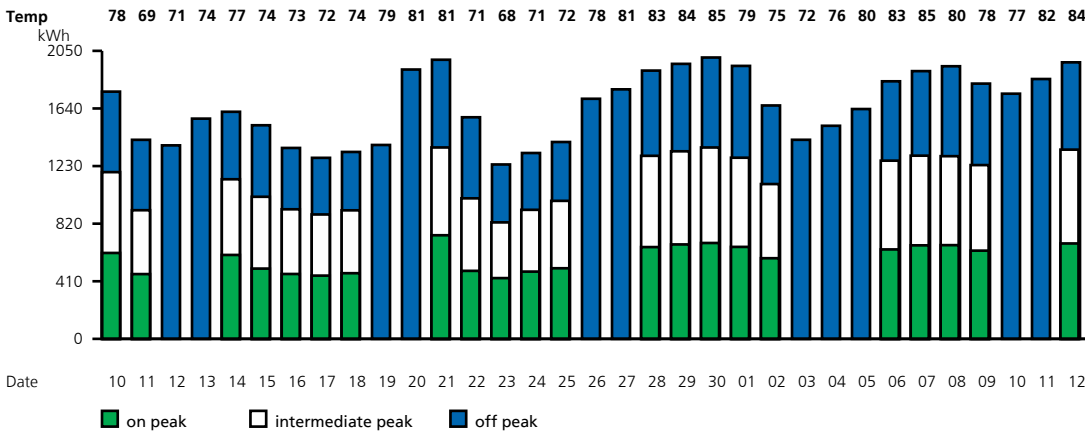


Your monthly Electricity use in kW demand



Your daily electricity use for this bill period. Visit My Account at pepco.com to see your hourly electricity use.

Meter Number KZD351641395



ENGIE Resources electric supply charges

Service number 0500 2412 7552 7001 3041 14

Your electricity is supplied by ENGIE Resources, LLC. If you have any questions about your electric supply charges, call ENGIE Resources, LLC at 1-888-232-6206.

Billing period: Jun 10, 2021 to Jul 12, 2021 (33 days)

Type of service: Non-Residential-MGT-LV IIB

Fixed Price @ 54651.3055 KWH @ \$ 0.06724 PER K \$3,674.75

TEC Charge \$6.89-

Trans Tariff Change 100.2 KW @ \$ 0.31387 \$31.45

Sales tax \$221.96

RMR Charge \$0.00

ENGIE Resources electric charges

Amount(\$)
3,921.27

ENGIE Resources Electric Supply Summary	
Balance from your last bill \$2,652.88	
Payment Jun 29	\$2,652.88-
Total Payments	\$2,652.88-
Total Current Charges	\$3,921.27
New ENGIE Resources electric supply charges	\$3,921.27
Total amount due by Aug 5, 2021	\$3,921.27



Account number: 210003553828

Bill date: February 17, 2021
 Period: Jan 12, 2021-Feb 8, 2021 (28 days)
 Service address: 5023 RIVERDALE RD, RIVERDALE, MD 20737-1950

Gas Bill

Please pay **\$818.50** by **March 11, 2021**.

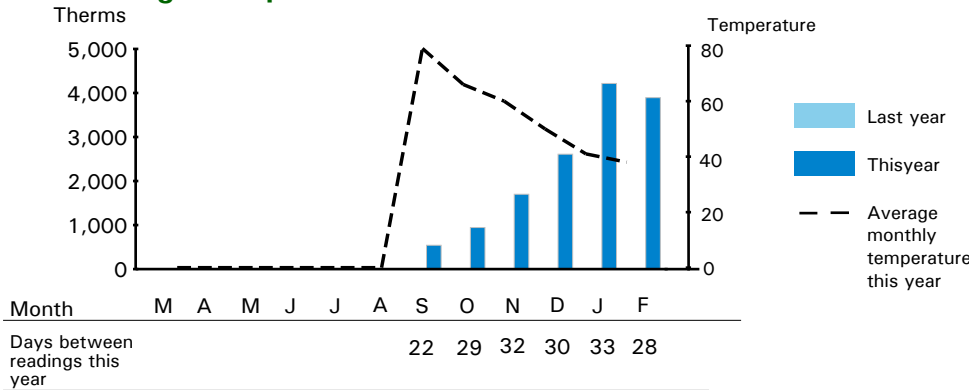
To avoid late payment charges, full payment must be received by the due date. Please note late fees will continue to accrue in accordance with our tariffs.

Thanks for being a valuable customer of Washington Gas. Your next meter reading date is **March 8, 2021**.

Questions?

- washingtongas.com
- 844-WASHGAS (927-4427)**
Mon - Fri: 8am - 9pm, Sat: 8am - 4:30pm
- Washington Gas Customer Care**
6801 Industrial Road
Springfield VA 22151-4294

Your usage compared



For energy advice visit washingtongasliving.com

Your account

Balance on your last bill	\$ - 2,500.55
Balance brought forward	\$ - 2,500.55
Current Gas Charges	\$3,319.05
Total Charges This Period	\$3,319.05
Total to pay	\$818.50

See over for details ➡

Go paperless for 24/7 access to your statements, increased security from mail theft and a more eco-friendly billing option. To join our growing number of Paperless Billing customers, visit washingtongas.com/ebill and select the option to enroll.

Sign up for Budget Billing
 The budget plan can help you manage natural gas costs by spreading higher heating bills over the entire year. Call the automated line at 844-WASHGAS to enroll today.

Prepare for winter
 For money saving winter tips, visit washingtongas.com.



1000 Maine Avenue, SW, Suite 700
 Washington, DC 20024
 1-844-WASHGAS (927-4427)

ADDRESS SERVICE REQUESTED

Account Number	210003553828
Amount due	\$818.50
Due date	Mar 11, 2021
Amount Paid	\$
<input type="checkbox"/>	Check here to donate to the Washington Area Fuel Fund . Don't forget to include your donation with your payment. Visit WashingtonAreaFuelFund.org .
Fuel Fund donation	\$

JH CALVERT PARK LLC.
 5600 54TH AVE
 RIVERDALE, MD 20737

WASHINGTON GAS
 PO BOX 37747
 PHILADELPHIA PA 19101-5047


21000355382800000818500000818501

Your charges in detail

Rate Class: Group Metered Apartments Heating Delivery Service

Next Read Date: March 8, 2021

Meter Number	From date	To date	Reading Type	Previous Reading	Current Reading	Consumption Billed CCF
G22905	1/12/21	2/8/21	Actual	923,801	927,530	3,729
					Total CCF	3,729
					Total Therms(TH) used for 28 days (Total CCFx1.044)	3,893.1

Distribution service	Previous Bill Amount	\$-2,500.55
	Balance brought forward	\$-2,500.55
	DISTRIBUTION SERVICE	
	Distribution Charge 300.0 TH x .4290	\$128.70
	Distribution Charge 3,593.1 TH x .3085	\$1,108.47
	STRIDE Surcharge	\$22.04
	EmPower MD Surcharge	\$10.12
	System Charge	\$51.90
	TAXES	
	Prince George's County Tax 3,893.1 TH x .061370	\$238.92
	Total Current Washington Gas Charges	\$1,560.15
	Total Washington Gas Credit This Period	-\$940.40
	Natural Gas supply service	Commodity Charge 3,893.1 TH x .4376
Balancing 3,893.1 TH x .0142		\$55.28
Constellation New Energy Services subtotal		\$1,758.90
Actual Monthly Distribution and Natural Gas Supply Service Charges		\$818.50

Washington Gas protects customers' account information. It is shared only with the person whose name appears on the account, and only that person can authorize that a second name be added.


About your supplier

Your gas is supplied by Constellation New Energy. To contact Constellation New Energy: 1-855-465-1244

Washington Gas is regulated by the Maryland Public Service Commission. www.psc.state.md.us. Washington Gas will furnish rate schedule and bill calculation data upon request.
MD Commission phone: 800-492-0474
MD Commission address: William Donald Schaefer Tower 6 St Paul St., 16th Fl, Baltimore MD 21202

Other Contacts

 **Bill Inquiries:** 844-WASHGAS
711 for TTY/TDD; voice relay

 **If you smell gas:** Call 911 then 844-WASHGAS

Useful Information

CCF: A unit of measurement for the amount of gas used. One CCF = 100 cubic feet.

Distribution charge: Covers the monthly cost of transporting your gas through our pipes and storage tanks to your meter. The charge is based on the amount of gas used.

PGC (Purchased Gas Charge): The cost of the natural gas we buy, plus the cost of transporting it to our system.

System charge: Covers certain other costs of providing your service, including depreciation of equipment, taxes, maintenance and repair of customer lines, and expenses such as meter reading and billing.

Therm (TH): A measure of the energy in natural gas, equal to the amount of gas (in CCFs) times a heat content factor.

EmPOWER Maryland programs are funded by a charge on your gas bill. These programs help you save energy and save money. For more information, including how to participate, go to: www.washingtongasrebates.com

For more information about this bill or terminology used, please visit our web site at washingtongas.com/pages/UnderstandingYourBill

Questions? Any inquiries about this bill should be made prior to the due date, in order to avoid late charges. Call **844-WASHGAS (844-927-4427)** or write to **Washington Gas, Customer Care, 6801 Industrial Road, Springfield, VA 22151-4294**

Pay By Cash

Bring this notice with you to make a cash payment. Payments are recognized immediately and posted next business day.

KUBRAEZPAY.

PAY YOUR WASHINGTON GAS BILL WITH CASH AT PARTICIPATING 7-ELEVEN STORES WITH NO FEE

7-ELEVEN. TEAM MEMBER INSTRUCTIONS:

1. Ask customer the payment amount to load.
2. Press "Load".
3. Scan barcode and collect payment.
4. Return EZ-Pay Slip and provide receipt.

Customers call **888-714-0004** for assistance. Subject to terms of use at www.PayNearMe.com

 PayNearMe

Need to change your information?
If you've changed your mailing address or other personal details call us on **844-WASHGAS**

Ways to pay

Automated Payment Plan

The easiest way to pay your bill and avoid late payment charges. Get more information, or sign up today at washingtongas.com

Phone

Pay your gas bill over the phone any time by check, credit or debit card on our automated Special Services line at 844-WASHGAS (927-4427)

Mail

Please send your check (made payable to **Washington Gas**) with this remittance stub to **Washington Gas, PO Box 37747, Philadelphia PA 19101-5047**

Please note: If you pay by check, you authorize us to clear it electronically. We will not return your check to you. Your payment receipt and bank statement are proof of payment.

Online

Pay your bill online anytime, day or night, at washingtongas.com. Enroll to receive bill notifications and ask for services.

Payment locations (M-F 8am-4pm)

1100 H Street, NW, Washington DC
2300 Martin Luther King Jr Ave, SE, Wash DC
350 Hillandale Lane, Winchester VA
1800 N Market St, Frederick MD

Payment Drop boxes are available at each of the above offices. Payment drop boxes are also located at: 1000 Maine Avenue, SW, Washington DC
6801 Industrial Rd, Springfield VA
4000 Forestville Road, Forestville MD



Account number: 210003553828

Bill date: March 10, 2021
 Period: Feb 9, 2021-Mar 8, 2021 (28 days)
 Service address: 5023 RIVERDALE RD, RIVERDALE, MD 20737-1950

Gas Bill

Please pay **\$3,351.32** by **April 1, 2021**.

To avoid late payment charges, full payment must be received by the due date. Please note late fees will continue to accrue in accordance with our tariffs.

Thanks for being a valuable customer of Washington Gas. Your next meter reading date is **April 8, 2021**.

Questions?

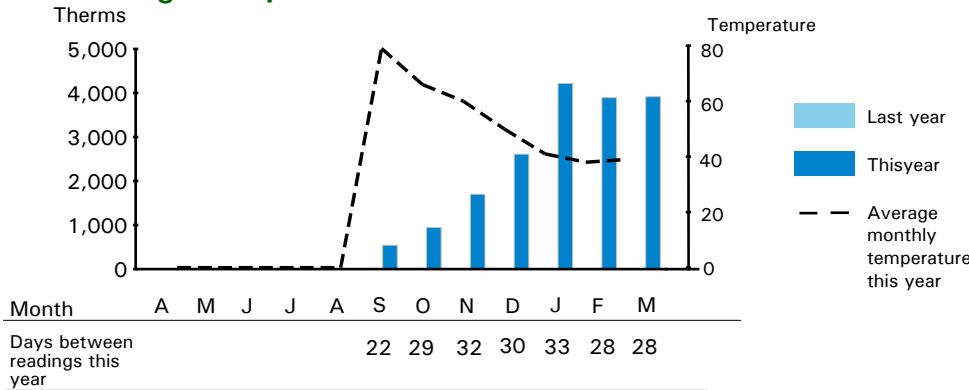
- washingtongas.com
- 844-WASHGAS (927-4427)**
Mon - Fri: 8am - 9pm, Sat: 8am - 4:30pm
- Washington Gas Customer Care**
6801 Industrial Road
Springfield VA 22151-4294

Your account

Balance on your last bill	\$818.50
Payments/Credits	\$ - 818.50
Balance brought forward	\$0.00
Current Gas Charges	\$3,351.32
Total Charges This Period	\$3,351.32
Total to pay	\$3,351.32

See over for details ➔

Your usage compared



For energy advice visit washingtongasliving.com

Go paperless for 24/7 access to your statements, increased security from mail theft and a more eco-friendly billing option. To join our growing number of Paperless Billing customers, visit washingtongas.com/ebill and select the option to enroll.

Sign up for Budget Billing
 The budget plan can help you manage natural gas costs by spreading higher heating bills over the entire year. Call the automated line at 844-WASHGAS to enroll today.

Prepare for winter
 For money saving winter tips, visit washingtongas.com.



ADDRESS SERVICE REQUESTED

Account Number	210003553828
Amount due	\$3,351.32
Due date	Apr 01, 2021
Amount Paid	\$
<input type="checkbox"/>	Check here to donate to the Washington Area Fuel Fund . Don't forget to include your donation with your payment. Visit washingtongas.com/ebill
Fuel Fund donation	\$

JH CALVERT PARK LLC.
 5600 54TH AVE
 RIVERDALE, MD 20737

WASHINGTON GAS
 PO BOX 37747
 PHILADELPHIA PA 19101-5047

21000355382800003351320003351328


Your charges in detail


Rate Class: Group Metered Apartments Heating Delivery Service

Next Read Date: April 8, 2021

Meter Number	From date	To date	Reading Type	Previous Reading	Current Reading	Consumption Billed CCF
G22905	2/9/21	3/8/21	Actual	927,530	931,290	3,760
					Total CCF	3,760
Total Therms(TH) used for 28 days (Total CCFx1.041)						3,914.2

Payments/Credits	Payment March 2, 2021	\$-818.50
	Total Payments/Credits	\$-818.50

Distribution service	Previous Bill Amount	\$-940.40
	Balance brought forward	\$-940.40
	DISTRIBUTION SERVICE	
	Distribution Charge 300.0 TH x .4315	\$129.45
	Distribution Charge 3,614.2 TH x .3110	\$1,124.02
	STRIDE Surcharge	\$22.04
	EmPower MD Surcharge	\$15.27
	System Charge	\$51.90
	TAXES	
	Prince George's County Tax 3,914.2 TH x .061370	\$240.21
	Total Current Washington Gas Charges	\$1,582.89
	Total Washington Gas Charges This Period	\$642.49

Natural Gas supply service	Previous Bill Amount	\$1,758.90
	Payments/credits Applied	\$-818.50
	Balance brought forward	\$940.40
	Commodity Charge 3,914.2 TH x .4376	\$1,712.85
	Balancing 3,914.2 TH x .0142	\$55.58
	Constellation New Energy Services subtotal	\$2,708.83
	Actual Monthly Distribution and Natural Gas Supply Service Charges	\$3,351.32



Washington Gas protects customers' account information. It is shared only with the person whose name appears on the account, and only that person can authorize that a second name be added.

About your supplier

Your gas is supplied by Constellation New Energy. To contact Constellation New Energy: 1-855-465-1244

Washington Gas is regulated by the Maryland Public Service Commission. www.psc.state.md.us. Washington Gas will furnish rate schedule and bill calculation data upon request.
MD Commission phone: 800-492-0474
MD Commission address: William Donald Schaefer Tower 6 St Paul St., 16th Fl, Baltimore MD 21202

Other Contacts

-  **Bill Inquiries:** 844-WASHGAS 711 for TTY/TDD; voice relay
-  **If you smell gas:** Call 911 then 844-WASHGAS

Useful Information

CCF: A unit of measurement for the amount of gas used. One CCF = 100 cubic feet.

Distribution charge: Covers the monthly cost of transporting your gas through our pipes and storage tanks to your meter. The charge is based on the amount of gas used.

PGC (Purchased Gas Charge): The cost of the natural gas we buy, plus the cost of transporting it to our system.

System charge: Covers certain other costs of providing your service, including depreciation of equipment, taxes, maintenance and repair of customer lines, and expenses such as meter reading and billing.


Therm (TH): A measure of the energy in natural gas, equal to the amount of gas (in CCFs) times a heat content factor.

EmPOWER Maryland programs are funded by a charge on your gas bill. These programs help you save energy and save money. For more information, including how to participate, go to: www.washingtongasrebates.com

For more information about this bill or terminology used, please visit our web site at washingtongas.com/pages/UnderstandingYourBill

Questions? Any inquiries about this bill should be made prior to the due date, in order to avoid late charges. Call **844-WASHGAS (844-927-4427)** or write to **Washington Gas, Customer Care, 6801 Industrial Road, Springfield, VA 22151-4294**

Pay By Cash

Bring this notice with you to make a cash payment.  Payments are recognized immediately and posted next business day.

PAY YOUR WASHINGTON GAS BILL WITH CASH AT PARTICIPATING 7-ELEVEN STORES WITH NO FEE

7-ELEVEN. TEAM MEMBER INSTRUCTIONS:

1. Ask customer the payment amount to load.
2. Press "Load".
3. Scan barcode and collect payment.
4. Return EZ-Payslip and provide receipt.

Customers call **888-714-0004** for assistance. Subject to terms of use at www.PayNearMe.com



Need to change your information? If you've changed your mailing address or other personal details call us on **844-WASHGAS**

Ways to pay

Automated Payment Plan

The easiest way to pay your bill and avoid late payment charges. Get more information, or sign up today at washingtongas.com

Phone

Pay your gas bill over the phone any time by check, credit or debit card on our automated Special Services line at 844-WASHGAS (927-4427)

Mail

Please send your check (made payable to **Washington Gas**) with this remittance stub to **Washington Gas, PO Box 37747, Philadelphia PA 19101-5047**

Please note: If you pay by check, you authorize us to clear it electronically. We will not return your check to you. Your payment receipt and bank statement are proof of payment.

Online

Pay your bill online anytime, day or night, at washingtongas.com. Enroll to receive bill notifications and ask for services.

Payment locations (M-F 8am-4pm)

1100 H Street, NW, Washington DC
 2300 Martin Luther King Jr Ave, SE, Wash DC
 350 Hillandale Lane, Winchester VA
 1800 N Market St, Frederick MD

Payment Drop boxes are available at each of the above offices. Payment drop boxes are also located at: 1000 Maine Avenue, SW, Washington DC
 6801 Industrial Rd, Springfield VA
 4000 Forestville Road, Forestville MD



Account number: 210003553828

Bill date: April 12, 2021

Period: Mar 9, 2021-Apr 8, 2021 (31 days)

Service address: 5023 RIVERDALE RD, RIVERDALE, MD 20737-1950

Gas Bill

Please pay **\$2,627.76** by **May 4, 2021**.

To avoid late payment charges, full payment must be received by the due date. Please note late fees will continue to accrue in accordance with our tariffs.

Thanks for being a valuable customer of Washington Gas. Your next meter reading date is **May 10, 2021**.

Questions?

washingtongas.com

844-WASHGAS (927-4427)

Mon - Fri: 8am - 9pm, Sat: 8am - 4:30pm

Washington Gas Customer Care

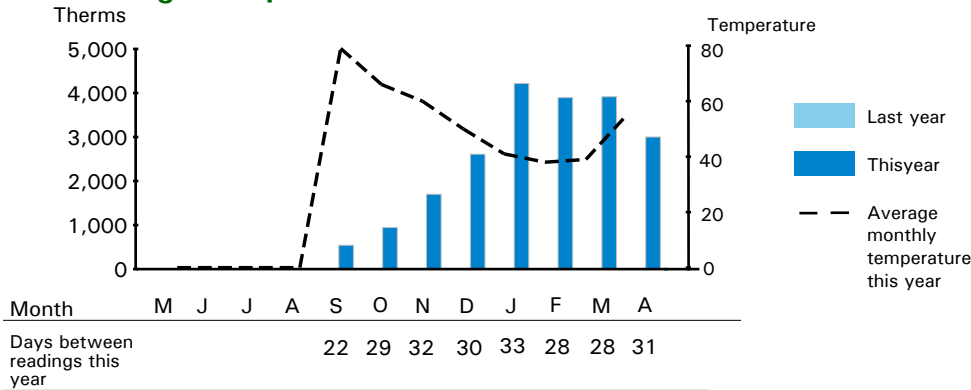
6801 Industrial Road
Springfield VA 22151-4294

Your account

Balance on your last bill	\$3,351.32
Payments/Credits	\$ -3,351.32
Balance brought forward	\$0.00
Current Gas Charges	\$2,627.76
Total Charges This Period	\$2,627.76
Total to pay	\$2,627.76

See over for details ➔

Your usage compared



For energy advice visit washingtongasliving.com

Thank you for being part of our Paperless Billing program, which saves 2,200 trees each year. That's the same number of cherry trees that surround the Tidal Basin in DC!

Sign up for Budget Billing
The budget plan can help you manage natural gas costs by spreading higher heating bills over the entire year. Call the automated line at 844-WASHGAS to enroll today.

Call before you dig
Prevent damage to underground pipelines. Call 811 before you dig. It's the law.



1000 Maine Avenue, SW, Suite 700
Washington, DC 20024
1-844-WASHGAS (927-4427)

ADDRESS SERVICE REQUESTED

Account Number	210003553828
Amount due	\$2,627.76
Due date	May 04, 2021
Amount Paid	\$
<input type="checkbox"/>	Check here to donate to the Washington Area Fuel Fund . Don't forget to include your donation with your payment. Visit washingtongasfuelfund.org .
Fuel Fund donation	\$

JH CALVERT PARK LLC.
5600 54TH AVE
RIVERDALE, MD 20737



WASHINGTON GAS
PO BOX 37747
PHILADELPHIA PA 19101-5047

21000355382800002627760002627766


Your charges in detail


Rate Class: Group Metered Apartments Heating Delivery Service

Next Read Date: May 10, 2021

Meter Number	From date	To date	Reading Type	Previous Reading	Current Reading	Consumption Billed CCF
G22905	3/9/21	4/8/21	Actual	931,290	934,200	2,910
					Total CCF	2,910
Total Therms(TH) used for 31 days (Total CCFx1.031)						3,000.2

Payments/Credits	Payment April 1, 2021	\$-3,351.32
	Total Payments/Credits	\$-3,351.32

	Distribution service	Previous Bill Amount	\$1,582.89
		Payments/credits Applied	\$-1,582.89
		Balance brought forward	\$0.00
		DISTRIBUTION SERVICE	
		Distribution Charge 300.0 TH x .4426	\$132.78
		Distribution Charge 2,700.2 TH x .3221	\$869.73
		STRIDE Surcharge	\$22.04
		EmPower MD Surcharge	\$11.70
		System Charge	\$51.90
		TAXES	
	Prince George's County Tax 3,000.2 TH x .061370	\$184.12	
	Total Current Washington Gas Charges	\$1,272.27	
	Total Washington Gas Charges This Period	\$1,272.27	

	Natural Gas supply service	Previous Bill Amount	\$1,768.43
		Payments/credits Applied	\$-1,768.43
		Balance brought forward	\$0.00
		Commodity Charge 3,000.2 TH x .4376	\$1,312.89
		Balancing 3,000.2 TH x .0142	\$42.60
		Constellation New Energy Services subtotal	\$1,355.49
	Actual Monthly Distribution and Natural Gas Supply Service Charges	\$2,627.76	

Washington Gas protects customers' account information. It is shared only with the person whose name appears on the account, and only that person can authorize that a second name be added.


About your supplier

Your gas is supplied by Constellation New Energy. To contact Constellation New Energy: 1-855-465-1244

Washington Gas is regulated by the Maryland Public Service Commission. www.psc.state.md.us. Washington Gas will furnish rate schedule and bill calculation data upon request.
MD Commission phone: 800-492-0474
MD Commission address: William Donald Schaefer Tower 6 St Paul St., 16th Fl, Baltimore MD 21202

Other Contacts

 **Bill Inquiries:** 844-WASHGAS
711 for TTY/TDD; voice relay

 **If you smell gas:** Call 911 then 844-WASHGAS

Useful Information

CCF: A unit of measurement for the amount of gas used. One CCF = 100 cubic feet.

Distribution charge: Covers the monthly cost of transporting your gas through our pipes and storage tanks to your meter. The charge is based on the amount of gas used.

PGC (Purchased Gas Charge): The cost of the natural gas we buy, plus the cost of transporting it to our system.

System charge: Covers certain other costs of providing your service, including depreciation of equipment, taxes, maintenance and repair of customer lines, and expenses such as meter reading and billing.

Therm (TH): A measure of the energy in natural gas, equal to the amount of gas (in CCFs) times a heat content factor.

EmPOWER Maryland programs are funded by a charge on your gas bill. These programs help you save energy and save money. For more information, including how to participate, go to: www.washingtongasrebates.com

For more information about this bill or terminology used, please visit our web site at washingtongas.com/pages/UnderstandingYourBill

Questions? Any inquiries about this bill should be made prior to the due date, in order to avoid late charges. Call **844-WASHGAS (844-927-4427)** or write to **Washington Gas, Customer Care, 6801 Industrial Road, Springfield, VA 22151-4294**

Pay By Cash

Bring this notice with you to make a cash payment.  Payments are recognized immediately and posted next business day.

PAY YOUR WASHINGTON GAS BILL WITH CASH AT PARTICIPATING 7-ELEVEN STORES WITH NO FEE

7-ELEVEN. TEAM MEMBER INSTRUCTIONS:
 1. Ask customer the payment amount to load.
 2. Press "Load".
 3. Scan barcode and collect payment.
 4. Return EZ-Pay Slip and provide receipt.

Customers call **888-714-0004** for assistance. Subject to terms of use at www.PayNearMe.com



Need to change your information?
 If you've changed your mailing address or other personal details call us on **844-WASHGAS**

Ways to pay

Automated Payment Plan

The easiest way to pay your bill and avoid late payment charges. Get more information, or sign up today at washingtongas.com

Phone

Pay your gas bill over the phone any time by check, credit or debit card on our automated Special Services line at 844-WASHGAS (927-4427)

Mail

Please send your check (made payable to **Washington Gas**) with this remittance stub to **Washington Gas, PO Box 37747, Philadelphia PA 19101-5047**

Please note: If you pay by check, you authorize us to clear it electronically. We will not return your check to you. Your payment receipt and bank statement are proof of payment.

Online

Pay your bill online anytime, day or night, at washingtongas.com. Enroll to receive bill notifications and ask for services.

Payment locations (M-F 8am-4pm)

1100 H Street, NW, Washington DC
 2300 Martin Luther King Jr Ave, SE, Wash DC
 350 Hillandale Lane, Winchester VA
 1800 N Market St, Frederick MD

Payment Drop boxes are available at each of the above offices. Payment drop boxes are also located at: 1000 Maine Avenue, SW, Washington DC
 6801 Industrial Rd, Springfield VA
 4000 Forestville Road, Forestville MD



Account number: 210003553828

Bill date: May 12, 2021

Period: Apr 9, 2021-May 10, 2021 (32 days)

Service address: 5023 RIVERDALE RD, RIVERDALE, MD 20737-1950

Gas Bill

Please pay **\$1,913.45** by **June 3, 2021**.

To avoid late payment charges, full payment must be received by the due date. Please note late fees will continue to accrue in accordance with our tariffs.

Thanks for being a valuable customer of Washington Gas. Your next meter reading date is **June 8, 2021**.

Questions?

washingtongas.com

844-WASHGAS (844-927-4427)

Mon - Fri: 8am - 9pm, Sat: 8am - 4:30pm

Washington Gas Customer Care

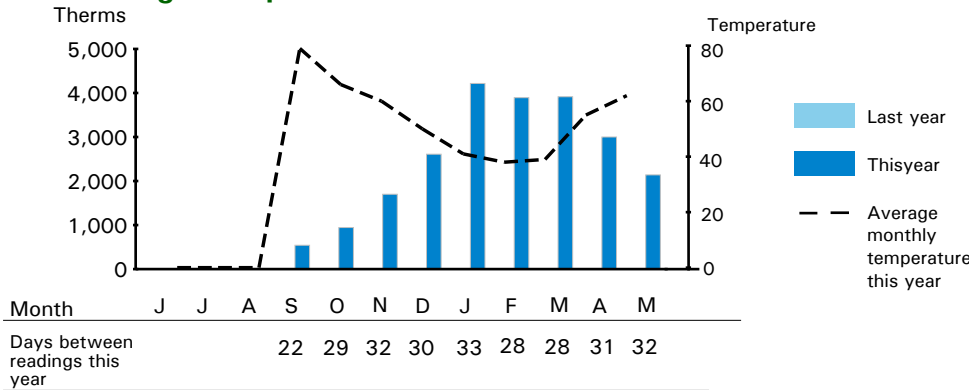
6801 Industrial Road
Springfield VA 22151-4294

Your account

Balance on your last bill	\$2,627.76
Payments/Credits	\$ -2,627.76
Balance brought forward	\$0.00
Current Gas Charges	\$1,913.45
Total Charges This Period	\$1,913.45
Total to pay	\$1,913.45

See over for details ➔

Your usage compared



For energy advice visit washingtongasliving.com

Thank you for being part of our Paperless Billing program, which saves 2,200 trees each year. That's the same number of cherry trees that surround the Tidal Basin in DC!

Sign up for Budget Billing
The budget plan can help you manage natural gas costs by spreading higher heating bills over the entire year. Call the automated line at 844-WASHGAS to enroll today.

Call before you dig
Prevent damage to underground pipelines. Call 811 before you dig. It's the law.



1000 Maine Avenue, SW, Suite 700
Washington, DC 20024
1-844-WASHGAS (927-4427)

ADDRESS SERVICE REQUESTED

JH CALVERT PARK LLC.
5600 54TH AVE
RIVERDALE, MD 20737

Account Number	210003553828
Amount due	\$1,913.45
Due date	Jun 03, 2021
Amount Paid	\$
<input type="checkbox"/>	Check here to donate to the Washington Area Fuel Fund . Don't forget to include your donation with your payment. Visit washingtonareafuelFund.org .
Fuel Fund donation	\$



WASHINGTON GAS
PO BOX 37747
PHILADELPHIA PA 19101-5047

21000355382800001913450001913459

Your charges in detail

Rate Class: Group Metered Apartments Heating Delivery Service

Next Read Date: June 8, 2021

Meter Number	From date	To date	Reading Type	Previous Reading	Current Reading	Consumption Billed CCF
G22905	4/9/21	5/10/21	Actual	934,200	936,285	2,085
					Total CCF	2,085
					Total Therms(TH) used for 32 days (Total CCFx1.026)	2,139.2

Payments/Credits	Payment May 3, 2021	\$-2,627.76
	Total Payments/Credits	\$-2,627.76

Distribution service	Previous Bill Amount	\$1,272.27
	Payments/credits Applied	\$-1,272.27
	Balance brought forward	\$0.00



DISTRIBUTION SERVICE		
	Distribution Charge 300.0 TH x .4477	\$134.31
	Distribution Charge 1,839.2 TH x .3246	\$596.94
	STRIDE Surcharge	\$21.59
	EmPower MD Surcharge	\$8.34
	System Charge	\$54.50
TAXES		
	Prince George's County Tax 2,139.2 TH x .061370	\$131.28
	Total Current Washington Gas Charges	\$946.96
	Total Washington Gas Charges This Period	\$946.96

Natural Gas supply service	Previous Bill Amount	\$1,355.49
	Payments/credits Applied	\$-1,355.49
	Balance brought forward	\$0.00



	Commodity Charge 2,139.2 TH x .4376	\$936.11
	Balancing 2,139.2 TH x .0142	\$30.38
	Constellation New Energy Services subtotal	\$966.49
	Actual Monthly Distribution and Natural Gas Supply Service Charges	\$1,913.45

Washington Gas protects customers' account information. It is shared only with the person whose name appears on the account, and only that person can authorize that a second name be added.

Ways to pay

Automated Payment Plan

The easiest way to pay your bill and avoid late payment charges. Get more information, or sign up today at washingtongas.com

Phone

Pay your gas bill over the phone any time by check, credit or debit card on our automated Special Services line at 844-WASHGAS (927-4427)

Mail

Please send your check (made payable to **Washington Gas**) with this remittance stub to **Washington Gas, PO Box 37747, Philadelphia PA 19101-5047**

Please note: If you pay by check, you authorize us to clear it electronically. We will not return your check to you. Your payment receipt and bank statement are proof of payment.

Online

Pay your bill online anytime, day or night, at washingtongas.com. Enroll to receive bill notifications and ask for services.

Payment locations (M-F 8am-4pm)

1100 H Street, NW, Washington DC
2300 Martin Luther King Jr Ave, SE, Wash DC
350 Hillandale Lane, Winchester VA
1800 N Market St, Frederick MD

Payment Drop boxes are available at each of the above offices. Payment drop boxes are also located at: 1000 Maine Avenue, SW, Washington DC
6801 Industrial Rd, Springfield VA
4000 Forestville Road, Forestville MD

About your supplier

Your gas is supplied by Constellation New Energy. To contact Constellation New Energy: 1-855-465-1244

Washington Gas is regulated by the Maryland Public Service Commission. www.psc.state.md.us. Washington Gas will furnish rate schedule and bill calculation data upon request.
MD Commission phone: 800-492-0474
MD Commission address: William Donald Schaefer Tower 6 St Paul St., 16th Fl, Baltimore MD 21202

Other Contacts

Bill Inquiries: 844-WASHGAS
711 for TTY/TDD; voice relay

If you smell gas: Call 911 then 844-WASHGAS

Useful Information

CCF: A unit of measurement for the amount of gas used. One CCF = 100 cubic feet.

Distribution charge: Covers the monthly cost of transporting your gas through our pipes and storage tanks to your meter. The charge is based on the amount of gas used.

PGC (Purchased Gas Charge): The cost of the natural gas we buy, plus the cost of transporting it to our system.

System charge: Covers certain other costs of providing your service, including depreciation of equipment, taxes, maintenance and repair of customer lines, and expenses such as meter reading and billing.

Therm (TH): A measure of the energy in natural gas, equal to the amount of gas (in CCFs) times a heat content factor.

EmPOWER Maryland programs are funded by a charge on your gas bill. These programs help you save energy and save money. For more information, including how to participate, go to: www.washingtongasrebates.com

For more information about this bill or terminology used, please visit our web site at washingtongas.com/pages/UnderstandingYourBill

Questions? Any inquiries about this bill should be made prior to the due date, in order to avoid late charges. Call **844-WASHGAS (844-927-4427)** or write to **Washington Gas, Customer Care, 6801 Industrial Road, Springfield, VA 22151-4294**

Pay By Cash

Bring this notice with you to make a cash payment. Payments are recognized immediately and posted next business day.

KUBRAEZPAY.

PAY YOUR WASHINGTON GAS BILL WITH CASH AT PARTICIPATING 7-ELEVEN STORES WITH NO FEE

7-ELEVEN. TEAM MEMBER INSTRUCTIONS:

1. Ask customer the payment amount to load.
2. Press "Load".
3. Scan barcode and collect payment.
4. Return EZ-Payslip and provide receipt.

Customers call **888-714-0004** for assistance. Subject to terms of use at www.PayNearMe.com

PayNearMe

Need to change your information?
If you've changed your mailing address or other personal details call us on **844-WASHGAS**



Account number: 210003553828

Bill date: June 10, 2021

Period: May 11, 2021-Jun 9, 2021 (30 days)

Service address: 5023 RIVERDALE RD, RIVERDALE, MD 20737-1950

Gas Bill

Please pay \$1,013.51 by July 2, 2021.

To avoid late payment charges, full payment must be received by the due date. Please note late fees will continue to accrue in accordance with our tariffs.

Thanks for being a valuable customer of Washington Gas. Your next meter reading date is July 9, 2021.

Questions?

washingtongas.com

844-WASHGAS (844-927-4427)

Mon - Fri: 8am - 9pm, Sat: 8am - 4:30pm

Washington Gas Customer Care

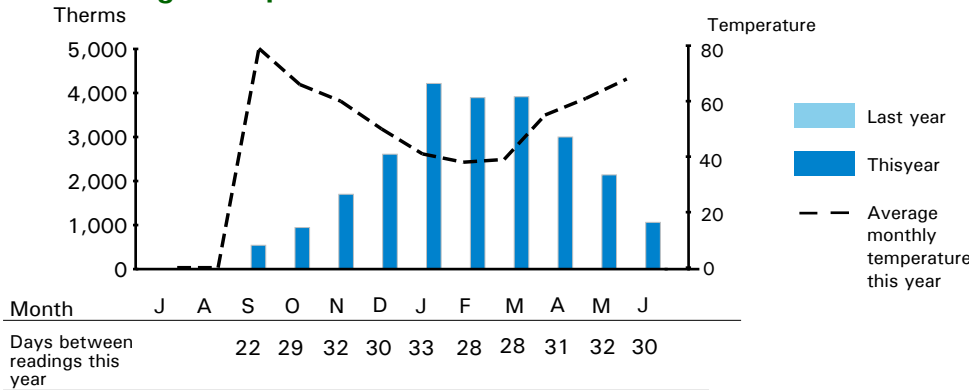
6801 Industrial Road
Springfield VA 22151-4294

Your account

Balance on your last bill	\$1,913.45
Payments/Credits	\$ - 1,913.45
Balance brought forward	\$0.00
Current Gas Charges	\$1,013.51
Total Charges This Period	\$1,013.51
Total to pay	\$1,013.51

See over for details ➔

Your usage compared



For energy advice visit washingtongasliving.com

Thank you for being part of our Paperless Billing program, which saves 2,200 trees each year. That's the same number of cherry trees that surround the Tidal Basin in DC!

Sign up for Budget Billing
The budget plan can help you manage natural gas costs by spreading higher heating bills over the entire year. Call the automated line at 844-WASHGAS to enroll today.

Call before you dig
Prevent damage to underground pipelines. Call 811 before you dig. It's the law.



1000 Maine Avenue, SW, Suite 700
Washington, DC 20024
1-844-WASHGAS (927-4427)

ADDRESS SERVICE REQUESTED

JH CALVERT PARK LLC.
5600 54TH AVE
RIVERDALE, MD 20737

Account Number	210003553828
Amount due	\$1,013.51
Due date	Jul 02, 2021
Amount Paid	\$
<input type="checkbox"/>	Check here to donate to the Washington Area Fuel Fund . Don't forget to include your donation with your payment. Visit washingtongasfuelfund.org .
Fuel Fund donation	\$



WASHINGTON GAS
PO BOX 37747
PHILADELPHIA PA 19101-5047

21000355382800001013510001013516

Your charges in detail

Rate Class: Group Metered Apartments Heating Delivery Service

Next Read Date: July 9, 2021

Meter Number	From date	To date	Reading Type	Previous Reading	Current Reading	Consumption Billed CCF
G22905	5/11/21	6/9/21	Actual	936,285	937,319	1,034
					Total CCF	1,034
Total Therms(TH) used for 30 days (Total CCFx1.027)						1,061.9

Payments/Credits	Payment May 28, 2021	\$-1,913.45
	Total Payments/Credits	\$-1,913.45

Distribution service	Previous Bill Amount	\$946.96
	Payments/credits Applied	\$-946.96
	Balance brought forward	\$0.00



DISTRIBUTION SERVICE		
	Distribution Charge 300.0 TH x .4551	\$136.53
	Distribution Charge 761.9 TH x .3305	\$251.81
	STRIDE Surcharge	\$21.59
	EmPower MD Surcharge	\$4.14
	System Charge	\$54.50
TAXES		
	Prince George's County Tax 1,061.9 TH x .061370	\$65.17
	Total Current Washington Gas Charges	\$533.74
	Total Washington Gas Charges This Period	\$533.74

Natural Gas supply service	Previous Bill Amount	\$966.49
	Payments/credits Applied	\$-966.49
	Balance brought forward	\$0.00



	Commodity Charge 1,061.9 TH x .4376	\$464.69
	Balancing 1,061.9 TH x .0142	\$15.08
	Constellation New Energy Services subtotal	\$479.77
	Actual Monthly Distribution and Natural Gas Supply Service Charges	\$1,013.51

Washington Gas protects customers' account information. It is shared only with the person whose name appears on the account, and only that person can authorize that a second name be added.

About your supplier

Your gas is supplied by Constellation New Energy. To contact Constellation New Energy: 1-855-465-1244

Washington Gas is regulated by the Maryland Public Service Commission. www.psc.state.md.us. Washington Gas will furnish rate schedule and bill calculation data upon request.
MD Commission phone: 800-492-0474
MD Commission address: William Donald Schaefer Tower 6 St Paul St., 16th Fl, Baltimore MD 21202

Other Contacts

Bill Inquiries: 844-WASHGAS
711 for TTY/TDD; voice relay

If you smell gas: Call 911 then 844-WASHGAS

Useful Information

CCF: A unit of measurement for the amount of gas used. One CCF = 100 cubic feet.

Distribution charge: Covers the monthly cost of transporting your gas through our pipes and storage tanks to your meter. The charge is based on the amount of gas used.

PGC (Purchased Gas Charge): The cost of the natural gas we buy, plus the cost of transporting it to our system.

System charge: Covers certain other costs of providing your service, including depreciation of equipment, taxes, maintenance and repair of customer lines, and expenses such as meter reading and billing.

Therm (TH): A measure of the energy in natural gas, equal to the amount of gas (in CCFs) times a heat content factor.

EmPOWER Maryland programs are funded by a charge on your gas bill. These programs help you save energy and save money. For more information, including how to participate, go to: www.washingtongasrebates.com

For more information about this bill or terminology used, please visit our web site at washingtongas.com/pages/UnderstandingYourBill

Questions? Any inquiries about this bill should be made prior to the due date, in order to avoid late charges. Call **844-WASHGAS (844-927-4427)** or write to **Washington Gas, Customer Care, 6801 Industrial Road, Springfield, VA 22151-4294**

Pay By Cash

Bring this notice with you to make a cash payment. **KUBRAEZPAY.**
Payments are recognized immediately and posted next business day.

PAY YOUR WASHINGTON GAS BILL WITH CASH AT PARTICIPATING 7-ELEVEN STORES WITH NO FEE

7-ELEVEN. TEAM MEMBER INSTRUCTIONS:
 1. Ask customer the payment amount to load.
 2. Press "Load".
 3. Scan barcode and collect payment.
 4. Return EZ-Payslip and provide receipt.

Customers call **888-714-0004** for assistance.
 Subject to terms of use at www.PayNearMe.com



Need to change your information?
 If you've changed your mailing address or other personal details call us on **844-WASHGAS**

Ways to pay

Automated Payment Plan

The easiest way to pay your bill and avoid late payment charges. Get more information, or sign up today at washingtongas.com

Phone

Pay your gas bill over the phone any time by check, credit or debit card on our automated Special Services line at 844-WASHGAS (927-4427)

Mail

Please send your check (made payable to **Washington Gas**) with this remittance stub to **Washington Gas, PO Box 37747, Philadelphia PA 19101-5047**

Please note: If you pay by check, you authorize us to clear it electronically. We will not return your check to you. Your payment receipt and bank statement are proof of payment.

Online

Pay your bill online anytime, day or night, at washingtongas.com. Enroll to receive bill notifications and ask for services.

Payment locations (M-F 8am-4pm)

1100 H Street, NW, Washington DC
 2300 Martin Luther King Jr Ave, SE, Wash DC
 350 Hillandale Lane, Winchester VA
 1800 N Market St, Frederick MD

Payment Drop boxes are available at each of the above offices. Payment drop boxes are also located at: 1000 Maine Avenue, SW, Washington DC
 6801 Industrial Rd, Springfield VA
 4000 Forestville Road, Forestville MD



Account number: 210003553828

Bill date: July 13, 2021

Period: Jun 10, 2021-Jul 9, 2021 (30 days)

Service address: 5023 RIVERDALE RD, RIVERDALE, MD 20737-1950

Gas Bill

Please pay **\$1,012.39** by **August 4, 2021**.

To avoid late payment charges, full payment must be received by the due date. Please note late fees will continue to accrue in accordance with our tariffs.

Thanks for being a valuable customer of Washington Gas. Your next meter reading date is **August 9, 2021**.

Questions?

washingtongas.com

844-WASHGAS (844-927-4427)

Mon - Fri: 8am - 9pm, Sat: 8am - 4:30pm

Washington Gas Customer Care

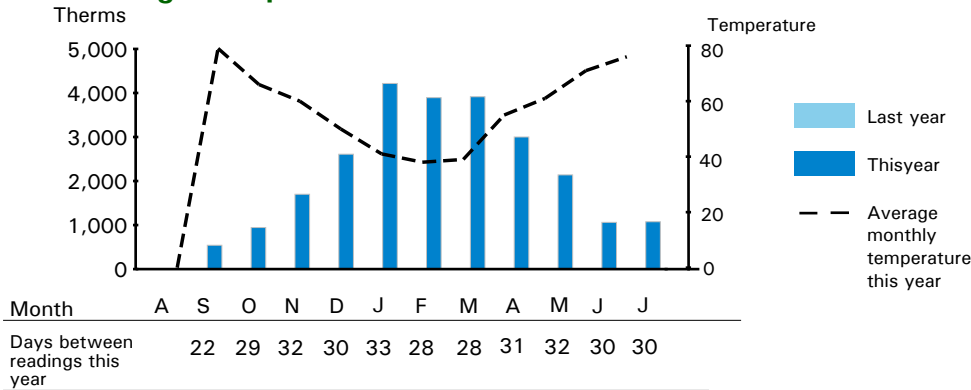
6801 Industrial Road
Springfield VA 22151-4294

Your account

Balance on your last bill	\$1,013.51
Payments/Credits	\$ - 1,013.51
Balance brought forward	\$0.00
Current Gas Charges	\$1,012.39
Total Charges This Period	\$1,012.39
Total to pay	\$1,012.39

See over for details ➔

Your usage compared



For energy advice visit washingtongasliving.com

Thank you for being part of our Paperless Billing program, which saves 2,200 trees each year. That's the same number of cherry trees that surround the Tidal Basin in DC!

Sign up for Budget Billing
The budget plan can help you manage natural gas costs by spreading higher heating bills over the entire year. Call the automated line at 844-WASHGAS to enroll today.

Call before you dig
Prevent damage to underground pipelines. Call 811 before you dig. It's the law.



1000 Maine Avenue, SW, Suite 700
Washington, DC 20024
1-844-WASHGAS (927-4427)

ADDRESS SERVICE REQUESTED

Account Number	210003553828
Amount due	\$1,012.39
Due date	Aug 04, 2021
Amount Paid	\$
<input type="checkbox"/>	Check here to donate to the Washington Area Fuel Fund . Don't forget to include your donation with your payment. Visit washingtonareafuelFund.org .
Fuel Fund donation	\$

JH CALVERT PARK LLC.
5600 54TH AVE
RIVERDALE, MD 20737



WASHINGTON GAS
PO BOX 37747
PHILADELPHIA PA 19101-5047

21000355382800001012390001012391


Your charges in detail


Rate Class: Group Metered Apartments Heating Delivery Service

Next Read Date: August 9, 2021

Meter Number	From date	To date	Reading Type	Previous Reading	Current Reading	Consumption Billed CCF
G22905	6/10/21	7/9/21	Actual	937,319	938,365	1,046
					Total CCF	1,046
Total Therms(TH) used for 30 days (Total CCFx1.028)						1,075.3

Payments/ Credits	Payment June 29, 2021	\$-1,013.51
	Total Payments/Credits	\$-1,013.51

 Distribution service	Previous Bill Amount	\$533.74
	Payments/credits Applied	\$-533.74
	Balance brought forward	\$0.00
	DISTRIBUTION SERVICE	
	Distribution Charge 300.0 TH x .4551	\$136.53
	Distribution Charge 775.3 TH x .3305	\$256.24
	STRIDE Surcharge	\$3.81
	EmPower MD Surcharge	\$4.19
	System Charge	\$54.50
	TAXES	
Prince George's County Tax 1,075.3 TH x .066208	\$71.19	
MD Gross Receipts Tax Surcharge	\$0.11	
Total Current Washington Gas Charges	\$526.57	
Total Washington Gas Charges This Period	\$526.57	

 Natural Gas supply service	Previous Bill Amount	\$479.77
	Payments/credits Applied	\$-479.77
	Balance brought forward	\$0.00
	Commodity Charge 1,075.3 TH x .4376	\$470.55
	Balancing 1,075.3 TH x .0142	\$15.27
Constellation New Energy Services subtotal	\$485.82	
Actual Monthly Distribution and Natural Gas Supply Service Charges		\$1,012.39

Washington Gas protects customers' account information. It is shared only with the person whose name appears on the account, and only that person can authorize that a second name be added.


About your supplier

Your gas is supplied by Constellation New Energy. To contact Constellation New Energy: 1-855-465-1244

Washington Gas is regulated by the Maryland Public Service Commission. www.psc.state.md.us. Washington Gas will furnish rate schedule and bill calculation data upon request.
MD Commission phone: 800-492-0474
MD Commission address: William Donald Schaefer Tower 6 St Paul St., 16th Fl, Baltimore MD 21202

Other Contacts

 **Bill Inquiries:** 844-WASHGAS
711 for TTY/TDD; voice relay

 **If you smell gas:** Call 911 then 844-WASHGAS

Useful Information

CCF: A unit of measurement for the amount of gas used. One CCF = 100 cubic feet.

Distribution charge: Covers the monthly cost of transporting your gas through our pipes and storage tanks to your meter. The charge is based on the amount of gas used.

PGC (Purchased Gas Charge): The cost of the natural gas we buy, plus the cost of transporting it to our system.

System charge: Covers certain other costs of providing your service, including depreciation of equipment, taxes, maintenance and repair of customer lines, and expenses such as meter reading and billing.

Therm (TH): A measure of the energy in natural gas, equal to the amount of gas (in CCFs) times a heat content factor.

EmPOWER Maryland programs are funded by a charge on your gas bill. These programs help you save energy and save money. For more information, including how to participate, go to: www.washingtongasrebates.com

For more information about this bill or terminology used, please visit our web site at washingtongas.com/pages/UnderstandingYourBill

Questions? Any inquiries about this bill should be made prior to the due date, in order to avoid late charges. Call **844-WASHGAS (844-927-4427)** or write to **Washington Gas, Customer Care, 6801 Industrial Road, Springfield, VA 22151-4294**

Pay By Cash

Bring this notice with you to make a cash payment. Payments are recognized immediately and posted next business day.

KUBRAEZPAY.

PAY YOUR WASHINGTON GAS BILL WITH CASH AT PARTICIPATING 7-ELEVEN STORES WITH NO FEE

7-ELEVEN. TEAM MEMBER INSTRUCTIONS:

1. Ask customer the payment amount to load.
2. Press "Load".
3. Scan barcode and collect payment.
4. Return EZ-Payslip and provide receipt.

Customers call **888-714-0004** for assistance. Subject to terms of use at www.PayNearMe.com

 PayNearMe

Need to change your information?
If you've changed your mailing address or other personal details call us on **844-WASHGAS**

Ways to pay

Automated Payment Plan

The easiest way to pay your bill and avoid late payment charges. Get more information, or sign up today at washingtongas.com

Phone

Pay your gas bill over the phone any time by check, credit or debit card on our automated Special Services line at 844-WASHGAS (927-4427)

Mail

Please send your check (made payable to **Washington Gas**) with this remittance stub to **Washington Gas, PO Box 37747, Philadelphia PA 19101-5047**

Please note: If you pay by check, you authorize us to clear it electronically. We will not return your check to you. Your payment receipt and bank statement are proof of payment.

Online

Pay your bill online anytime, day or night, at washingtongas.com. Enroll to receive bill notifications and ask for services.

Payment locations (M-F 8am-4pm)

1100 H Street, NW, Washington DC
 2300 Martin Luther King Jr Ave, SE, Wash DC
 350 Hillandale Lane, Winchester VA
 1800 N Market St, Frederick MD

Payment Drop boxes are available at each of the above offices. Payment drop boxes are also located at: 1000 Maine Avenue, SW, Washington DC
 6801 Industrial Rd, Springfield VA
 4000 Forestville Road, Forestville MD

Property Tax Inquiry

**PRINCE GEORGE'S COUNTY
REAL PROPERTY TAX INFORMATION FOR FY 21
TAX PERIOD 07/01/20 - 06/30/21
MEETS REQUIREMENTS FOR REAL PROPERTY SECTION 14-126**

ACCOUNT NUMBER: 2154961 **DISTRICT:** 19 **DATA AS OF:** 08/09/21 at 16:17:07

[New Search](#)

OWNER:
JH CALVERT PARK LLC

CARE OF:
SUITE 100D

[Help](#)
[Payment History](#)

PROPERTY ADDRESS:
005023 RIVERDALE RD
RIVERDALE MD 20737-0000

MAILING ADDRESS:
3809 CLARKS LANE
BALTIMORE, MD 21215-

MORTGAGE:

UNKNOWN

PROPERTY DESCRIPTION:

LOTS 8.9 EX R 90 FT & LOT 10 EX TRI AT R

CONDO:PLAT
SUBNAME: RIVERDALE PARK
SECTION:
LOT:
BLOCK: 49
ACREAGE: 45500.000 F
OCCUPANCY: NOT PRINCIPAL RESIDENCE

PHASE	BLDG	UNIT	
		LIBER/FOLIO:	44045/157
		LATEST DEED:	09/01/2020
		LAND:	606,667.00
		IMPS:	3,537,933.00
		ASSESSMENT:	4,144,600.00

TAX DESCRIPTION:

TAX/CHARGE:

COUNTY PROPERTY TAX				33,944.27
COUNTY PROPERTY TAX - SUPPLEMENTAL EDUCATION				1,657.84
STATE OF MARYLAND				4,641.95
PARK & PLANNING				12,185.12
STORMWATER/CHESAPEAKE BAY WATER QUALITY				2,238.08
WASHINGTON SUBURBAN TRANSIT COMMISSION				1,077.60
TOWN LEVY				27,105.68
OTHER MUNICIPAL CHARGES				0.00
FRONT FOOT				0.00
SOLID WASTE SERVICE CHARGE				0.00
CLEAN WATER ACT FEE				375.88
SPECIAL AREA				0.00
LIENS				0.00
OTHER TAXES/FEES				0.00
LESS HOMEOWNERS TAX CREDIT				0.00
LESS HOMESTEAD TAX CREDIT				0.00
LESS DISCOUNT CREDIT				0.00
TOTAL				83,226.42
PAYMENT RECEIVED		08/28/2020	INT/PEN	0.00
REFUND DATE			REFUND AMOUNT	0.00

Account No: 2154961 **FY21**



Capitol Boiler Works

7921 Woodruff Court
Springfield, VA 22151
Ph: 703-573-6881
Fax: 703-573-2028
www.capitolboilerworks.com

Invoice

Number	Date
S100827	12/10/20

BILL TO: #7876

**THE SWIFT AND CURRENT MANAGMENT LLC
ATTN: ACCOUNTS PAYABLE
5600 54TH AVE.
RIVERDALE MD 20737**

SERVICE PERFORMED AT:

**THE CURRENT
5023 RIVERDALE ROAD
RIVERDALE MD 20737**

Site # : 7876-002

Return this portion with payment

Amount Paid: _____

Work Order Date	Call Slip Number	P.O. Number	Salesman	Terms	Contract #	Batch #
12/02/20	137710		TOM	30		DEC562

DESCRIPTION

Service Job

Provide all labor, equipment and material necessary to complete service proposal #21896

AERCO Boiler 2 - Year Prevenative Maintenance

All invoice disputes must be e-mailed to ardispute@capitolboilerworks.com within 30 days of the invoice date otherwise the invoice is due in full.

Paid in Full

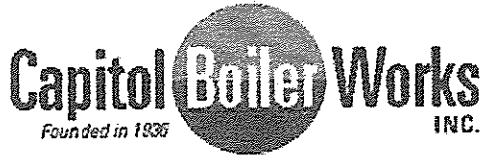
AS AGREED 6700.00

RECEIVED- 6700.00

TOTAL \$.00

Springfield
7921 Woodruff Court
Springfield, VA 22151

Richmond
116 Sylvia Drive, Suite F
Ashland, VA 23005



"Keeping The Heat and Air Conditioning On"
1-800-296-6881
www.capitolboilerworks.com

Baltimore
1730 Twin Springs Road #217
Baltimore, MD 21227

Eastern Shore
27013 East Lillian Street
Hebron, MD 21830

November 10, 2020

Service Job Proposal # 21896

The Swift and Current Management LLC
5600 54th Ave
Riverdale, MD 20737

The Current
5023 Riverdale Road
Riverdale, MD 20737

Attn: Ilya Yablonsky
Email: ilya@theswiftandcurrent.com
Phone: 301-307 5307

Page 1 of 2

JOB 10921

RE: AERCO Boiler 2- Year Preventative Maintenance

Proposal-Acceptance

We hereby submit the Scope of Work requested with estimates for supplying the necessary labor and material to complete the following:

1. Furnish labor and Materials to perform AERCO recommended 2-year comprehensive maintenance to both boilers (x2).
2. Replace two (2) defective temperature sensors.
3. Replace one (1) failed blower assembly.

We hereby propose to furnish material and labor complete in accordance with the above proposed scope of work for the sum of:

Six Thousand Seven Hundred Dollars and 00/100

\$6,700.00

Note:

Repairs are based on scope of work provided by customer. Price excludes trouble shooting issues that may arise once the above scope of work is completed. Any simple problems will be rectified as time allows. Any addition issues, parts or repairs outside of the above scope of work will be quoted separately.

Exclusions:

- All work to be performed during normal working hours Monday thru Friday 6:30am – 3:30pm
- Overtime, Sundays and holidays are excluded
- Any services not included in above description of services will be quoted separately
- All work will be done in a safe and timely manner by skilled journeymen and all work areas will be left in a broom clean condition; all construction debris will be removed from the property



All materials guaranteed to be as specified. All work to be completed in a professional manner per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written change orders and will become an extra charge over and above the estimate. A service charge of 1 1/2% per month will be charged on any unpaid balance after 30 days. In the event the account is sent for collection, client agrees to pay all costs and expenses of collection, including all court costs and attorneys' fees paid and/or incurred by Capitol Boiler Works, Inc. in seeking to collect this bill.

**INDUSTRIAL
COMBUSTION**



Springfield
7921 Woodruff Court
Springfield, VA 22151



Baltimore
1730 Twin Springs Road #217
Baltimore, MD 21227

Richmond
116 Sylvia Drive, Suite F
Ashland, VA 23005

"Keeping The Heat and Air Conditioning On"

1-800-296-6881
www.capitolboilerworks.com

Eastern Shore
27013 East Lillian Street
Hebron, MD 21830

Page 2 of 2
SJP-21896

All labor and materials carry our limited one (1) year warranty. Thank you for the opportunity of quoting. All invoice disputes must be emailed to ardispute@capitolboilerworks.com within 30 days of the invoice date, otherwise the invoice is due in full as per the terms of your proposal.

Price valid for 30 days. **PAYMENT TERMS: NET 30 DAYS UPON INVOICE.**

Tom Wilson III, Sales Engineer

Acceptance of Proposal:

The prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work specified. Payment will be made as outlined above.

Signature

11/10/2020
Date

Hya Vablousky
Print Name

Regional Manager
Title



All materials guaranteed to be as specified. All work to be completed in a professional manner per standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written change orders and will become an extra charge over and above the estimate. A service charge of 1 1/2% per month will be charged on any unpaid balance after 30 days. In the event the account is sent for collection, client agrees to pay all costs and expenses of collection, including all court costs and attorneys' fees paid and/or incurred by Capitol Boiler Works, Inc. in seeking to collect this bill.

**INDUSTRIAL
COMBUSTION**





Messages

Property: Riverdale Towers-Calvert Park Apartments

Loan No: 338240931

Interest Rate: 2.87000

BALANCE INFORMATION AS OF 07/16/2021	PAYMENT INFORMATION FOR 08/01/2021
---	---

Principal Balance	17,381,000.00
Interest Paid YTD	293,758.21
Outstanding Deferred Int	
Tax Escrow Balance	176,084.70
Insurance Escrow Balance	66,133.20
Reserve Balance	65,571.75
MIP Escrow Balance	
Other Escrow Balance	
Late Charge of	3,451.81
Due if not paid by	08/10/2021

Principal	
Interest	42,955.21
R.E. Taxes	16,027.81
Property Insurance	5,511.10
Reserves	4,542.00
FHA/MIP	
Other Escrow	
Outstanding Late Fee Due	
IRP/Subsidy	
Outstanding Default Int	
Outstanding Misc Amount	

Total Payment Due	\$	69,036.12
--------------------------	-----------	------------------

ACCOUNT ACTIVITY		06/17/2021	thru	07/16/2021					
------------------	--	------------	------	------------	--	--	--	--	--

Date	Desc	Total	Principal	Interest	Escrows	Reserves	Late Fee	Other
06/24/2021	RESRV DISB	35,660.00				-35,660.00		
06/30/2021	RESERV DR	0.23				-0.23		
06/30/2021	IOI CREDIT	0.92				0.92		
07/02/2021	RESRV DISB	7,900.00				-7,900.00		
07/07/2021	PMT REC'D	67,650.47		41,569.56	21,538.91	4,542.00		
07/12/2021	RESRV DISB	6,327.00				-6,327.00		

For general inquiries please call your Client Relations Manager at 1 (888) 334-4622.

MAIL THIS PORTION WITH YOUR PAYMENT

		Loan No. 338240931
Last Installment Made	Due Date	Amount Due
07/01/2021	08/01/2021	69,036.12

Ensure Remittance address shows through window envelope

Riverdale Towers-Calvert Park Apartments

BERKADIA AUTODEBIT

JH Riverdale Towers LLC
c/o WAO Properties LLC
3809 Clarks Lane Suite 100 D
Baltimore MD 21215

Record and return to:
Madison Title Agency, LLC
1125 Ocean Avenue
Lakewood, NJ 08701
MTA 143082

BOOK: 44045 PAGE: 157

25,000.00
60.00

PRINCE GEORGE'S COUNTY, MD

APPROVED BY: #

DATE: 8/19/20

~~\$27000~~ RECORDATION TAX PAID

~~\$7000~~ TRANSFER TAX PAID

Property Address: 5023 Riverdale Road
Riverdale, MD 20737
Parcel Identification No. 19-2154961

Title Insurer: Stewart Title Guaranty Company

DEED

THIS DEED is made this **19**th day of August, 2020, by and between **DANERIC ENTERPRISES LIMITED PARTNERSHIP**, a Maryland limited partnership (the "Grantor"), having a mailing address of c/o Zalco Commercial, LLC, 10801 Lockwood Drive, #370, Silver Spring, Maryland 20901 and **JH CALVERT PARK, LLC**, a Maryland limited liability company (the "Grantee") having a mailing address of 3809 Clarks Lane, Suite 100D, Baltimore, Maryland 21215.

WITNESSETH, that in consideration of FIVE MILLION AND 00/100 DOLLARS (\$5,000,000.00), the Grantor does grant and convey unto Grantee, its successors and assigns, in fee simple, all of the land situate, lying and being in Prince George's County, Maryland, and more fully described as follows:

See Exhibit "A" attached hereto and incorporated herein by this reference

SUBJECT TO covenants and restrictions of record;

TOGETHER WITH all the ways, easements, rights, improvements, privileges and appurtenances to the same belonging or anywise appertaining and all the estate, right, title, interest and claim, either at law or in equity, or otherwise of the said Grantor, of, in, to, or out of the land and premises;

TO HAVE AND TO HOLD the same unto and to the use of the Grantee, in fee simple, forever;

AND, the said Grantor covenants that it will warrant specially the property hereby conveyed; and that it will execute such further assurances of said land as may be requisite;

AND, the undersigned hereby certifies under the penalties of perjury that the actual consideration paid or to be paid for the foregoing conveyance, including the amount of any mortgage or deed of trust assumed by the Grantee is in the amount of **\$5,000,000.00**.

3733352.1

14029843	CC0703	-	CC18-PP						
Prince George's	County/CC07	03.01	-						
<table border="0"> <tr> <td>SubTotal:</td> <td>25,000.00</td> </tr> <tr> <td>Total:</td> <td>112,855.00</td> </tr> <tr> <td>09/01/2020</td> <td>09:26</td> </tr> </table>				SubTotal:	25,000.00	Total:	112,855.00	09/01/2020	09:26
SubTotal:	25,000.00								
Total:	112,855.00								
09/01/2020	09:26								
Register #	04.003								
LR - Deed (w Taxes)									
Recording only	ST20.00								
Name:	JH CALVERT PARK								
Ref:									
LR - Deed (with Taxes)	40.00								
Purchase									
Transfer Tax	25,000.00								
LR - NR Tax - 1kd	0.00								

PRINCE GEORGE'S COUNTY CIRCUIT COURT (Land Records) MEA 44045, p. 0157, MSA_CE64_44354. Date available 09/04/2020. Printed 08/09/2021.

WITNESS our hands and seals the day and year first above written.

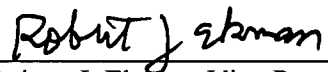
WITNESS/ATTEST:

GRANTOR:

DANERIC ENTERPRISES LIMITED
PARTNERSHIP, a Maryland limited
partnership



By: PMI, LTD., general partner

By: 
Robert J. Ekman, Vice President

STATE OF MARYLAND)

) SS:

COUNTY OF)

I hereby certify that on this 11 day of August, 2020, before the subscriber, a Notary Public of the State and County aforesaid, personally appeared **Robert J. Ekman** known to me (or satisfactorily proven) to be the Vice President of PMI, LTD., the general partner of Daneric Enterprises Limited Partnership, a Maryland limited partnership and acknowledged that he, being authorized so to do, executed the same for purposes therein contained, in the aforementioned capacity.

In Witness Whereof, I hereunto set my hand and official seal


Notary Public

My Commission Expires: 11/14/2021

I HEREBY CERTIFY that this instrument was prepared by or under the supervision of the undersigned, an attorney duly admitted to practice before the Court of Appeals of Maryland.

SUSAN PUFFPAFF
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires November 14, 2021



Lawrence G. Lerman, Attorney

Exhibit "A"
Legal Description

All that certain lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the City of Riverdale, County of Prince Georges, State of Maryland.

Lots numbered Eight (8), Nine (9) and Ten (10), in Block numbered Forty-Nine (49), in a subdivision known as "Riverdale Park", as per plat thereof recorded in Plat Book A at Plat 40, among the Land Records of Prince George's County, Maryland.

SAVING AND EXCEPTING that portion conveyed to the Washington Suburban Sanitary Commission by Richard C. Zantzinger and Isabel G. Zantzinger by Deed, dated October 15, 1954 and recorded in Liber 1792 at folio 86 among the Land Records of Prince George's County, Maryland, and

SAVING AND EXCEPTING that portion conveyed to the Washington Suburban Sanitary Commission by Mary L. Steiner by Deed, dated November 6, 1954 and recorded in Liber 1792 at folio 89 among the Land Records of Prince George's County, Maryland.

NOTE FOR INFORMATION: Being Parcel No. 19-2154961, of the City of Riverdale, County of Prince Georges

MARYLAND FORM

Certification of Exemption from Withholding Upon Disposition of Maryland Real Estate Affidavit of Residence or Principal Residence

2020

Based on the certification below, Transferor claims exemption from the tax withholding requirements of §10-912 of the Tax-General Article, Annotated Code of Maryland. Section 10-912 provides that certain tax payments must be withheld and paid when a deed or other instrument that effects a change

in ownership of real property is presented for recordation. The requirements of §10-912 do not apply when a transferor provides a certification of Maryland residence or certification that the transferred property is the transferor's principal residence.

1. Transferor Information

Name of Transferor: Riverdale Towers, LLC

2. Description of Property (Street address. If no address is available, include county, district, subdistrict and lot numbers).

5600 54th Avenue, Riverdale, MD 20737

3. Reasons for Exemption

Resident Status [] As of the date this form is signed, I, Transferor, am a resident of the State of Maryland.

[x] Transferor is a resident entity as defined in Code of Maryland Regulations (COMAR)03.04.12.02B(11), I am an agent of Transferor, and I have authority to sign this document on Transferor's behalf.

Principal Residence [] Although I am no longer a resident of the State of Maryland, the Property is my principal residence as defined in IRC 121 (principal residence for 2 (two) of the last 5 (five) years) and is currently recorded as such with the State Department of Assessments and Taxation.

Under penalty of perjury, I certify that I have examined this declaration and that, to the best of my knowledge, it is true, correct, and complete.

3a. Individual Transferor

Witness

Name

**Date

Signature

3b. Entity Transferor

Witness/Attest signature

Riverdale Towers, LLC

Name of entity

Robert J. Ekman signature

Robert J. Ekman, Vice President

Name

**Date

PMI, LTD., Managing Member

Title

** Form must be dated to be valid.

Note: Form is only valid if it was executed on the date the Property was transferred and is properly recorded with the Clerk of the Court.

To the Clerk of the Court: Only an un-altered Form WH-AR should be considered a valid certification for purposes of Section 10-912.

PRINCE GEORGE'S COUNTY CIRCUIT COURT (Land Records) MEA 44045, p. 0160, MSA_CE64_44354. Date available 09/04/2020. Printed 08/09/2021.

State of Maryland Land Instrument Intake Sheet
Baltimore City County: Prince George's

Information provided is for the use of the Clerk's Office, State Department of Assessments and Taxation, and County Finance Office Only.
(Type or Print in Black Ink Only—All Copies Must Be Legible)

Space Reserved for Circuit Court Clerk Recording Validation

1 Type(s) of Instruments
2 Conveyance Type Check Box
3 Tax Exemptions (if Applicable)
Cite or Explain Authority

4 Consideration and Tax Calculations
Table with columns for Purchase Price/Consideration, Any New Mortgage, Balance of Existing Mortgage, Other, Full Cash Value.

Finance Office Use Only
Transfer and Recordation Tax Consideration
Table with columns for Transfer Tax Consideration, Less Exemption Amount, Total Transfer Tax, Recordation Tax Consideration, TOTAL DUE.

5 Fees
Table with columns for Amount of Fees, Recording Charge, Surcharge, State Recordation Tax, State Transfer Tax, County Transfer Tax, Other.

6 Description of Property
SDAT requires submission of all applicable information. A maximum of 40 characters will be indexed in accordance with the priority cited in Real Property Article Section 3-104(g)(3)(i).

7 Transferred From
Doc. 1 - Grantor(s) Name(s)
Doc. 2 - Grantor(s) Name(s)

8 Transferred To
Doc. 1 - Grantee(s) Name(s)
Doc. 2 - Grantee(s) Name(s)

9 Other Names to Be Indexed
Doc. 1 - Additional Names to be Indexed (Optional)
Doc. 2 - Additional Names to be Indexed (Optional)

10 Contact/Mail Information
Instrument Submitted By or Contact Person
Name: Yehudis Braun
Firm: Madison Title Agency LLC
Address: 1125 Ocean Ave., Lakewood NJ 08701
Phone: (732) 333-2727

11 IMPORTANT: BOTH THE ORIGINAL DEED AND A PHOTOCOPY MUST ACCOMPANY EACH TRANSFER
Assessment Information
Yes No Will the property being conveyed be the grantee's principal residence?
Yes No Does transfer include personal property? If yes, identify:
Yes No Was property surveyed? If yes, attach copy of survey (if recorded, no copy required).

Assessment Use Only - Do Not Write Below This Line
Table with columns for Terminal Verification, Agricultural Verification, Whole, Part, Tran. Process Verification, Year, Date Received, Deed Reference, Assigned Property No., Land, Buildings, Total, Geo., Zoning, Use, Town Cd., Map, Grid, Parcel, Ex. St., Sub, Plat, Section, Ex. Cd., Block, Lot, Occ. Cd.

Distribution: White - Clerk's Office
Canary - SDAT
Pink - Office of Finance
Goldenrod - Preparer

PRINCE GEORGE'S COUNTY CIRCUIT COURT (Land Records) MEA 44045, p. 0161, MSA-CF64-44354. Date available 09/04/2020. Printed 08/09/2021.



Invoice

Date
06/30/21

9300 D'Arcy Road, Suite F
 Upper Marlboro, MD 20774
 (301) 772-7322
 Holly.Warner@CapitalCanopies.com
 www.CapitalCanopies.com

Bill To
WAO Properties Attn: Jay Silver 3809 Clarks Lane, Suite 100D Baltimore, MD 21215

Invoice No.	P.O. Number	Terms	Project	Order #
21-170-2		Due on receipt	21-170 The Swift/Current @ Riverdale P...	21-170

Terms - Net on Receipt of Invoice, 1.5% monthly finance charge over 30 days, 18.0% per annum.

Items	Description	Amount
Canopy	Fabricate and Install Canopies as per Contract	12,388.95T

"The highest compliment we can receive is your referral."		Subtotal	\$12,388.95	
Contact	Deposit Received:	\$-6,566.15	Sales Tax (6.0%)	\$743.34
Jay Silver	Payment Received:	\$-3,000.00	Total	\$13,132.29
Phone	Payment Received:	\$-3,000.00	Balance Due	\$566.14
410-218-2266				

Capital Canopies, Inc.
9300 D'Arcy Road,
Suite F
Upper Marlboro,
MD 20774

06/30/2021 07:07 AM

SALE Total: \$3,000.00

MC xxxxxxxxxxxxxx1566

Exp Date: 07 / 2025

Name: Jonathon Hook

Auth Code: 32092P

Trans ID: MS0020470747

X

Signature

I agree to pay the total amount shown above in compliance with the
cardholder agreement

MERCHANT COPY

Capital Canopies, Inc.
9300 D'Arcy Road,
Suite F
Upper Marlboro,
MD 20774

06/30/2021 07:07 AM

SALE Total: \$3,000.00

MC xxxxxxxxxxxxxx1566

Exp Date: 07 / 2025

Name: Jonathon Hook

Auth Code: 32092P

Trans ID: MS0020470747

CUSTOMER COPY

SIGN POSTING INFORMATION

Application Number: ERR-284

Applicant(s) Name: JH Calvert Park, LLC.

Date sign(s) were transmitted to applicant or applicant's agent: _____

Number of signs transmitted: Two (2)

Person to whom signs were transmitted: Jay Silver (Print)

Jay Silver (Signature)

Capacity in which that person was acting: Agent
(owner, applicant, agent)

Date of scheduled Zoning Hearing Examiner meeting: August 18, 2021

Last date sign(s) can be posted: July 18, 2021

SIGN POSTING AND INSPECTION AFFIDAVIT

I, Jay Silver, hereby certify that the subject property was posted with
(print or type name)

Two (2) sign(s) on 7/16/2021
specify number (date)

I further certify that the signs were inspected no later than the 15th day of posting and were maintained in a reasonable manner.

Signature: Jay Silver

Application Numbers: ERR 284 Name: JH Calvert Park, LLC

Date: 8/6/2021

Address: 5023 Riverdale Rd, Riverdale MD 20737

Telephone: 410-218-3266

Capacity in which you are acting: Agent
(Owner, Applicant, Agent)

NOTE: Attach **legible** photograph(s) showing sign(s) in place. Return this affidavit and photographs to the Zoning Hearing Examiner no later than 15 days prior to the scheduled Zoning Hearing Examiner meeting (see attached map for posting locations).

* * * * *

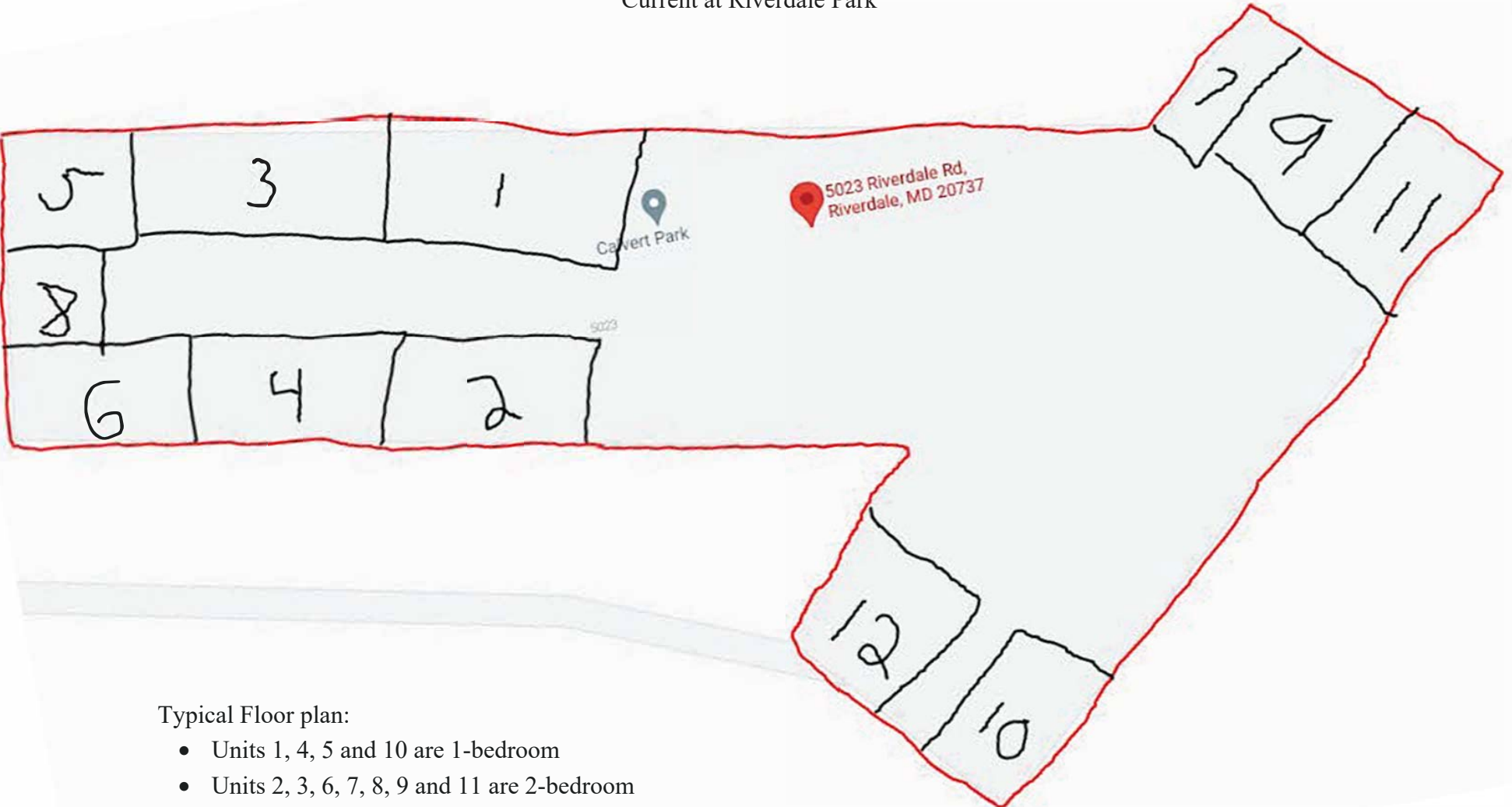
The affidavit must be received no later than 15 days prior to the Zoning Hearing Examiner hearing. Failure to deliver the affidavit may result in rescheduling your hearing date or a recommendation for denial of the application.

ZONING HEARING EXAMINER
HEARING
FOR INFORMATION
301-952-3644
APPLICATION # EPH-284
EPH-284
for more info please contact
ZHECO, PG, MD, US or call 301-952-3644
DATE: 8/8/2021 TIME: 9:30 A.M.
VIRTUAL HEARING
COUNTY ADMINISTRATION BUILDING
UPPER MARLBORO, MD
www.princegeorgescountymd.gov

ZONING HEARING EXAMINER
HEARING
FOR INFORMATION
301-952-3644
APPLICATION# EPR-201
EPR-201
For more info, please contact via Email:
ZHE@CO.16.MD.US or Call 301-952-3644
DATE: 8/12/2021 TIME: 9:30A.M.
VIRTUAL HEARING
COUNTY ADMINISTRATION BUILDING
UPPER MARLBORO, MD
www.princegeorgescountymd.gov



Current at Riverdale Park



Typical Floor plan:

- Units 1, 4, 5 and 10 are 1-bedroom
- Units 2, 3, 6, 7, 8, 9 and 11 are 2-bedroom
- Unit 12 is a 3-bedroom

**AMENDED STATEMENT OF JUSTIFICATION
VALIDATION OF PERMIT ISSUED IN ERROR
APPLICATION NO.: 47380-2014**

APPLICANT: JH Calvert Park, LLC
5023 Riverdale Road
Riverdale Park, MD 20737

CORRESPONDENT: Nathaniel Forman, Esq.
O'Malley, Miles, Nylén & Gilmore, P.A.
7850 Walker Drive, Suite 310
Greenbelt, MD 20770
(P): (301) 572-3237
nforman@omng.com

This application is a request to validate Prince George's County Permit No.: 47380-2014 for the erection of a six (6) foot fence to enclose a dumpster (attached hereto as Attachment 1), for property located at 5023 Riverdale Road, approximately 530 feet east of its intersection with Taylor Road within the corporate limits of the Town of Riverdale Park, shown as Lots 8, 9 and 10¹ on the Map of Riverdale Park Subdivision filed in Plat Book A, Plat 40 among the Land Records of Prince George's County ("Subject Property" or "Property"). The Subject Property consists of 1.211 acres of land in the R-10 zone. It is bounded to the east by open space and the Northeast Branch of the Anacostia River in the R-O-S zone²; to the west by single-family detached homes in the R-55 zone; to the south [beyond a berm] by single-family detached homes in the R-55 Zone, and to the north across Riverdale Road by Riverdale Elementary School in the R-55 Zone, as well as a community playground and open space in the R-O-S zone.

The Subject Property was constructed around 1965 and is improved with a single five (5) story multifamily apartment building in a "T" configuration with 55 dwelling units according to the Town of Riverdale Park's Multifamily Rental License (License No. MF21-081608) that was issued on November 24, 2020 (attached hereto as Attachment 2). The building contains sixteen (16) one-bedroom units, thirty-four (34) two-bedroom units and five (5) three-bedroom units. As shown on the attached site plan (attached hereto as Attachment 3), the site provides seventy (70)

¹ A portion of Lots 8, 9 and 10 are reserved as a Washington Suburban Sanitary Commission ("WSSC") storm drainage right-of-way as recorded in Liber 8412 at Folio 168 among the Land Records of Prince George's County.

² A paper street known as Riverside Drive abuts the Subject Property to the east, and appears to be a remnant from the original plat for the Map of Riverdale Park Subdivision. This roadway is unlikely to be constructed anytime in the future since the street would impact the WSSC storm drainage right-of-way.

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
August 11, 2021

parking spaces; however, these spaces do not conform to dimensional standards promulgated by the 1964 Zoning Ordinance for Prince George's County, which shall be a minimum of nine (9) feet wide and twenty (20) feet long. Moreover, the existing parking spaces do not conform to dimensional standards promulgated by § 27-558 of the Zoning Ordinance, which shall be nine and a half (9 ½) feet wide and nineteen (19) feet long. If the parking spaces conformed to the dimensional standards promulgated by the 1964 Zoning Ordinance, the site could accommodate a maximum of fifty-four (54) standard size parking spaces. According to an email dated June 28, 2021 from Michelle Hughes of the Permit Review Section of the Maryland-National Capital Park and Planning Commission (attached hereto as Attachment 3), the 1964 Zoning Ordinance required sixty-nine (69) standard size parking spaces, therefore parking requirements were not met on the date of construction and the Subject Property is nonconforming. There is no record of Prince George's County issuing a Use and Occupancy Permit or a multifamily rental license for the Subject Property. All rental licenses to date were issued by the Town of Riverdale Park. For this reason, the Applicant is seeking validation of Building Permit No. 47380-2014 issued on January 20, 2015 as being issued in error by Prince George's County in accordance with § 27-258 of the Zoning Ordinance.

I. CONFORMANCE TO § 27-258. VALIDATION OF PERMIT ISSUED IN ERROR.

“(g) Criteria for Approval.

(1) The District Council shall only approve the application if:

(A) No fraud or misrepresentation had been practiced in obtaining the permit.”

RESPONSE: There is no evidence that any fraud or misrepresentation took place in applying for the building permit.

“(B) If at the time of the permit's issuance, no appeal or controversy regarding its issuance was pending before any body,”

RESPONSE: There is no evidence to suggest that there was any appeal or controversy regarding the issuance of this permit pending before any body.

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
August 11, 2021

“(C) The applicant has acted in good faith, expending funds or incurring obligations in reliance on the permit.”

RESPONSE: Given that Prince George’s County had issued this building permit for the Subject Property, the Applicant acted in good faith expending funds in purchasing the property and making improvements. Evidence to this effect will be presented at the Zoning Hearing on this application.

“(D) The application meets the criteria of Section 27-244 of this Subtitle;”

RESPONSE: Compliance with this section is discussed below.

“(E) The validation will not be against the public interest.”

RESPONSE: The continued operation of the Subject Property will not be against the public interest. The Subject Property has been continuously operated as a multifamily apartment building since it was constructed around 1965. To the Applicant’s knowledge, there have been no complaints from the surrounding community prior to, or since, purchasing the property. Moreover, this apartment building provides economical housing options within the Town of Riverdale Park. The exterior of the Property is well maintained by the Applicant (see Attachments 4, 5, 6, 7 and 8), while residents enjoy the benefits from the open space and other amenities in the immediate vicinity. The Northwest Branch of the Anacostia River and the Northeast Branch hiker/biker trail forms part of the larger Anacostia Stream Valley Trail abut the Property to the east, while north across Riverdale Road is a Town of Riverdale Park maintained playground, as well as Maryland-National Capital Park and Planning Commission maintained open space. Finally, residents remain connected to the region through public transportation since the Subject Property is served by Washington Metropolitan Area Transit Authority Bus Route F4, which connects the Subject Property to the New Carrollton Metro Station to the east and the Paul S. Sarbanes Transit Center (Silver Spring Metro Station) to the west via Prince George’s

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
August 11, 2021

Plaza Metro Station. Through this bus route, residents have access to three (3) different Metrorail lines.

II. CONFORMANCE TO § 27-244. CERTIFICATION.

In November 2017 the County Council for Prince George's County amended § 27-258 of the Zoning Ordinance to require applications to demonstrate compliance with § 27-244. The Applicant respectfully submits that full compliance with § 27-244 is impracticable, if not impossible, because the provisions promulgated in § 27-258 were not originally designed—nor revised following adoption of CB-49-2017—to be compatible with § 27-244. Nevertheless, this application complies with the provisions of § 27-244, where applicable, for the reasons discussed in more detail below.

Section 27-244 (a) In general.

“(1) A nonconforming use may only continue if a use and occupancy permit identifying the use as nonconforming is issued after the Planning Board (or its authorized representative) or the District Council certifies that the use is nonconforming is not illegal (except as provided for in Section 27-246 and Subdivision 2 of this Division). Any person making use of or relying upon the certification that is violating or has violated any conditions thereof, or that the use for which the certification was granted is being, or has been exercised contrary to the terms or conditions of such approval shall be grounds for revocation proceedings in accordance with this Code.”

RESPONSE: Approval of this application will permit the Subject Property to operate as a certified nonconforming use. Should this application be approved, the Subject Property will be used in conformance with the granted certification.

“(b) Application for use and occupancy permit.

- (1) The applicant shall file for a use and occupancy permit in accordance with Division 7 of this Part.
- (2) Along with the application and accompanying plans, the applicant shall provide the following:
 - (A) Documentary evidence, such as tax records, business records, public utility installation or payment records, and sworn affidavits,

showing the commencing date and continuous existence of the nonconforming use;

- (B) Evidence that the nonconforming use has not ceased to operate for more than one hundred eighty (180) consecutive calendar days between the time the use became nonconforming and the date when the application is submitted, or that conditions of nonoperation for more than one hundred eighty (180) consecutive calendar days were beyond the applicant's and/or owner's control, were for the purpose of correcting Code violations, or were due to the seasonal nature of the use;
- (C) Specific data showing:
 - (i) The exact nature, size, and location of the building, structure, and use;
 - (ii) A legal description of the property; and
 - (iii) The precise location and limits of the use on the property and within any building it occupies;
- (D) A copy of a valid use and occupancy permit issued for the use prior to the date upon which it became a nonconforming use, if the applicant possesses one.
- (E)
 - (i) In the case of outdoor advertising signs, the requirements of Section 27-244(b)(2)(B) are not applicable. Documentary evidence, including, but not limited to deeds, tax records, business records, approved plats or development plans, permits, public utility installation or payment records, photographs, and sworn affidavits, showing that the outdoor advertising sign was constructed prior to and has operated continuously since January 1, 2002.
 - (ii) Notwithstanding any provision of this Subtitle to the contrary, in the case of outdoor advertising signs that were in existence as of November 15, 2016, that were certified as nonconforming or could have been certified as nonconforming uses, but were removed prior to December 31, 2018, the owner may be certified pursuant to this Division, provided that the use is accepted as filed through an application for Certification of a Nonconforming Use on or before June 30, 2019.
 - (iii) Notwithstanding any provision of this Subtitle to the contrary, in the case of outdoor advertising signs that were in existence as of November 15, 2016, that were certified as nonconforming or could have been certified as nonconforming uses, but were removed after December 31,

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
August 11, 2021

2018, the outdoor advertising sign may be certified pursuant to this Division, provided that an application for Certification of a Nonconforming Use is filed and accepted for processing no later than 180 days after the outdoor advertising sign is removed. Upon approval of the application, a permit to reconstruct the sign may be issued, including a permit to construct a digital billboard provided that said use conforms with the requirements of Section 27-630.03 of this Subtitle.”

RESPONSE: Use and Occupancy Permit No. 35661-2020 was filed on August 26, 2020 in accordance with the filing requirements established by the Prince George’s County Department of Permitting, Inspections and Enforcement (“DPIE”).

“(c) Notice.

- (1) Notice of the proposed application shall be provided by the applicant in accordance with Section 27-125.01 of this Subtitle.
- (2) The following notice provisions shall not apply to uses that, with the exception of parking in accordance with Section 27-549, occur solely within an enclosed building.
- (3) The Planning Board shall post the property with a durable sign(s) within ten (10) days of acceptance of the application and accompanying documentation. The signs(s) shall provide notice of the application; the nature of the nonconforming use for which the permit is sought; a date, at least twenty (20) days after posting, by which written comments and/or supporting documentary evidence relating to the commencing date and continuity of such use, and/or a request for public hearing from a party of interest will be received; and instructions for obtaining additional information. Requirements regarding posting fees, the number, and the location of signs shall conform to the requirements set forth in Subsection (f), below. ”

RESPONSE: The Applicant respectfully submits that compliance with the notice provisions of § 27-125.01 is not required for two reasons. First, the Validation of Permits Issued in Error is not included among the list of development applications that require informational mailings under Subsection (a) of this section. Second—assuming for the sake of argument that a Validation of Permit Issued in Error is included within the general category of “Nonconforming Use Certifications”—the notice provisions assume that applications will be filed with Maryland-National Capital Park and Planning Commission. Validation of Permit applications are not filed

with M-NCPPC, but rather with the Zoning Hearing Examiner's office after an application for a Use and Occupancy Permit has been filed with DPIE. Since this application is not one of the applications specifically directed to be filed with the M-NCPPC, this application will comply with the notice provisions of § 27-258(e), which requires posting the Subject Property 30-days prior to public hearing and the publication of notice within a County newspaper of record.

“(d) Administrative review.

- (1) Except for outdoor advertising signs, if a copy of a valid use and occupancy permit is submitted with the application, where applicable a request is not submitted for the Planning Board to conduct a public hearing, and, based on the documentary evidence presented, the Planning Board's authorized representative is satisfied as to the commencing date and continuity of the nonconforming use, the representative shall recommend certification of the use as nonconforming for the purpose of issuing a new use and occupancy permit identifying the use as nonconforming, upon finding, within the administrative record for the application, that the use to be certified as nonconforming has no outstanding Code violations with the Department of Permitting, Inspections, and Enforcement regarding the property other than failure to have a use and occupancy permit. This recommendation shall not be made prior to the specified date on which written comments and/or requests for public hearing are accepted.
- (2) For outdoor advertising signs, if satisfactory documentary evidence described in Section 27-244(b)(2)(E) is received, the Planning Board's authorized representative shall recommend certification of the use as nonconforming for the purpose of issuing applicable permits and certifying the use as nonconforming. This recommendation shall not be made prior to the specified date on which written comments and/or requests for public hearing are accepted.
- (3) Following a recommendation of certification of the use as nonconforming, the Planning Board's authorized representative shall notify the District Council of the recommendation. Electronic notice of the recommendation for certification shall also be made by the Planning Board's authorized representative not later than seven (7) calendar days after the date of the recommendation. The Planning Director shall also publish the development activity report on the Planning Department's website.
- (4) If the District Council does not elect to review the recommendation within thirty (30) days of receipt of the recommendation as authorized by Subsection (e), below, the representative shall certify the use as nonconforming.

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
August 11, 2021

- (5) Subsections (3) and (4), above, and Subsection (e), below, shall not apply to uses that, with the exception of parking in accordance with Section 27-549, occur solely within an enclosed building.”

RESPONSE: This application cannot be approved through the administrative review process, and this subsection is thus not applicable to this application.

“(e) District Council review.

- (1) The District Council may, on its own motion, vote to review the Planning Board representative's recommendation, for the purpose of determining whether the use should be certified as nonconforming, within thirty (30) days of receipt of the recommendation.
- (2) If the District Council decides to review the proposed certification, the Clerk of the Council shall notify the Planning Board of the Council's decision. Within seven (7) calendar days after receiving this notice, the Planning Board shall transmit to the Council all materials submitted to it in connection with the application.
- (3) The Zoning Hearing Examiner shall conduct a public hearing on the application. The Zoning Hearing Examiner shall make the same findings required for Administrative review or approval by Planning Board required in this Section, as well as any other applicable prescriptions regulating the proposed use specified within any other applicable Subtitle of this Code.
- (4) The Zoning Hearing Examiner shall file a written recommendation with the District Council within thirty (30) days after the close of the hearing record.
- (5) Any person of record may appeal the recommendation of the Zoning Hearing Examiner within fifteen (15) days of the filing of the Zoning Hearing Examiner's recommendation with the District Council. If appealed, all persons of record may testify before the District Council.
- (6) Persons arguing shall adhere to the District Council's Rules of Procedure, and argument shall be limited to thirty (30) minutes for each side, and to the record of the hearing.
- (7) The District Council shall affirm the certification only if it finds that a nonconforming use exists and has continuously operated, and upon finding, within the administrative record for the application, that the use to be certified as nonconforming has no outstanding Code violations with the Department of Permitting, Inspections, and Enforcement regarding the property, other than failure to have a use and occupancy permit.

- (8) The District Council shall make its decision within forty-five (45) days from the filing of the Zoning Hearing Examiner's recommendation. Failure of the Council to take action within this time shall constitute a decision to certify the use."

RESPONSE: This provision is inapplicable because there will be no administrative decision by a representative of the Planning Board for the District Council to review. Instead, the District Council has authority to hear and decide this application under § 27-258(f) of the Prince George's County Code.

“(f) Planning Board review.

- (1) Required hearing.
 - (A) If a copy of a valid use and occupancy permit is not submitted with the application, if the documentary evidence submitted is not satisfactory to the Planning Board's authorized representative to prove the commencing date or continuity of the use, or if a public hearing has been requested by any party of interest challenging the commencing date and/or continuity of the use, the Planning Board shall conduct a public hearing on the application for the purpose of determining whether the use should be certified as nonconforming.
- (2) Application for certification.
 - (A) Whenever the Planning Board will hold a hearing on a certification of the use as nonconforming, the applicant shall complete the appropriate form provided by the Planning Board.
- (3) At least seven (7) calendar days prior to the public hearing, the Planning Board shall send written notice of the date, time, and place of the hearing to the applicant and to all persons of record.
- (4) Planning Board action.
 - (A) The Planning Board may decide to either grant or deny certification of the use as nonconforming. If it decides to certify that a nonconforming use actually exists and has continuously operated and upon finding, within the administrative record for the application, that the use to be certified as nonconforming has no outstanding Code violations with the Department of Permitting, Inspections, and Enforcement regarding the property, other than failure to have a use and occupancy permit.
 - (B) The recommendation of the Planning Board shall be in the form of a resolution adopted at a regularly scheduled public meeting. The resolution shall set forth findings of fact and conclusions of law in support of the Planning Board's recommendation.

- (C) The Planning Board shall send a copy of the resolution to all persons of record.
- (5) District Council election to review; Appeal of Planning Board's recommendation.
 - (A) The recommendation of the Planning Board may be appealed by any person of record to the District Council by filing an appeal with the Clerk of the Council. In addition, and notwithstanding any appeal of the Planning Board's recommendation filed by a person of record, the District Council may, on its own motion, vote to review the Planning Board's recommendation for the purpose of making a final decision as to whether the use should be certified as nonconforming.
 - (B) The appeal shall be filed, or District Council vote to review the Planning Board recommendation shall occur, within thirty (30) calendar days after the resolution of the Planning Board was mailed. If no appeal is filed, and the District Council does not elect to review the recommendation of Planning Board within thirty (30) calendar days after the resolution of the Planning Board is mailed, the Planning Board's recommendation shall become the final decision as to the application to certify the use as nonconforming.
 - (C) Before the District Council makes a decision on the application, it shall hold a public hearing.
 - (D) The Council may decide to affirm, reverse, or modify the recommendation of the Planning Board. The decision of the Council shall be based on the record made before the Planning Board. No new evidence shall be entered into the record of the case unless it is remanded to the Planning Board and a rehearing is ordered.”

RESPONSE: The Planning Board is not authorized to hear applications for Validation of Permits Issued in Error pursuant to § 27-258 of the Prince George’s County Code.

“(g) Applicability.

- (1) This Section shall not apply to nonconforming buildings or structures occupied by conforming uses. (See Section 27-243.03.)”

RESPONSE: This does not apply to the subject application.

Validation of Permit Issued in Error No.: 47380-2014
5023 Riverdale Road
August 11, 2021

III. CONCLUSION

For all of the above-stated reasons, the Applicant respectfully requests that this request for Validation of a Permit Issued in Error for the Subject Property, to continue to operate as a multifamily apartment building with fifty-five (55) dwelling units, be approved.

Respectfully submitted,

O'MALLEY, MILES, NYLEN & GILMORE, P.A.

By:



Nathaniel Forman
7850 Walker Drive, Suite 310
Greenbelt, MD 20770
(301) 572-3237

Attorney for Applicant

1 Issue
Adv. 9/16/21

ZONING HEARING
ZONING HEARING ON THE FOLLOWING APPLICATION
WILL BE HELD BY THE ZONING HEARING EXAMINER ON

Wed., October 20, 2021
1:30 P.M.

Virtual Hearing

For information on how to participate in the hearing please call the ZHE Office at 301-952-3644, email ZHE@co.pg.md.us or visit the County Website at <https://pgccouncil.us/LIVE>

VALIDATION OF PERMIT ISSUED IN ERROR:

Riverdale (19) ELECTION DISTRICT:

No. ERR-284 -- Application of JH Calvert Park, LLC, for VALIDATION OF PERMIT ISSUED IN ERROR, Building Permit No. 47380-2014, at the property containing approximately 1.211 acres of land, zoned R-10, improved with one 5-story apartment building with 55 dwelling units, identified as 5023 Riverdale Road, Riverdale Park, Maryland 20737.

By Order of the County Council
Prince George's County, Md.
Calvin S. Hawkins, II, Chair

Attest:
Donna J. Brown
Clerk of the Council

Office of the Clerk of the Council
County Administration Bldg., Rm.2198
Upper Marlboro, MD. 20772

**TO BE PAID BY CREDIT CARD
or
Enquirer Gazette-Please Bill**

SIGN POSTING AND INSPECTION AFFIDAVIT

I, Jay Silver, hereby certify that the subject property was posted with
(print or type name)

Two (2)
specify number

sign(s) on 9/20/2021
(date)

I further certify that the signs were inspected no later than the 15th day of posting and were maintained in a reasonable manner.

Signature: Jay Silver

Application Numbers: ERR-284 Name: JH Calvert Park, LLC

Date: 9/20/2021

Address: 5023 Riverdale Rd, Riverdale MD 20737

Telephone: 410-218-2266

Capacity in which you are acting: Agent
(Owner, Applicant, Agent)

NOTE: Attach **legible** photograph(s) showing sign(s) in place. Return this affidavit and photographs to the Zoning Hearing Examiner no later than 15 days prior to the scheduled Zoning Hearing Examiner meeting (see attached map for posting locations).

* * * * *

The affidavit must be received no later than 15 days prior to the Zoning Hearing Examiner hearing. Failure to deliver the affidavit may result in rescheduling your hearing date or a recommendation for denial of the application.

SIGN POSTING INFORMATION

Application Number: ERR-284

Applicant(s) Name: JH Calvert Park, LLC

Date sign(s) were transmitted to applicant or applicant's agent: 9/3/2021

Number of signs transmitted: Two (2)

Person to whom signs were transmitted: Jay Silver (Print)

Jay Silver (Signature)

Capacity in which that person was acting: Agent
(owner, applicant, agent)

Date of scheduled Zoning Hearing Examiner meeting: October 20, 2021

Last date sign(s) can be posted: September 20, 2021

ZONING HEARING EXAMINER
HEARING
FOR INFORMATION
301-952-3644

APPLICATION# **ERB-284**
ERB-284

For more info, please contact 301-952-3644
or Email: ZHEG.CO.PG.MD.US

DATE: **11-03-2021** TIME: **9:30 A.M.**

VIRTUAL HEARING

COUNTY ADMINISTRATION BUILDING
UPPER MARLBORO, MD
www.princegeorgescountymd.gov



**ZONING HEARING EXAMINER
HEARING**

FOR INFORMATION

301-952-3644

APPLICATION# ERR-284

EPR-284
For mor info Please call 301-952-3644
or Email: ZHEG@CO.PG.MD.US

DATE: 11-03-2021 **TIME: 9:30 A.M.**

VIRTUAL HEARING

**COUNTY ADMINISTRATION BUILDING
UPPER MARLBORO, MD
www.princegeorgescountymd.gov**

Zoning Hearing Examiner

Prince George's County • 14741 Governor Oden Bowie Drive, Upper Marlboro, MD 20772 • 301-952-3644

NOTICE OF VIRTUAL HEARING

Application Number: ERR-284

Applicant(s) Name: JH Calvert Park, LLC

Date and time of scheduled Zoning Hearing Examiner meeting: October 20, 2021 at 1:30 P.M.

Description of Request: Application of JH Calvert Park, LLC, for VALIDATION OF PERMIT ISSUED IN ERROR,

Building Permit No. 47380-2014, for the erection of a six (6) foot fence to enclose a dumpster on approximately 1.211 acres of land, zoned R-10 (Multifamily High Density Residential), improved with a single five (5) story multifamily apartment building with 55 dwelling units, located approximately 530 feet east of its intersection with Taylor Road and identified as 5023 Riverdale Road, Riverdale Park, Maryland 20737.

* * * * *

Attention: Due to the current state of the novel coronavirus (COVID-19) pandemic, and the implications of the Council's Emergency Resolutions including, CR-35-2020, the Zoning Hearing Examiners Office is operating under emergency procedures. As authorized by CB-33-2020, all or a portion of the hearing will be conducted virtually and in accordance with District Council Rules of Procedure.

Requests to become Persons of Record should be submitted electronically by email to: ZHE@co.pg.md.us no later than 5:00 p.m. on August 16, 2021. Persons of Record will receive an email with information to join the virtual meeting platform. **Once you have received your Notice of Hearing, please provide an email address to ZHE@co.pg.md.us**

If you have not viewed the documents you can find them at <https://pgccouncil.us/LZIS>. Once there select "Guide", then "ZHE", then the application name and hearing date, then "meeting details" and finally "attachments".

Upon notification of an evidentiary hearing before the Zoning Hearing Examiner, any interested party shall submit documents for the record in person, by email, by other electronic portals, or in the County provided drop box. **A copy of all large Site Plans or other documents must be submitted in person or the County provided drop box.** All documents for the record shall be submitted no later than five (5) business days before the scheduled evidentiary hearing. With permission from the Zoning Hearing Examiner, a party may submit supplemental documents for the record. Any interested party may contact The Office of the Zoning Hearing Examiner to receive a paper copy of a document if the document is not accessible online

The Zoning Hearing Examiner shall not be responsible for resolving any technical difficulties incurred by any person participating in a virtual/remote hearing.

This notice is for informational purposes only. Per CB-1-2004 you have received this Notice of Public Hearing because you signed up to become a Person of Record. If you have any questions, please contact the Zoning Hearing Examiner at email ZHE@co.pg.md.us. or call (301) 952-3644.


DATE MAILED BY US POSTAL SERVICE/EMAILED: July 16, 2021 to Persons of Record (List attached to original in file)

Home

Permit ▾

Inspection ▾

ePayments ▾

Inspections History By Permit Number 

* Permit Number : - -

Example: 1001 - 2013 - 00

* Enter the code shown below : [More info](#) 

02421

Fields marked with an asterisk * are required.

View Inspections

Permit Details:

Permit Number : 47380-2014-00
 Permit Name : DANERIC ENCLOSURE
 Address : 5023 Riverdale Rd. Town Of Riverdale Riverdale, 20737
 Permit Type : DPIE CEW
 Permit Use Type : Apartment
 Work Description : 6' FENCE TO ENCLOSE DUMPSTER
 Date Applied : Monday, December 29, 2014
 Permit Status : CLOSED

Inspections:

Inspection Date	Inspection Type	Inspector First Name	Inspector Last Name	Inspection Result
Thursday, August 6, 2015	CSD -> FINAL - NO U&O ISSUED	Ishola	Famuditimi	Rejected
Friday, August 14, 2015	CSD -> FINAL - NO U&O ISSUED	JORGE	THOMPSON	Final w/o U&O

Location

9400 Peppercorn Place, Largo, Maryland 20774

[More building locations.](#)

Permit Status Tracking

* Permit Number : - -

Example: 1001 - 2013 - 00

* Enter the code shown below : [More info](#)

770C7

Fields marked with an asterisk * are required.

Track Permit Status

Permit Details:

Permit Number : 47380-2014-00
 Permit Name : DANERIC ENCLOSURE
 Address : 5023 Riverdale Rd.Town Of Riverdale Riverdale, 20737
 Permit Type : DPIE CEW
 Permit Use Type : Apartment
 Work Description : 6' FENCE TO ENCLOSE DUMPSTER
 Date Applied : Monday, December 29, 2014
 Permit Status : CLOSED
 Estimated Completion Date :

Permit Approval Process:

Process Name	Assigned Date	Process Status	Completion Date	Response	Additional Status
DPIE BUILDING INSPECTION	1/21/2015 10:21:24 AM	In Progress			On hold?
PERMIT ISSUANCE	1/21/2015 10:20:39 AM	Process Completed	1/21/2015 10:21:23 AM	Permit Issued	On hold?
PERMIT CHECK	1/20/2015 12:42:32 PM	Process Completed	1/21/2015 10:20:39 AM	Walkthru	On hold?
DPIE HEALTH REVIEW	12/29/2014 11:52:28 AM	Process Completed	12/29/2014 12:19:54 PM	Not Required	On hold?
STRUCTURAL REVIEW	12/29/2014 11:52:28 AM	Process Completed	1/20/2015 11:11:22 AM	Approved	On hold?
FIRE REVIEW	12/29/2014 11:52:28 AM	Process Completed	1/20/2015 12:42:32 PM	Approved	On hold?
PLANNING REVIEW	12/29/2014 11:52:28 AM	Process Completed	1/20/2015 10:35:45 AM	Approved	On hold?
DPIE SITE/ROAD REVIEW	12/29/2014 11:52:28 AM	Process Completed	1/20/2015 10:54:26 AM	Approved	On hold?
DPIE PERMIT APPLICATION	12/29/2014 11:51:33 AM	Process Completed	12/29/2014 11:52:28 AM	Application Complete	On hold?
DPIE RECORDS MANAGEMENT		Not Started			On hold?
STRUCTURAL REVIEW		Not Started			On hold?
PLANS ADMINISTRATION (BUILDING)		Not Started			On hold?
PLANS ADMINISTRATION (BUILDING)		Not Started			On hold?
PLANS ADMINISTRATION (PLANNING)		Not Started			On hold?
PLANNING REVIEW		Not Started			On hold?
PLANS ADMINISTRATION (PLANNING)		Not Started			On hold?
DPIE TPIP		Not Started			On hold?
DPIE HEALTH SUPERVISOR		Not Started			On hold?
PLANS ADMINISTRATION (HEALTH)		Not Started			On hold?
DPIE HEALTH REVIEW		Not Started			On hold?
PLANS ADMINISTRATION (HEALTH)		Not Started			On hold?
FIRE REVIEW		Not Started			On hold?
DPIE ELECTRICAL REVIEW		Not Started			On hold?
DPIE RECORDS MANAGEMENT		Not Started			On hold?

 [View Approval Process Graphically](#)

Location

9400 Peppercorn Place, Largo, Maryland 20774

[More building locations.](#)

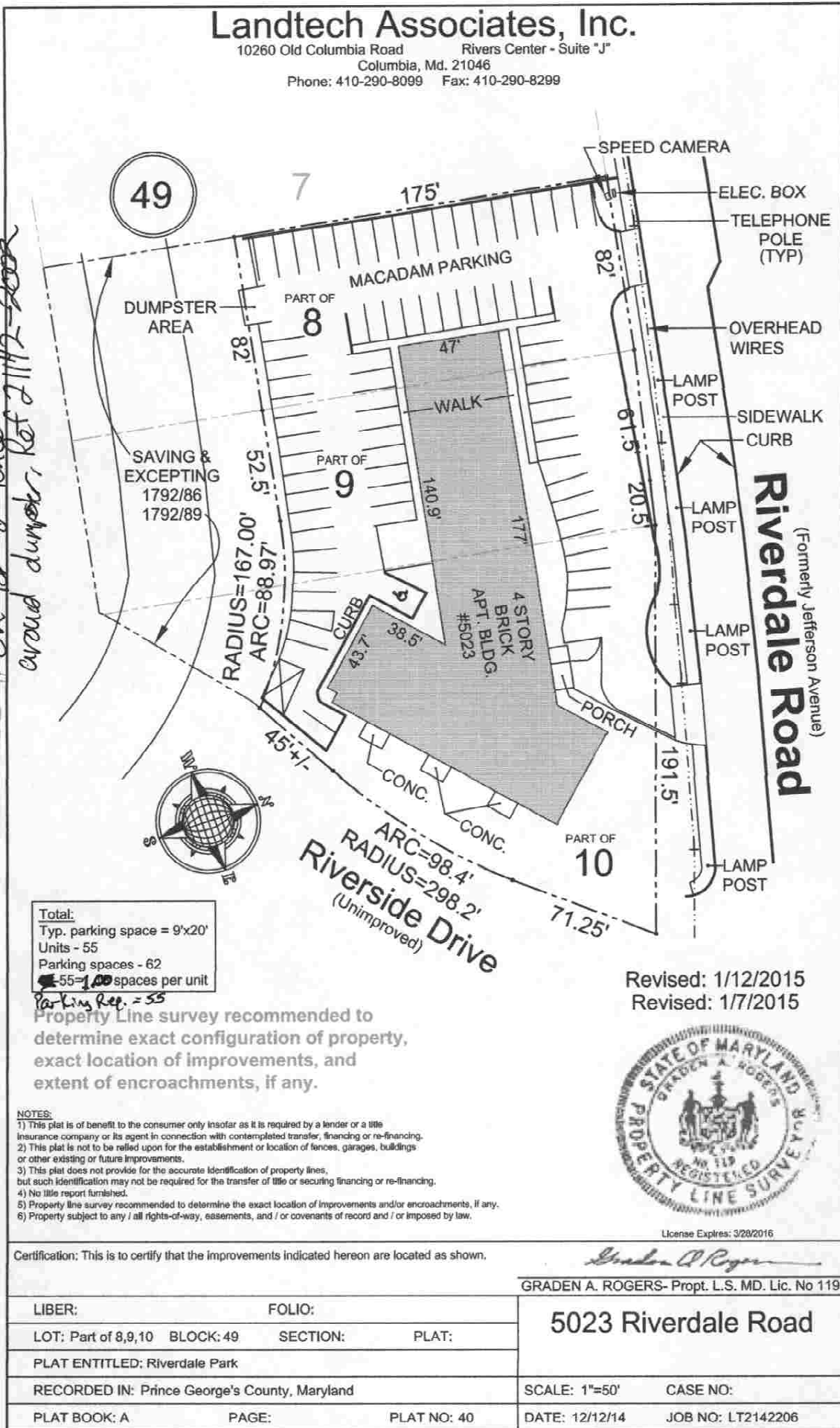
Landtech Associates, Inc.

10260 Old Columbia Road Rivers Center - Suite "J"
Columbia, Md. 21046
Phone: 410-290-8099 Fax: 410-290-8299

The Maryland National Capital
Park and Planning Commission

APPROVED 1/20/2015
W7380-2014-CEW
PERMIT # OK for fence

around dumpster, Ref 71112-2008



Total:
 Typ. parking space = 9'x20'
 Units - 55
 Parking spaces - 62
 55 = 1.00 spaces per unit
 Parking Req. = 55

Property Line survey recommended to determine exact configuration of property, exact location of improvements, and extent of encroachments, if any.

- NOTES:
- 1) This plat is of benefit to the consumer only insofar as it is required by a lender or a title insurance company or its agent in connection with contemplated transfer, financing or re-financing.
 - 2) This plat is not to be relied upon for the establishment or location of fences, garages, buildings or other existing or future improvements.
 - 3) This plat does not provide for the accurate identification of property lines, but such identification may not be required for the transfer of title or securing financing or re-financing.
 - 4) No title report furnished.
 - 5) Property line survey recommended to determine the exact location of improvements and/or encroachments, if any.
 - 6) Property subject to any / all rights-of-way, easements, and / or covenants of record and / or imposed by law.

Revised: 1/12/2015
 Revised: 1/7/2015



Certification: This is to certify that the improvements indicated hereon are located as shown.

Gradon A. Rogers

GRADON A. ROGERS- Propt. L.S. MD. Lic. No 119

LIBER:	FOLIO:
LOT: Part of 8,9,10	BLOCK: 49
SECTION:	PLAT:
PLAT ENTITLED: Riverdale Park	
RECORDED IN: Prince George's County, Maryland	
PLAT BOOK: A	PAGE:
PLAT NO: 40	

5023 Riverdale Road	
SCALE: 1"=50'	CASE NO:
DATE: 12/12/14	JOB NO: LT2142206

Nathaniel Forman

From: Hill, Lorenzo <LHill@co.pg.md.us>
Sent: Monday, August 9, 2021 11:48 AM
To: Nathaniel Forman; dpie.mpia; Palacios, Renee; Freeland, Patricia
Cc: Jones, Giavonya S.; Thomas-Lester, Avis
Subject: RE: MPIA Request for Multifamily Rental Licenses 5023 Riverdale Rad 9.10

The county does not maintain licenses or code enforcement records for properties no longer regulated by the county.

Lorenzo C. Hill
Department of Permitting, Inspections and Enforcement
Code Enforcement Division
Property Standards Inspector
9400 Peppercorn Place- Suite 600
Largo, Md. 20774
(240)832-8540
lhill@co.pg.md.us

From: Nathaniel Forman <nforman@omng.com>
Sent: Monday, August 9, 2021 11:35 AM
To: Hill, Lorenzo <LHill@co.pg.md.us>; dpie.mpia <dpie.mpia@co.pg.md.us>; Palacios, Renee <rpalacios@co.pg.md.us>; Freeland, Patricia <PFreeland@co.pg.md.us>
Cc: Jones, Giavonya S. <GSJones@co.pg.md.us>; Thomas-Lester, Avis <AThomasLester@co.pg.md.us>
Subject: RE: MPIA Request for Multifamily Rental Licenses 5023 Riverdale Rad 9.10

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Mr. Hill:

Thank you for your prompt response. I understand that this property is located within the Town of Riverdale Park, and that normally this is the sole jurisdiction of the Town. However, this property has existed since the 1950s, and it is my understanding that the Town of Riverdale Park did not begin issuing rental licenses until 2003. It was only after 2003 that Prince George's County ceased issuing rental licenses within municipalities that had concurrent authority.

I am trying to determine if any rental licenses had been issued by Prince George's County for property at 5023 Riverdale Road prior to 2003. Given the age of this apartment building, it is my belief that to be in compliance with County laws and regulations, a multifamily rental license should have been issued at some point by Prince George's County.

I hope this clarifies my request. I greatly appreciate any help or assistance you can provide. Please do not hesitate to contact me if you have any questions or concerns. Thank you.

Best,
-Nate

Nathaniel Forman

Attorney

O'Malley, Miles, Nylan & Gilmore, P.A.

7850 Walker Drive, Suite 310

Greenbelt, MD 20770

www.omng.com

Direct Line: 301-572-3237

Fax: 301-572-6655

nforman@omng.com

Think before you print. The information contained in this message is intended only for the personal and confidential use of the designated recipients named above. This message may be an attorney-client communication, and, as such, is privileged and confidential. If you are not the named recipient, you should not read, distribute, copy, or alter this email. Please notify the sender immediately via e-mail if you have received this e-mail by mistake; then, delete this e-mail from your system. Warning: although precautions have been taken to make sure no viruses are present in this email, the company cannot accept responsibility for any loss or damage that arises from the use of this email or attachments. Thank you.

From: Hill, Lorenzo <LHill@co.pg.md.us>

Sent: Monday, August 9, 2021 11:26 AM

To: dpie.mpia <dpie.mpia@co.pg.md.us>; Palacios, Renee <rpalacios@co.pg.md.us>; Freeland, Patricia <PFreeland@co.pg.md.us>; Nathaniel Forman <nforman@omng.com>

Cc: Jones, Giavonya S. <GSJones@co.pg.md.us>; Thomas-Lester, Avis <AThomasLester@co.pg.md.us>

Subject: RE: MPIA Request for Multifamily Rental Licenses 5023 Riverdale Rad 9.10

This multifamily property is in the Town Riverdale Park who is the Authority Having Jurisdiction (AHJ). The Town regulates and issues licenses for all rental properties (multi and single family) in the Town. Contact the town at (301)927-6381 for information on public information requests.

Lorenzo C. Hill

Department of Permitting, Inspections and Enforcement

Code Enforcement Division

Property Standards Inspector

9400 Peppercorn Place- Suite 600

Largo, Md. 20774

(240)832-8540

lhill@co.pg.md.us

From: dpie.mpia <dpie.mpia@co.pg.md.us>

Sent: Monday, August 9, 2021 11:02 AM

To: Hill, Lorenzo <LHill@co.pg.md.us>; Palacios, Renee <rpalacios@co.pg.md.us>; Freeland, Patricia <PFreeland@co.pg.md.us>

Cc: dpie.mpia <dpie.mpia@co.pg.md.us>; Jones, Giavonya S. <GSJones@co.pg.md.us>; Thomas-Lester, Avis <AThomasLester@co.pg.md.us>

Subject: FW: MPIA Request for Multifamily Rental Licenses 5023 Riverdale Rad 9.10

Importance: High

Hello,

Please process.

TLC

From: Nathaniel Forman <nforman@omng.com>
Sent: Monday, August 9, 2021 10:32 AM
To: dpie.mpia <dpie.mpia@co.pg.md.us>
Cc: Thomas-Lester, Avis <AThomasLester@co.pg.md.us>
Subject: MPIA Request for Multifamily Rental Licenses
Importance: High

CAUTION: This email originated from an external email domain which carries the additional risk that it may be a phishing email and/or contain malware.

Good morning!

Per my conversation with Ms. Thomas-Lester, please see the attached MPIA request for a copy of any previously issued multifamily rental licenses for property located at 5023 Riverdale Road in Riverdale Park. Thank you!

Best,
-Nate

Nathaniel Forman

Attorney

O'Malley, Miles, Nylén & Gilmore, P.A.

7850 Walker Drive, Suite 310

Greenbelt, MD 20770

www.omng.com

Direct Line: 301-572-3237

Fax: 301-572-6655

nforman@omng.com

Think before you print. The information contained in this message is intended only for the personal and confidential use of the designated recipients named above. This message may be an attorney-client communication, and, as such, is privileged and confidential. If you are not the named recipient, you should not read, distribute, copy, or alter this email. Please notify the sender immediately via e-mail if you have received this e-mail by mistake; then, delete this e-mail from your system. Warning: although precautions have been taken to make sure no viruses are present in this email, the company cannot accept responsibility for any loss or damage that arises from the use of this email or attachments. Thank you.

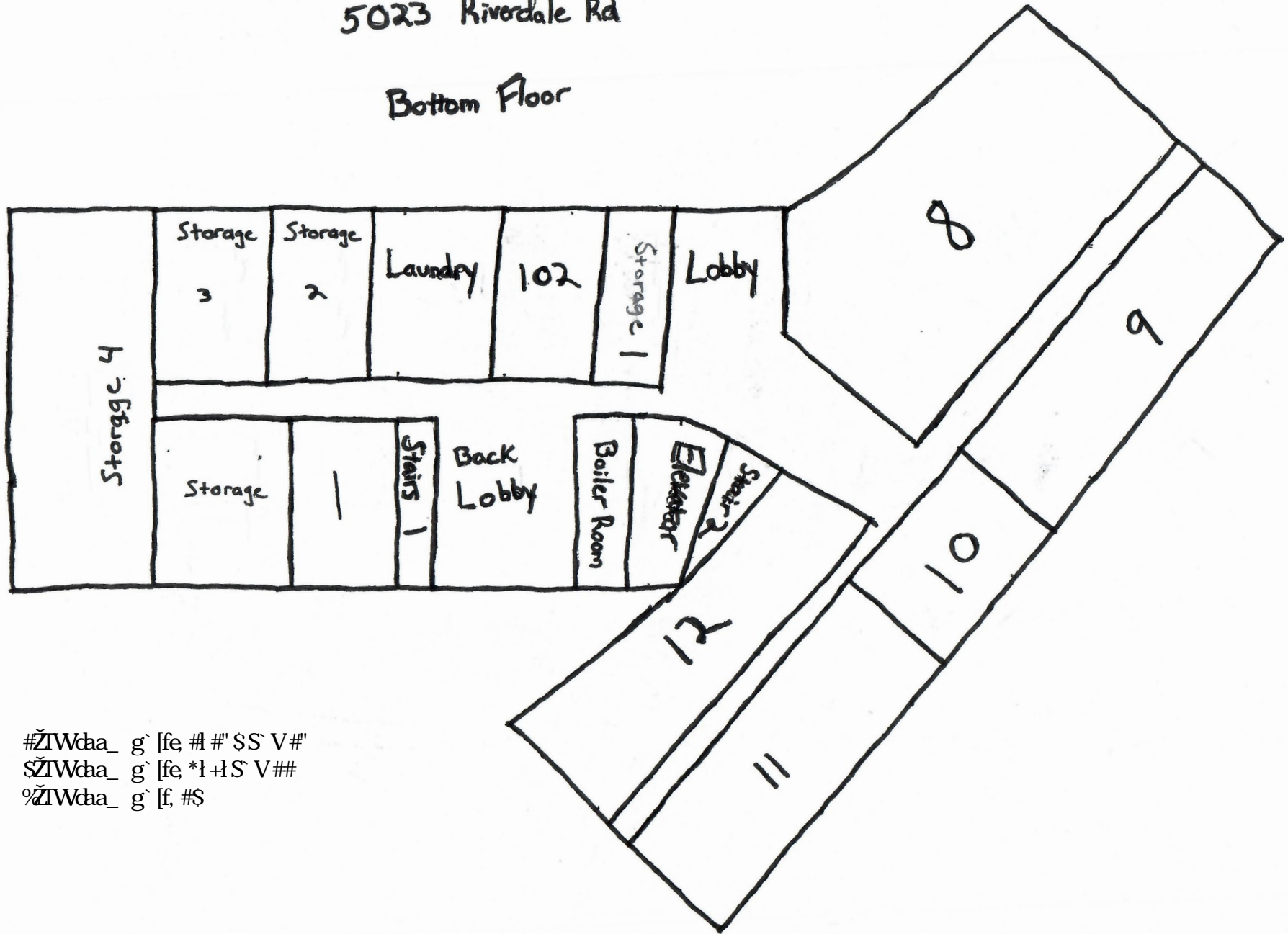
This E-mail and any of its attachments may contain Prince George's County Government or Prince George's County 7th Judicial Circuit Court proprietary information or Protected Health Information, which is privileged and confidential. This E-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this E-mail, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this E-mail is strictly prohibited by federal law and may expose you to civil and/or criminal penalties. If you have received this E-mail in error, please notify the sender immediately and permanently delete the original and any copy of this E-mail and any printout.

This E-mail and any of its attachments may contain Prince George's County Government or Prince George's County 7th Judicial Circuit Court proprietary information or Protected Health Information, which is privileged and confidential. This

E-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this E-mail, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this E-mail is strictly prohibited by federal law and may expose you to civil and/or criminal penalties. If you have received this E-mail in error, please notify the sender immediately and permanently delete the original and any copy of this E-mail and any printout.

5023 Riverdale Rd

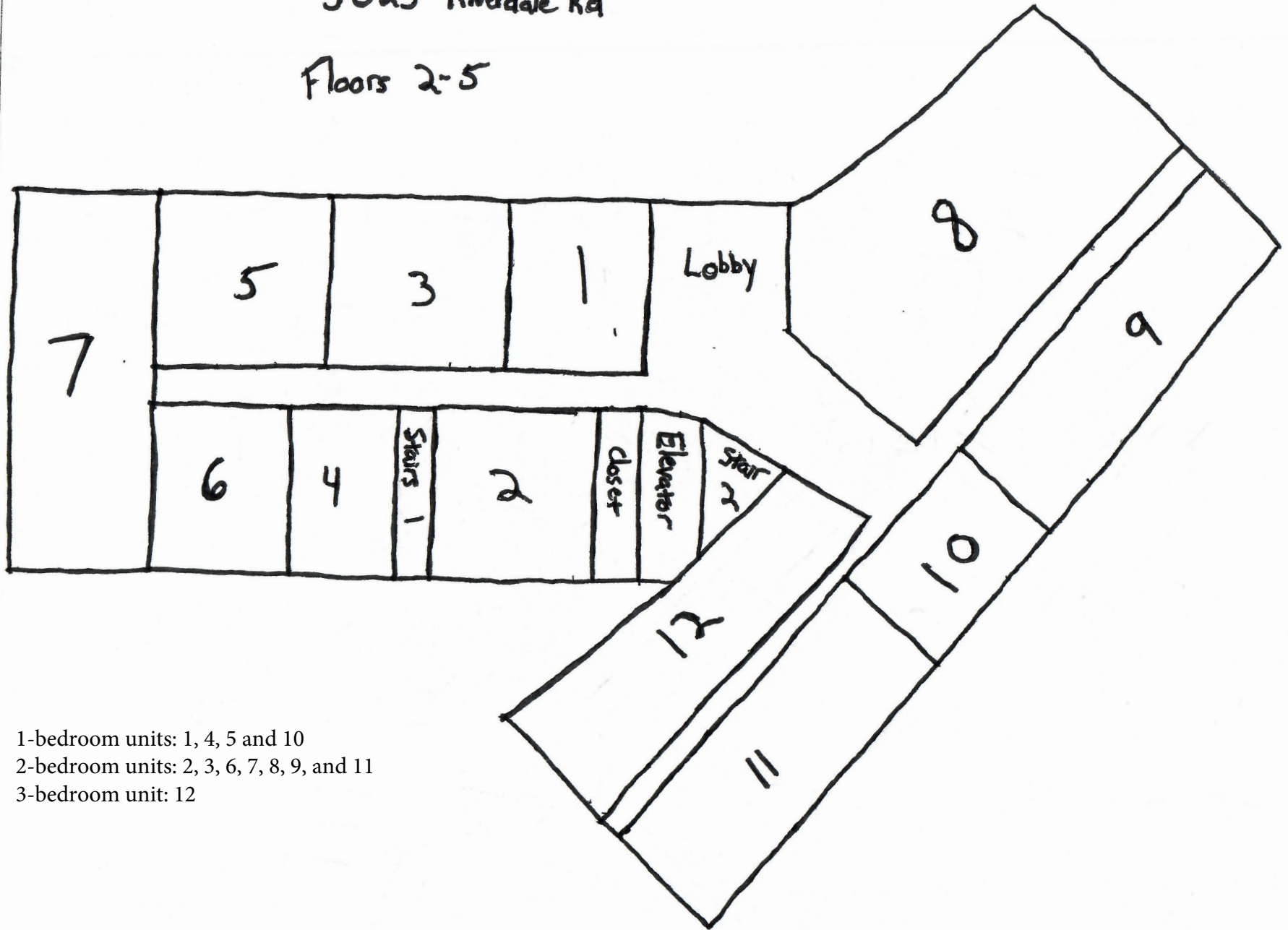
Bottom Floor



#ZIWcaa_g` [fe, # #' SS` V#'
\$ZIWcaa_g` [fe *1+1S` V##
%ZIWcaa_g` [f, #S

5023 Riverdale Rd

Floors 2-5



1-bedroom units: 1, 4, 5 and 10

2-bedroom units: 2, 3, 6, 7, 8, 9, and 11

3-bedroom unit: 12



09-10

Apartment/Rooming House License

License Expires June 30, 2010

TOWN OF RIVERDALE PARK

Prince George's County, Maryland


TO WIT: This is to certify that an Apartment/Rooming House License has this day been granted to:

Calvert Park Apartments
5023 Riverdale Road
Riverdale, MD 20737

To conduct: Apartment Rentals
In the Town of Riverdale Park, Maryland.

IN TESTIMONY WHEREOF, the Seal of the Mayor and Council of Riverdale Park, Maryland is hereunto affixed.

Attest:


Town Administrator

Issued this 30 day of June, 2009

This License is subject to Revocation by the Mayor and Council.

**THIS LICENSE SHOULD BE POSTED IN A
CONSPICUOUS PLACE.**



11-12

Apartment/Rooming House License

License Expires June 30, 2012

TOWN OF RIVERDALE PARK

Prince George's County, Maryland

To Wit: This is to certify that an Apartment/Rooming House License has this day been granted to:

Calvert Park Apartments
5023 Riverdale Road
Riverdale, MD 20737

To conduct: Apartment Rentals
In the Town of Riverdale Park, Maryland

IN TESTIMONY WHEREOF, the Seal of the Mayor and Council of Riverdale Park, Maryland is hereunto affixed.

Attest: Sara Ahlquist
Town Administrator

Issued this July 18th, 2011

This License is subject to Revocation by the Mayor and Council.

**THIS LICENSE SHOULD BE POSTED IN A
CONSPICUOUS PLACE.**



12-13

Apartment/Rooming House License

License Expires June 30, 2013

TOWN OF RIVERDALE PARK

Prince George's County, Maryland

To Wit: This is to certify that an Apartment/Rooming House License has this day been granted to:

Calvert Park Apartments - Lic. #M-RP-00101
5023 Riverdale Road
Riverdale, MD 20737

To conduct: Apartment Rentals
In the Town of Riverdale Park, Maryland

IN TESTIMONY WHERE OF, the Seal of the Mayor and Council of Riverdale Park, Maryland is hereunto affixed.

Attest: 
Town Administrator

Issued this June 6, 2012

This License is subject to Revocation by the Mayor and Council.

**THIS LICENSE SHOULD BE POSTED IN A
CONSPICUOUS PLACE.**



FY14

Apartment/Rooming House License

License Expires June 30, 2014

TOWN OF RIVERDALE PARK

Prince George's County, Maryland

LIC. #M-RP-00101

To Wit: This is to certify that an Apartment/Rooming House License has this day been granted to:

Calvert Park Apartments
5023 Riverdale Road
Riverdale, MD 20737

To conduct: Apartment Rentals
In the Town of Riverdale Park, Maryland

IN TESTIMONY WHERE OF, the Seal of the Mayor and Council of Riverdale Park, Maryland is hereunto affixed.

Attest: Sara Anluise
Town Administrator

Issued this June 6, 2013

This License is subject to Revocation by the Mayor and Council.

**THIS LICENSE SHOULD BE POSTED IN A
CONSPICUOUS PLACE.**



Town of Riverdale Park, Maryland
Office of Development Services

License Number: FY 2018-102

MULTI-FAMILY RENTAL LICENSE
FY 2018
Expires June 30, 2018

This is to certify that a license has been granted to **Daneric Enterprise Limited Partnership** to operate a multi-family residential rental dwelling at **Calvert Park Apartments, 5023 Riverdale Road, Riverdale Park, MD 20737**, unless revoked pursuant to Chapter 55 of the Riverdale Park Town Code.

The licensee is obligated to promptly inform this office of any changes to information contained in the application for this license. This includes changes of managing agents, resident manager, and/or contact information.

Date Issued: January 31, 2019

Kevin Simpson

Kevin Simpson, Director
Office of Development Services

Number of Rental Units: 55

This license shall be conspicuously posted on the premises, or produced on demand of any tenant or prospective tenant, and shall be available at reasonable times for inspection by the Town's Development Services' staff or other Town official such designated.

Thank you for your investment and for growing with us!



Town of Riverdale Park, Maryland
Office of Development Services

License Number: FY 2019-1801

MULTI-FAMILY RENTAL LICENSE
FY 2019

Expires June 30, 2019

This is to certify that a license has been granted to **Daneric Enterprise Limited Partnership** to operate a multi-family residential rental dwelling at **Calvert Park Apartments, 5023 Riverdale Road, Riverdale Park, MD 20737**, unless revoked pursuant to Chapter 55 of the Riverdale Park Town Code.

The licensee is obligated to promptly inform this office of any changes to information contained in the application for this license. This includes changes of managing agents, resident manager, and/or contact information.

Date Issued: January 31, 2019

Kevin Simpson

Kevin Simpson, Director
Office of Development Services

Number of Rental Units: 55

Conditions: Required emergency escape and rescue window in Unit 102 will be installed in a timely manner as agreed.

This license shall be conspicuously posted on the premises, or produced on demand of any tenant or prospective tenant, and shall be available at reasonable times for inspection by the Town's Development Services' staff or other Town official such designated.

Thank you for your investment and for growing with us!



Town of Riverdale Park, Maryland
Office of Neighborhood Services

License Number: MFR20-13900

MULTI-FAMILY RENTAL LICENSE
Calvert Park Apartments
FY 2020
Expires June 30, 2020

This is to certify that a license has been granted to **Daneric Enterprise Limited Partnership** to operate a multi-family residential rental dwelling at **5023 Riverdale Road, Riverdale Park, MD 20737**, unless revoked pursuant to Chapter 55 of the Riverdale Park Town Code.

The licensee is obligated to promptly inform this office of any changes to information contained in the application for this license. This includes changes of managing agents, resident manager, and/or contact information.

Jessica Barnes

Jessica Barnes, Town Clerk
Office of Administrative Services

Date Issued: October 9, 2019

Rental Units: 55

This license shall be conspicuously posted on the premises, or produced on demand of any tenant or prospective tenant, and shall be available at reasonable times for inspection by the Town's Development Services' staff or other Town official such designated.

Thank you for your investment and for growing with us!



Town of Riverdale Park, Maryland
Office of Neighborhood Services

License Number: MF21-081608

MULTI-FAMILY RENTAL LICENSE
The Current @ Riverdale Park Apartments
FY 2021
Expires June 30, 2021

This is to certify that a license has been granted to **JH Calvert Park LLC** to operate a multi-family residential rental dwelling at **5023 Riverdale Road, Riverdale Park, MD 20737**, unless revoked pursuant to Chapter 55 of the Riverdale Park Town Code.

The licensee is obligated to promptly inform this office of any changes to information contained in the application for this license. This includes changes of managing agents, resident manager, and/or contact information.

Jessica Barnes

Jessica Barnes, Town Clerk
Office of Administrative Services

Date Issued: November 24, 2020

Rental Units: 55

This license shall be conspicuously posted on the premises, or produced on demand of any tenant or prospective tenant, and shall be available at reasonable times for inspection by the Town's Development Services' staff or other Town official such designated.

Thank you for your investment and for growing with us!



Global Zoning

AMERICAN
NATIONAL



PRELIMINARY ZONING
COMPLIANCE REPORT

5023 Riverdale Road
Riverdale, Maryland 20737

Prepared for:
American National, LLC
JH Calvert Park, LLC
STEWART TITLE GUARANTY COMPANY

Dated: December 4, 2019

Global Zoning Job #: GZ 8403

Client Reference #: 20191636

Prepared by: Shelly Labus, Global Zoning LLC
shelly.labus@globalzoning.com, 405.286.2470

For ALTA Survey Orders: info@amnational.net
ALTA Survey Quote <http://amnational.net/request-for-quote/>

Property Summary:

Property Name:	5023 Riverdale Road
Property Address:	5023 Riverdale Road
Property Jurisdiction	Prince George's County, Maryland
Property Size:	1.211 Acres or 52,768 Square Feet ±
Number of Buildings:	1 Building
Building Size:	13,439 Square Feet Building Footprint
Number of Existing Units:	55 Dwelling Units
Current Zoning of Property:	"R-10" Multifamily High Density Residential District and "R-55" One-Family Detached Residential District
Current Zoning Ordinance:	The current Zoning Ordinance amended through October 28, 2019 is attached.

Permitted Use Analysis:

Current Use:	Dwelling, Multifamily
Is the use Permitted in this District:	Yes, the Use is permitted in the R-10 District, subject to applicable Bedroom percentages under Section 27-441. There are no structures in the R-55 District.

Outstanding Code Violation Search Results:

Outstanding Zoning Code Violations:	All documents/responses have been requested and will be forwarded immediately upon receipt
Outstanding Fire Code Violations:	All documents/responses have been requested and will be forwarded immediately upon receipt
Outstanding Building Code Violations:	All documents/responses have been requested and will be forwarded immediately upon receipt



Certificates of Occupancy:

All documents/responses have been requested and will be forwarded immediately upon receipt

Pending Road Projects/Condemnation Plans:

All documents/responses have been requested and will be forwarded immediately upon receipt

Site Requirements:

	Required	Provided	Conformance
Minimum Lot Size:	20,000 Square Feet (Section 27-442)	52,768 Square Feet±	Legal Conforming
Minimum Lot Width/ Frontage and Depth:	100 Feet Lot Width at Front Building Line and Street Line; 125 Feet for Corner Lot; 150 Feet for Multifamily (Section 27-442)	355.54 Feet± Lot Width	Legal Conforming
Maximum Density:	50% Lot Coverage (Section 27-442)	78.45%± Lot Coverage	Legal Nonconforming
	Minimum 50% Green Area (Section 27-442)	21.55%± Green Area	Legal Nonconforming
	48 Dwelling Units per Acre (Section 27-442)	45.42 Dwelling Units per Acre±	Legal Conforming
	25% Accessory Building Coverage (Section 27-442)	0% Accessory Building Coverage	Legal Conforming
Maximum Building Height:	110 Feet also applicable to Parking Garage; at least 80% of the Total Number of Dwelling Units of the Multifamily Project shall be within Buildings having a Minimum Height of 52 Feet, not more than 20% of the Total Number of Dwelling Units of the Multifamily Project may be in Buildings of a lesser Height (Section 27-442)	47.4 Feet±; 0% of the Total Number of Dwelling Units are within a Building having a Minimum Height of 52 Feet	Legal Nonconforming
	15 Feet for Accessory (Section 27-442)		

Setback Requirements:

	Required	Provided	Conformance
Front Setback:	30 Feet; for each 2 Feet the Building exceeds 36 Feet in Height, the Yards shall be increased by 1 Foot (Section 27-442) (47.4 Feet Height = 30 Feet + 5.7 = <u>35.7 Feet</u>)	30.9 Feet± from Riverdale Road	Legal Nonconforming
Street Side Setback:	30 Feet; for each 2 Feet the Building exceeds 36 Feet in Height, the Yards shall be increased by 1 Foot; 60 Feet from Centerline of Street (Section 27-442)	Not Applicable	Legal Conforming
Interior Side Setback:	30 Feet; 10 Feet each Side Minimum; for each 2 Feet the Building exceeds 36 Feet in Height, the Yards shall be increased by 1 Foot (Section 27-442) (47.4 Feet Height = 30 Feet + 5.7 = <u>35.7 Feet</u>)	24.5 Feet±, 88 Feet± Aggregate	Legal Conforming
Rear Setback:	30 Feet; for each 2 Feet the Building exceeds 36 Feet in Height, the Yards shall be increased by 1 Foot (Section 27-442) (47.4 Feet Height = 30 Feet + 5.7 = <u>35.7 Feet</u>)	23 Feet±	Legal Nonconforming
Building Separation:	50 Feet; 0.5 Feet for each 1 Foot above 36 Feet of taller Building; 20 Feet if 2 Buildings are situated 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, plus 0.5 Feet for each 1 Foot above 36 Feet of taller Building (Section 27-442)	Not Applicable	Legal Conforming

Accessory Setback Requirements:

	Required	Provided	Conformance
Front Setback:	60 Feet (Section 27-442)	Not Applicable	Legal Conforming
Street Side Setback:	30 Feet; 15 Feet if abutting Lot does not Front on Street (Section 27-442)	Not Applicable	Legal Conforming
Interior Side Setback:	2 Feet (Section 27-442)	Not Applicable	Legal Conforming
Rear Setback:	2 Feet; 5 Feet from Alley; 10 Feet if Corner Lot and the Building is located less than 60 Feet from the Side Street Line (Section 27-442)	Not Applicable	Legal Conforming

Parking Requirements:

<p>Minimum Number of Parking Spaces Required:</p>	<p>2.0 Parking Spaces per Dwelling Unit (55 Units x 2 = <u>110 Parking Spaces</u>), plus 0.5 Parking Space per Bedroom in excess of 1 per Unit (44 Bedrooms x 0.5 = <u>22 Parking Spaces</u>) (Section 27-568)</p> <p>Total Required: <u>132 Parking Spaces</u></p>
<p>Maximum Number of Parking Spaces Allowed:</p>	<p>No Maximum</p>
<p>Existing Parking Count:</p>	<p>72 Parking Spaces</p>
<p>Parking Conformance:</p>	<p>Legal Nonconforming</p>

Conformance Status:

Use:	The Use of the Property as a Dwelling, Multifamily is Legal Conforming
Property/Improvements:	The Property Improvements are Legal Nonconforming due to changes in the Zoning Code subsequent to the date of development per Amber Krivitsky, Planning Information Services
Deficiencies:	<ol style="list-style-type: none"> 1) The Lot Coverage exceeds the maximum by 28.45%± 2) The Green Area is deficient 28.45%± 3) The Building Height is deficient 4.6 Feet± 4) The Building encroaches into the Front Setback Requirements up to 4.8 Feet± 5) The Building encroaches into the Rear Setback Requirements up to 12.7 Feet± 6) The existing Parking is deficient 60 Parking Spaces
Legal Nonconforming Use Reconstruction Clause:	Not Applicable as the Use is Legal Conforming
Legal Nonconforming Building Reconstruction Clause:	<p>Sec. 27-243. - Reconstruction, reestablishment, and restoration.</p> <p>(a) Without enlargement, extension, or relocation.</p> <p>(1) The restoration, reconstruction, or reestablishment of a nonconforming building or structure, or a certified nonconforming use, which has either been unintentionally destroyed by fire or other calamity, has temporarily ceased operation for the sole purpose of correcting Code violations, or has temporarily ceased operation due to the seasonal nature of the use, may be permitted without relocation, enlargement, or extension, provided that:</p> <p>(A) Where the building, structure, or use has been unintentionally destroyed by fire or other calamity, a building permit for restoration or reconstruction shall be issued within one (1) calendar year from the destruction date, and construction pursuant to the permit has begun within six (6) calendar months after the date of issuance (or lawful extension) of the permit, and proceeds to completion in a timely manner. If it has been destroyed for more than one (1) calendar year, the reconstruction, reestablishment, or restoration may only be permitted upon approval of a Special Exception in accordance with Part 4 of this Subtitle.</p> <p>(B) Where a certified nonconforming use has temporarily ceased operation, either for the sole purpose of correcting Code violations or because the nature of the nonconforming use is seasonal, such use shall be</p>

reestablished within one (1) calendar year from the date upon which operation last ceased.

(2) The intentional demolition and reconstruction, reestablishment, or restoration of a certified nonconforming use on the same lot, which does not involve relocation, enlargement, or extension, is prohibited within the Safety Zones of the Military Installation Overlay Zone, but may be permitted outside of the Safety Zones of the Military Installation Overlay Zone only upon approval of a Special Exception in accordance with Part 4 of this Subtitle.

(b) With enlargement, extension, or relocation.

(1) The reconstruction or restoration of a nonconforming building or structure, or a certified nonconforming use, which has been unintentionally destroyed by fire or other calamity and which involves an enlargement, extension, or relocation, may be permitted only upon approval of a Special Exception in accordance with Part 4 of this Subtitle.

(2) The intentional demolition and reconstruction of a certified nonconforming use on the same lot, which involves relocation, enlargement, or extension, is prohibited within the Safety Zones of the Military Installation Overlay Zone, but may be permitted outside of the Safety Zones of the Military Installation Overlay Zone only upon approval of a Special Exception in accordance with Part 4. The requirement for a Special Exception shall not apply to the replacement of a mobile home, provided the new mobile home does not exceed one thousand and fifty (1,050) square feet in size.

(3) Notwithstanding any other provision within this Section, the reconstruction or restoration of a nonconforming building or structure, or a certified nonconforming use involving an enlargement, extension, or relocation of uses, buildings, or structures considered non-conforming pursuant to the provisions of Section 27-548.53 of this Subtitle is prohibited.

Additional Notes:

None

Survey/Appraisal Contact:

American National, LLC

3465 S. Arlington Rd Suite E#183

Akron, OH 44312

330-294-1077 Ext. 101

Dated: 12.02.2019

Municipal Contact:

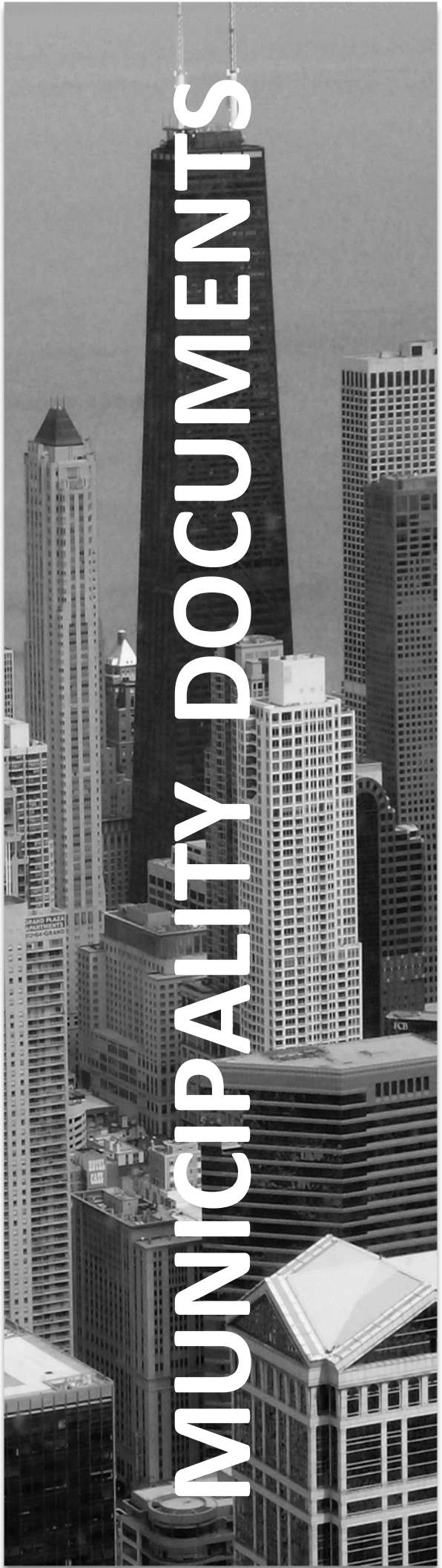
Amber Krivitsky

Planning Information Services

Prince George's County, MD

301.952.3594

MUNICIPALITY DOCUMENTS





MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION
Prince George's County Planning Department

Planning Information Services
14741 Governor Oden Bowie Drive, Suite L2
Upper Marlboro, MD 20772

(301) 952-3208
(301)-952-3195
www.mncppc.org

November 21, 2019

Ms. Ashlee Watters
Global Zoning
8205 NW 69th Street
Oklahoma City, OK 73132

Re: 5023 Riverdale Road, Riverdale, MD 20737

Tax ID: 2154961

In response to your request for information regarding the above-referenced property, we have researched our files/data base and present the following:

Zoning Verification OR Buildable lots

1. The current zoning classification for the subject property is:

R-10 (Multifamily High Density Residential) and R-55 (One-Family Detached Residential)

Overlay District(s):

Yes No

2. Record Lot(s): Yes Date: _____ No Not Applicable

An area of land designated as a separate parcel of land on a "Record Plat," or on a legally recorded deed (to land for which no "Subdivision" plat is required pursuant to the provisions of Subtitle 24) filed among the Land Records of Prince George's County, Maryland.

Comment:

3. Specific Use(s)/Regulation(s):

Per Section 27-441(b) of the Prince George's County Zoning Ordinance (Ordinance), a multifamily dwelling is a permitted use in the R-10 Zone subject to applicable bedroom percentages. The R-55 Zone prohibits multifamily dwellings. If the properties were developed with multifamily dwellings prior to the inception of bedroom unit percentage requirements (October 1, 1968), or prior to current density limitations and does not comply with them at this time, the development may be a nonconforming use and must be so certified.

4. According to the current zoning ordinance and/or regulations applicable to the subject property, the **current use** of the property is classified as:

- Permitted by Right
- Permitted by Special Exception
- Legally Nonconforming
- Prohibited

Comment:

5. Conformance: According to the current zoning ordinance and/or regulations applicable to the subject property, the current use and/or structure is:

- Legally Conforming (in conformance with applicable zoning and subdivision regulations, or grandfathered). May rebuild in accordance with current regulations.
- Legally Nonconforming (not in conformance with applicable zoning and subdivision regulations, but legal and subject to conditions and/or requirements). See Rebuild (below).
- Nonconforming (not in conformance with applicable zoning and subdivision regulations). See Rebuild (below).

Comment:

6. Rebuild: In the event of casualty, in whole or in part, the structure located on the subject property may be rebuilt in its current form in accordance with Section 27-243 of the current zoning ordinance:

- Yes No

Comment:

7. Variances, special exceptions, and/or zoning conditions approved for the subject property:

- Variance Special Exception Zoning Conditions None

Comment:

8. Site Plan Information:

An approved site plan for the subject property is on file.

Available plans must be requested, additional fees apply. Request plans at <http://www.pgplanning.org/DocumentCenter/View/6884/Online-Information-Request-Form>

No site plan

List of approved plans and permits for subject property:

Most recently, Permit #47380-2014-CEW was approved on 1/20/15 for a 6' fence around dumpster (copy attached).

Additional comments regarding the subject property:

The apartment complex is restricted to the R-10 zoned portion of the property.

Adjacent properties to the north and east are zoned R-O-S (Reserved Open Space).
Adjacent properties to the south and west are zoned R-55.

Note: The Maryland-National Capital Park and Planning Commission's (Commission) role is to review permit applications for compliance with zoning and subdivision regulations. The full text of the Ordinance (Subtitle 27) is at: https://www.municode.com/library/md/prince_george's_county/codes/code_of_ordinances

Information regarding use and occupancy permits, building permits and outstanding violations may be obtained by contacting the Prince George's County Department of Permitting, Inspections, and Enforcement (DPIE) at 301-636-2000.

This information was researched on 11/21/2019, by the undersigned, per request and as a public service. The undersigned certifies that the above information contained herein is accurate to the best of our knowledge, information, and belief, and is based upon or relates to the information supplied by the requestor. The Department assumes no liability for errors and omissions. All information was obtained from public records, which may be inspected during regular business hours.

Sincerely,
Amber Krivitsky
Planning Information Services

ZONING CODE TITLE



Code of Ordinances

Supplement 2019 Update 12

Online content updated on October 24, 2019

CODE OF ORDINANCES PRINCE GEORGE'S COUNTY MARYLAND Codified through Bill No. CB-11-2019, effective October 28, 2019. (2019 Supp., Update 12)

Sec. 27-101. - Title.

This Subtitle shall be known as the Zoning Ordinance of Prince George's County, Maryland.

DISTRICT REQUIREMENTS



DIVISION 3. - USES PERMITTED.

Sec. 27-441. - Uses permitted.

- (a) No use shall be allowed in the Residential Zones, except as provided for in the Table of Uses. In the table, the following applies:
 - (1) The letter "P" indicates that the use is permitted in the zone indicated.
 - (2) The letters "SE" indicate that the use is permitted, subject to the approval of a Special Exception in accordance with Part 4 of this Subtitle.
 - (3) The letters "PA" indicate that the use is permitted, subject to the following:
 - (A) There shall be no entrances to the use directly from outside the building;
 - (B) No signs or other evidence indicating the existence of the use shall be visible from outside the building, other than a business identification sign lettered on a window. The sign shall not exceed six (6) square feet in area; and
 - (C) The use shall be secondary to the primary use of the building.
 - (4) The letters "PB" indicate that the use is permitted, subject to the following:
 - (A) The use shall be related to, dependent on, and secondary to a primary use on the premises;
 - (B) The use shall be located on the same record lot as the primary use;
 - (C) The use shall not be located within a building not occupied by the primary use; and
 - (D) The floor area of any building (and the land area occupied by any structure other than a building) devoted to the use shall not exceed an area equal to forty-five percent (45%) of the gross floor area of the building within which the primary use is located.
 - (5) The letter "X" indicates that the use is prohibited.
 - (6) The letters "SP" indicate that the use is permitted subject to approval of a Special Permit, in accordance with Section 27-239.02.
 - (7) All uses not listed are prohibited.
 - (8) Whenever the table refers to an allowed use, that use is either permitted (P), permitted by Special Exception (SE), permitted by Special Permit (SP), or permitted as a (PA) or (PB) use, as accordingly listed in the zone in which it is allowed.

(CB-12-2001; CB-4-2003)

Editor's note— CR-81-2012 repealed the enactment of CB-18-2007 regarding "Rural Entertainment Park", (Chapter 10, 2007 Laws of Prince George's County, Maryland), effective October 16, 2012.

(b) **TABLE OF USES.**

	ZONE								
USE	R- O- S	O-S	R- A	R- E	R-R	R- 80	R-55	R- 35	R- 20

(1) Commercial:									
Agritourism	P ₉₀	P ⁹⁰	P ₉₀	P ₉₀	X	X	X	X	X
Animal Hospital, veterinary office (CB-76-2003; CB-61-2018)	SE	SE	SE	SE	SE	P ⁷⁴	P ⁷⁴	X	X
Antique shop	X	SE	SE	SE	SE	X	X	X	X
Artist's studio (CB-24-2015)	X	X	X	X	X	X	X	X	X
Barber Shop (CB-81-2008)	X	X	X	SE ₈₆	SE ⁸⁶	X	X	X	X
Beauty shop (CB-24-2015; CB-71-2016)	X	X	X	SE ₈₆	SE ₈₆ ⁸⁴	X	X	X	X
Bed-and-Breakfast Inn in accordance with <u>Section 27-445.13</u> (CB-39-2009)	P	P	P	P	P	P	P	X	X
Bus maintenance accessory to a private school, church, or other place of worship (CB-23-1988)	X	SE	SE	SE	SE	SE	SE	SE	SE
Buying of items within guest rooms and pursuant to <u>Section 27-115(a)(2)</u>	X	X	X	X	X	X	X	X	X
Catering Establishment (CB-4-2014)	X	X	X	X	P ⁹⁸	X	X	X	X
Collection of recyclable materials as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P	P
Commercial recreational development (CB-35-2000)	X	X	X	X	P ⁶⁶	X	X	X	X

Contractor's office (must include sanitary facilities), construction yard or shed, or storage building (in connection with a construction project) as a temporary use:									
(A) Subject to Sections <u>27-260</u> and <u>27-261</u>	X	P	P	P	P	P	P	P	P
(B) All others	X	SE	SE	SE	SE	SE	SE	SE	SE
Contractor's Office, which may include wholly-enclosed storage, as a permanent use (CB-75-2001)	X	X	X	X	P ⁶⁸	X	X	X	X
Distillery for the production of fuel alcohol	SE	SE	SE	X	X	X	X	X	X
Drug paraphernalia display or sales, pursuant to <u>Section 27-115(a)(1)</u>	X	X	X	X	X	X	X	X	X
Eating or Drinking Establishments:									
(i) Eating or drinking establishment, with drive-through service (CB-81-2016; CB-71-2017)	X	X	X	X	X	P ⁹⁶	P ^{115, 118}	X	X
(ii) Eating or drinking establishment, excluding drive-through service (CB-71-2016; CB-71-2017)	X	X ¹⁰⁶	X	X	P ¹¹³	X	P ¹¹⁸	X	X
(iii) Eating or drinking establishment of any type, including music and patron dancing past the hours of 12:00 A.M., excluding adult entertainment (CB-14-2013; CB-73-2015)	X	X	X	X	X	X	X	X	X
Farm implement sales or repair; farm supplies sales	X	X	SE ¹⁴	X	X	X	X	X	X
Farmer's market or flea market as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u> (CB-63-1998)	P	P	P	P	P	P	P	P	P
Farm Winery ⁸⁹ (CB-36-2009)	P	P	P	P	P	X	X	X	X

Firewood sales as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P	P
Funeral parlor, undertaking establishment	X	SE	SE	SE	SE	SE	SE	SE	SE
Gas station (CB-36-2004)	X	X	P ₇₅	X	X	X	X	X	X
Kennel:									
(A) On a lot having a net area of 20,000 sq. ft. or less	X	SE	SE	SE	SE	X	X	X	X
(B) On a lot having a net area between 20,000 sq. ft. and 80,000 sq. ft.	X	P	P	SE	P	X	X	X	X
(C) On a lot having a net area exceeding 80,000 sq. ft. (CB-37-1991; CB-16-1993)	P	P	P	P	P	X	X	X	X
Landscaping contractor's business (CB-10-1996)	SE	SE	SE	SE	SE	X	X	X	X
Limited professional uses in multifamily projects	X	X	X	X	X	X	X	X	X
Monument and headstone sales establishment (CB-60-1998)	X	X	X	X	P ⁶¹	X	X	X	X
Offices:									
(A) Accountants, architects, clergymen, engineers, lawyers, medical practitioners, and similar recognized and learned professions, as an accessory use in a dwelling	P ₇	P ⁷	P ⁷	P ₁₉	P ¹⁹	P ¹⁹	P ¹⁹	P _{15,19}	P _{16,19}
(B) Business office and model apartments in a multifamily dwelling or multifamily project and used only in connection with the sale, rental, operation, service, and maintenance of the dwelling or project (CB-36-1987)	X	X	X	X	X	X	X	X	X

(C) General business and professional offices (CB-83-2016)	X	X	X	X	X	P ₁₁₆	X	X	X
(D) Insurance sales office as an accessory use in a dwelling	X	X	X	SE	SE	SE	SE	SE	SE
(E) Medical practitioner's office (CB-24-2015)	X	X	X	X	X	X	X	X	X
(F) Medical practitioner's office in a one-family dwelling (except as provided in (A) above) (CB-24-2015)	X	X	SE	SE	SE	SE	SE	SE ₁₅	SE ₁₆
(G) Real estate sales office as an accessory use in a dwelling (CB-24-2015)	X	X	X	SE	SE	SE	SE	SE	SE
(H) Real estate subdivision sales office as a temporary use: (CB-24-2015)									
(i) Subject to Sections <u>27-260</u> and <u>27-261</u>	X	P	P	P	P	P	P	P	P
(ii) All others	X	SE	SE	SE	SE	SE	SE	SE	SE
(I) Multifamily dwelling management company (must manage the project within which it is located) (CB-24-2015)	X	X	X	X	X	X	X	X	X
(J) Temporary trailer for office space accessory to an existing group residential facility, which services more than eight (8) persons, in accordance with Sections <u>27-260</u> and <u>27-261</u> (CB-35-1996; CB-24-2015)	X	P	X	X	X	X	X	X	X
Parking lot, required, serving adjacent Commercial or Industrial Zone	X	SE	SE	SE	SE	SE	SE	SE	SE

Photography studio and darkroom, as an accessory use solely by the resident of a one-family detached dwelling and located within such dwelling (CB-140-1986)	X	X	X	X	X	X	SE	X	X
Retail sales and consumer service establishment (CB-140-1986)	X	X	X	X	X	X	X	X	X
Seasonal decorations display and sales as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u> ⁴³ (CB-23-1989)	P	P	P	P	P	P	P	P	P
Waterfront Entertainment/Retail Complex, in accordance with <u>Section 27-445.08</u> (CB-44-1997)	P	P	P	P	P	P	X	X	X
Wayside stand as a temporary use:									
(A) Subject to Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P	P
(B) All others	SE	SE	SE ₂₅	SE	SE	SE	SE	SE	SE
Where not otherwise specifically permitted, any use allowed in the C-S-C Zone (excluding those permitted by Special Exception), if; as of February 1, 2003: (1) the use is located on a parcel which is surrounded by commercial and institutional uses; (2) said parcel does not abut any property that is improved with single-family detached residential dwellings; and (3) the site has frontage on a street shown on the applicable Master Plan as an arterial or higher classification. Any such use shall only be located upon property that is the subject of an approved Detailed Site Plan. (CB-4-2003)	X	X	X	X	X	X	X	X	X

<p>Where not otherwise specifically permitted, any use allowed by Special Exception in the C-S-C Zone, if; as of February 1, 2003: (1) the use is located on a parcel which is surrounded by commercial and institutional uses; (2) said parcel does not abut any property that is improved with single-family detached residential dwellings; and (3) the site has frontage on a street shown on the applicable Master Plan as an arterial or higher classification. Any such use shall only be located upon property that is the subject of an approved Detailed Site Plan. (CB-4-2003)</p>	X	X	X	X	X	X	X	X	X
<p>Where not otherwise specifically permitted, any use allowed in the C-S-C Zone (excluding those permitted by Special Exception). (CB-65-2003; CB-70-2003; CB-12-2014; CB-8-2015)</p>	X	X	X	X	P 72, 984	X	X	X	X
<p>Where not otherwise specifically permitted, any use allowed by Special Exception in the C-S-C Zone. (CB-65-2003; CB-70-2003; CB-12-2014; CB-8-2015)</p>	X	X	X	X	SE 16499,	X	X	X	X
<p>Where not otherwise specifically permitted, any use allowed in the C-S-C Zone (excluding those permitted by Special Exception), may be located within a multi-family development, provided that the multi-family development is the subject of a high-rise condominium regime; the uses are located on the street level of the multi-family building, the property is located in a Transit District Overlay Zone, and the property abuts the District of Columbia. (CB-82-2008)</p>	X	X	X	X	X	X	X	X	X
<p>Where not otherwise specifically permitted, any use allowed in the M-X-T Zone (excluding those permitted by Special Exception). (CB-8-2015)</p>	X	X	X	X	P 104	X	X	X	X

Where not otherwise specifically permitted, any use allowed by Special Exception in the M-X-T Zone. (CB-8-2015)	X	X	X	X	SE ₁₀₄	X	X	X	X
(2) Industrial:									
Recycling plant (CB-101-2017)	X	X	P ₁₂₂	X	X	X	X	X	X
Where not otherwise specifically permitted, any use allowed in the I-1 Zone (excluding those permitted by Special Exception). (CB-12-2016)	X	X	X	X	P ¹¹⁰	X	X	X	X
Where not otherwise specifically permitted, any use allowed by Special Exception in the I-1 Zone. (CB-12-2016)	X	X	X	X	SE ₁₁₀	X	X	X	X
(3) Institutional/Educational: (CB-12-2016)									
Adult day care center	X	SE	SE	SE	SE	SE	SE	SE	SE
Assisted living facility (CB-110-2004)	X	X	X	X	SE ⁷⁷	X	X	X	X
Chancery, on a lot having a net area of at least 15 acres	X	X	X	X	X	X	P	X	X
Church or similar place of worship:									
(A) Located on a lot less than 1 acre in size	X	X	X	X	SE	SE	SE	SE	SE
(B) Located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size	X	X	X	X	SE	SE	SE	SE	SE
⁵² (C) Located on a lot between 1 and 2 acres in size	X	X	X	P	P	P	P	P	P

(D) Located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size ⁵²	X	X	X	P	P	P	P	P	P
(E) All others (CB-23-1988; CB-23-1993; CB-76-1993)	SE	P ⁵³	P	P	P	P	P	P	P
Day care center for children:									
(A) Accessory to a publicly-owned recreational facility, a school, a surplus school building, improved property (other than a school) that is under the control of the Board of Education, a church, a public building, or a community building, in accordance with <u>Section 27-445.03</u> ³⁴	P	P	P	P	P	P	P	P	P
(B) Accessory to a multifamily dwelling or project when located within a community room for the sole use of the residents or employees, in accordance with <u>Section 27-445.03</u>	X	X	X	X	X	X	X	X	X
(C) Accessory to a multifamily development when located within an existing building in accordance with <u>Section 27-445.03</u>	X	P	P	P	P	P	P	P	P
(D) All others ⁹⁵ (CB-23-1988; CB-44-1989; CB-24-1999; CB-2-2013)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Eleemosynary or philanthropic institution:									
(A) An adaptive reuse of a structure last occupied by a Federal postal facility on a lot or parcel not more than 25,000 square feet in area for use by an organization serving the homebound	SE	SE	SE	SE	P	SE	SE	SE	SE

(B) An adaptive reuse of a structure(s) last owned by the Federal Government on a parcel with not more than 8 acres for use by survivors of domestic violence and their families, including social services and rehabilitative services related thereto, such as educational and employment training, counseling, and day care	X	P	X	X	X	X	X	X	X
(C) A building containing no more than 7,000 square feet of gross floor area on a lot or parcel with not more than 1.5 acres for use by an organization providing benevolent services; for a permitted use, any change in occupant or use shall require Detailed Site Plan approval by the District Council	SE	SE	SE	SE	SE	SE ₉₄	P	SE	SE
(D) An adaptive reuse of an existing building containing no more than 10,000 square feet of gross floor area, situated on a lot or parcel with land are not exceeding 1 acre used by an eleemosynary or philanthropic institution providing temporary emergency shelter, family, and/or social services for survivors of domestic violence and their families, in accordance with <u>Section 27-445.17</u> of this Subtitle	X	X	X	X	P	X	X	X	X
(E) All others (CB-78-1997; CB-8-1998; CB-105-2012; CB-97-2013; CB-70-2014; CB-18-2016)	SE	SE ₁₀₀	SE	SE ₁₀₀	SE	SE	SE	SE	SE
Employment or training center, in accordance with Sections <u>27-260</u> and <u>27-261</u> (CB-20-2015)	X	X	X	X	P ¹⁰²	X	X	X	X
Family day care	P	P	P	P	P	P	P	P	P
Health campus (CB-88-2017)	X	X	X	X	SE ₁₁₉	SE	SE	SE	SE

Health Campus located on land previously owned by Prince George's County, Maryland and transferred to a nonprofit entity after the adoption of the 2014 General Plan (CB-56-2018)	X	X	X	X	P ¹³⁰	X	X	X	X
Hospital	X	SE	SE	SE	SE	SE	SE	SE	SE
Hospital located on land previously owned by Prince George's County, Maryland and transferred to a nonprofit entity after the adoption of the 2014 General Plan (CB-56-2018)	X	X	X	X	P ¹³⁰	X	X	X	X
Medical/residential campus	X	SE	SE	SE	SE	SE	SE	SE	SE
Mental health and behavioral services program to operate within an existing private school in accordance with <u>Section 27-445.18</u> (CB-30-2016)	X	X	X	X	X	X	P	X	X
Modular classroom as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u> (CB-106-1989)	P	P	P	P	P	P	P	P	P
Nursing or care home (may include a private spa) (CB-55-2011)	X	SE	SE	SE	SE	SE ₉₅	SE	SE	SE
School, private:									
(A) In accordance with <u>Section 27-443</u>	X	P	P	P	P	P	P	P	P
(B) All others	SE	SE	SE	SE	SE	SE	SE	SE	SE
Small group child care center (CB-131-1993)	P	P	P	P	P	P	P	P	P
(4) Miscellaneous: (CB-12-2016)									

Accessory structures and uses (when not otherwise provided for)	P	P	P	P	P	P	P	P	P
Adaptive reuse of a surplus public school, when not otherwise allowed	SE	SE	SE	SE	SE	SE	SE	SE	SE
Adaptive use of a Historic Site, when not otherwise allowed (CB-58-1987)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Animals, not customarily household pets (CB-117-1986; CB-55-1988)	X	X	X	X	X	X	SE	X	X
Buildings and uses, serving public health purposes, on land owned by Prince George's County, Maryland, upon which hospitals or health centers are located, except if otherwise allowed as a Permitted (P) use ⁴¹ (CB-55-1988)	P	P	P	P	P	P	P	P	P
Business Advancement and Food Access Infill, in accordance with <u>Section 27-445.15</u> of this Subtitle (CB-62-2015)	X	X	X	X	X	X	X	X	X
Cemetery, crematory:									
(A) Cemetery, in accordance with <u>Section 27-445.06</u>	SE	P	P	X	X	X	X	X	X
(B) Cemetery, accessory to a church, convent, or monastery ⁴⁹	SE	P	P	P	P	P	P	P	P
(C) All others (CB-86-1989; CB-11-1991)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Catering or food processing for offsite consumption, in a commercial kitchen located within a church, private club, or private school (CB-70-2016)	P	P	P	P	P	P	P	P	P

Home occupations for residents ²⁰ (CB-86-1989; CB-78-2003; CB-11-2004)	P	P	P	P	P	P	P	P	P
Home occupations for residents, low-impact (CB-11-2004)	P	P	P	P	P	P	P	P	P
Increase in height of accessory building, used for:									
(A) Servant, household help living quarters ³⁰	SE	SE	SE	SE	SE	SE	SE	SE	SE
(B) Agricultural purposes on a lot having a net area of less than 5 acres	SE	SE	SE	SE	SE	X	X	X	X
(C) Agricultural purposes on a lot having a net area of at least 5 acres	P	P	P	P	P	X	X	X	X
(D) Office	X	X	X	X	X	X	X	X	X
Signs, in accordance with Part 12, associated with uses allowed in the applicable Residential Zone (CB-85-1988)	P	P	P	P	P	P	P	P	P
Signs, outdoor advertising (Billboards) (CB-85-1988)	X	X	X	X	X	X	X	X	X
Temporary structures and uses not otherwise allowed	SE	SE	SE	SE	SE	SE	SE	SE	SE
(5) Public/Quasi Public: (CB-12-2016)									
Library	P	P	P	P	P	P	P	P	P
Public buildings and uses, except as otherwise provided	P	P	P	P	P	P	P	P	P
Reclamation using Class 3 fill material of property operating as an existing or former surface mining site (CB-88-2018)	X	X	P ₁₃₂	X	X	X	X	X	X

Sanitary landfill, rubble fill, or Class 3 fill ^{47, 71} (CB-15-1990; CB-8-2003; CB-87-2003; CB-89-2018)	SE	SE	SE ₁₃₃	SE ₃₃	SE	X	X	X	X
Voluntary fire, ambulance, or rescue station ²⁶ (CB-70-2008)	P	P	P	P	P	P	P	P	P
(6) Recreational/Entertainment/Social/Cultural: (CB-12-2016)									
Archery range, privately owned and commercially operated on land leased from, and owned by, a public agency	P	P	P	X	P	X	X	X	X
Athletic field, outdoor, private nonprofit (CB-43-1994)	SE	P55	SE	SE	P ²⁷	SE	SE	SE	SE
Boathouse (private) as an accessory use	P	P	X	X	X	X	X	X	X
Carnival, circus, fair, or similar use, not exceeding 17 days duration and only on a parking lot as a temporary use in accordance with Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P	P
Club, private (CB-75-2014; CB-43-2015)	SE	SE ₁₀₁	SE	SE ₁₀₅	SE	SE	SE	SE	SE
Commercial recreational attraction	X	SE	SE	X	SE	X	X	X	X
Commercial recreational facilities (privately owned) on land leased from a public agency, except as otherwise allowed:									
(A) Leased on or after January 1, 1974	SE	SE	SE	X	SE	X	X	X	X
(B) Leased before January 1, 1974	SE	SE	SE	X	P	X	X	X	X
Community building or similar nonprofit social use, not publicly owned or operated:									
(A) Only for residents and guests	SE	SE	SE	SE	SE	SE	SE	SE	SE

(B) All others (CB-85-1988; CB-33-1989)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Conference center and uses accessory thereto (such as restaurants, tennis courts, auditoriums, swimming pools, racquetball courts, riding stables, golf courses, or other recreational, physical fitness, or educational activities) privately owned and commercially operated, on a tract having a gross area of at least 500 acres, owned by a public agency, on which a public golf course is operated on a regular basis	SE	P	X	X	X	X	X	X	X
Courts (indoor or outdoor) (tennis, handball, racquetball, or volleyball), not including courts accessory to a dwelling:									
(A) Privately owned and commercially operated on land leased from, and owned by, a public agency	P	P	P	P	P	X	X	X	X
(B) All others (CB-47-1995)	X	X	X	X	X	X	X	X	X
Golf course:									
(A) At least 18 holes on a tract having a gross area of at least 200 acres; provided that any accessory recreational facilities shall be located at least 100 feet from the nearest property line and effectively screened from view of any adjoining land in a Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan, not on publicly owned land	SE	SE	P	SE	SE	SE	SE	SE	SE
(B) Privately owned and commercially operated on land leased from, and owned by, a public agency	P	P	P	P	P	X	X	X	X
(C) Golf Course Conference/Hotel complex	X	X	X	X	SE	X	X	X	X

(D) All others (CB-47-1995; CB-45-2002)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Golf course, miniature (indoor or outdoor):									
(A) Privately owned and commercially operated on land leased from, and owned by, a public agency	P	P	P	P	P	X	X	X	X
(B) All others (CB-47-1995)	X	SE	SE	X	SE	X	X	X	X
Golf driving range:									
(A) Privately owned and commercially operated on land leased from, and owned by, a public agency	P	P	P	P	P	X	X	X	X
(B) All others (CB-47-1995)	SE	SE	SE	X	SE	X	X	X	X
Homes Association Recreational Use, in accordance with <u>Section 27-445</u>	SE	P	P	P	P	P	P	P	P
Marina (CB-76-2001)	X	X	X	X	P ⁶⁹	X	X	X	X
Museum, art gallery, aquarium, cultural center, or similar facility (noncommercial)	SE	SE	P	P	P	P	P	P	P
Performance arts center, in accordance with <u>Section</u> <u>27-445.09</u> (CB-12-2001)	X	X	X	X	X	X	SP	SP	SP
Racetrack, including pari-mutuel	X	X	SE	X	X	X	X	X	X
Racetrack, pari-mutuel only	X	SE	X	X	SE	X	X	X	X
Recreational campground	SE	SE	SE	X	SE	X	X	X	X
Recreational program, before- and after-school	P	P	P	P	P	P	P	P	P
Recreational use (nonprofit) not publicly owned or operated, when not otherwise allowed:									

(A) Only for residents and guests	SE	SE	SE	SE	SE	SE	SE	SE	SE
(B) All others (CB-33-1989)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Saunas, solariums, and health clubs, noncommercial, for the sole use of residents and their guests	X	X	X	X	X	X	X	X	X
Shooting range (rifle, pistol, or skeet):									
(A) On a lot having a net area of at least 20 acres, and subject to annual renewal	SE	SE	X	X	X	X	X	X	X
(B) All others	X	X	SE	X	SE	X	X	X	X
Skating facility:									
(A) Privately owned and commercially operated on land leased from, and owned by, a public agency	P	P	P	P	P	X	X	X	X
(B) All others (CB-89-1994; CB-47-1995)	SE	SE	SE	X	SE	X	X	X	X
Spa, private	SE	P	P	P	P	P	P	P	P
Spa, community	SE	SE	SE	SE	SE	SE	SE	SE	SE
Stable, private (CB-29-1985)	P ₃₅	P ³⁵	P ₃₅	P ₃₅	P ³⁵	P _{35,37}	P ^{35,37}	SE ₃₅	SE ₃₅
Swimming pool (community) for sole use of residents and their guests, in accordance with <u>Section 27-411</u>	X	X	X	X	X	X	X	X	X
Swimming pool (community), in accordance with <u>Section 27-411</u>	SE	SE	SE	SE	SE	SE	SE	SE	SE
Swimming pool (private):									
(A) Accessory to a one-family detached dwelling	P	P	P	P	P	P	P	P	P

(B) Accessory to other dwellings	X	X	X	X	X	X	X	P	P
Swimming pool, privately owned and commercially operated on land leased from, and owned by, a public agency ⁵⁶ (CB-47-1995)	P	P	P	P	P	X	X	X	X
(7) Residential/Lodging: (CB-12-2016)									
Apartment hotel	X	X	X	X	X	X	X	X	X
Apartment housing for elderly or handicapped families in a building other than a surplus public school building (with provisions for increased density and reduced lot size in Multifamily Zones) (CB-85-1988; CB-91-1991; CB-44-1992; CB-29-2017; CB-9-2019)	X	X	X	X	SE ⁶³	SE ₁₃₄	SE	X	X
Apartment housing for elderly or handicapped families in a surplus public school building	SE	SE	SE	SE	SE	SE	SE	SE	SE
Artists' residential studios, in accordance with <u>Section 27-445.09</u> (CB-12-2001)	X	X	X	X	X	X	SP	SP	SP
Boardinghouse	SE	P	SE	X	P	X	X	X	X
Congregate living facility for more than 8 elderly or physically handicapped residents (CB-90-1985)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Congregate living facility for NOT more than 8 elderly or physically handicapped residents (CB-90-1985)	P	P	P	P	P	P	P	P	P
Conservation subdivision pursuant to <u>Section 24-152</u> of Subtitle 24 (CB-6-2006)	X	P	P	P	P	X	X	X	X

Convent or monastery (CB-23-1993)	P	P	P	P	P	P	P	P	P
Conversion of one-family detached dwelling to a building containing up to 3 dwelling units (not considered as a two-family, three-family, or multifamily dwelling): ⁵⁷									
(A) Prior to November 29, 1949, if the owner of the building resides in the building, and a valid Use and Occupancy permit was in effect on July 1, 1986	X	X	X	P	P	P	P	P	P
(B) Prior to November 29, 1949, if the owner of the building does not reside in the building, or a valid Use and Occupancy permit was not in effect on July 1, 1986	X	X	X	SE	SE	SE	SE	SE	SE
(C) Prior to November 18, 1980, but on or after November 29, 1949	X	X	X	SE	SE	SE	SE	SE	SE
(D) On or after November 18, 1980 (CB-58-1986; CB-73-1996)	X	X	X	X	X	X	X	X	X
Country inn	SE	SE	SE	SE	SE	SE	SE	SE	SE
Dwelling, farm tenant	P	P	P	P	P ³⁶	X	X	X	X
Dwelling, metropolitan, one-family attached (CB-33-2005)	X	X	X	X	X	X	X	X	X
Dwelling, multifamily:									
(A) In general (CB-37-2005)	X	X	X	X	P ⁷⁹	X	X	X	X
(B) Subject to applicable bedroom percentages	X	X	X	X	X	X	X	X	X
(C) In excess of applicable bedroom percentages	X	X	X	X	X	X	X	X	X
(D) Restricted to one-bedroom and efficiency apartments	X	X	X	X	X	X	X	X	X

(E) Higher than 110 feet (CB-85-1988)	X	X	X	X	X	X	X	X	X
(F) Up to six dwelling units in a building of no more than two stories, where the first story was previously used for commercial purposes (CB-91-2004)	X	X	X	X	X	X	P	X	X
(G) With ground floor commercial uses (CB-57-2018)	X	X	X	X	X	X	P ¹³¹	X	X
Dwelling, one-family attached, for the elderly ⁵⁸ (CB-71-1996)	X	X	X	X	SE	X	X	X	P ²
Dwelling, one-family detached, for the elderly (CB-90-2004)	X	X	X	SE	X	X	X	X	X
Dwelling, one-family detached, cluster development, shown on a preliminary plat of subdivision approved prior to July 1, 2006 (CB-6-2006)	X	X	X	X	P	P	P	X	X
Dwelling, one-family detached (in general) (CB-6-2006; CB-99-2017; CB-97-2018)	P	P ₈₂₉	P ₈₃	P ₈₃	P _{83,121}	P	P	P	P
Dwelling, one-family semidetached ¹ (CB-85-1988)	X	X	X	X	P ¹³	P _{13,32}	P ^{13,32}	P	P
Dwelling, quadruple-attached (CB-83-1997)	X	X	X	X	X	X	X	P ²	P ²
Dwelling, three-family	X	X	X	X	X	X	X	X	X
Dwelling, two-family detached (CB-85-1988)	X	X	X	X	X	X	X	P	X
Dwelling, two-family (in general) (CB-9-2012; CB-73-2015)	X	X	X	X	P ⁷⁹	X	X	X	X

Dwellings, one-family attached, cluster development, shown on a preliminary plat of subdivision approved prior to September 1, 1986	X	X	X	X	X	P ³²	P ³²	X	X
Dwellings, one-family triple-attached, cluster development, shown on a preliminary plat of subdivision approved prior to September 1, 1986	X	X	X	X	X	P ³²	P ³²	X	X
Dwellings, one-family triple-attached (in general)	X	X	X	X	X	X	X	X	P
Flag lot development:									
(A) In accordance with preliminary plats approved prior to February 1, 1990, pursuant to Subtitle 24 and recorded within the prescribed time period	X	X	X	P	P	P	P	X	X
(B) In accordance with <u>Section 24-138.01</u> of Subtitle 24 (CB-72-1989)	X	X	X	P	P	P ⁴⁶	X	X	X
Fraternity or sorority house:									
(A) If legally existing prior to May 20, 1983, and not extended beyond the boundary lines of the lot as it legally existed (prior to May 20, 1983)	X	X	X	X	X	X	X	X	X
(B) All others	X	X	X	X	X	X	X	X	X
Group residential facility for more than 8 mentally handicapped dependent persons, or for 5 or more other dependent persons (CB-29-2012)	P	P	P	P	P	P	P	P	P
Group residential facility for not more than 8 mentally handicapped dependent persons	P	P	P	P	P	P	P	P	P
Guest house, as an accessory use	P	P	P	X	X	X	X	X	X
Mobile home used as a dwelling for emergency purposes as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u>	P	P	P	X	P	X	X	X	X

Mobile home used as a one-family detached dwelling (CB-79-1999)	SE	SE	SE	SE ⁸⁴	X	X	X	X	X
Mobile home, with use for which amusement taxes collected ²⁸	X	P	P	P	P	P	P	P	P
Motel	X	X	X	X	SE	X	X	X	X
Opportunity housing dwelling units (CB-66-1991)	X	X	X	X	P	P	P	P	P
Planned retirement community (CB-53-2005; CB-4-2013)	X	X	SE	SE	SE	SE	SE	SE	SE
Recreational Community Development, in accordance with <u>Section 27-444</u> (CB-16-1989)	SE	P	P	P	P ⁴²	X	X	X	X
Public Benefit Conservation Subdivision pursuant to <u>Section 24-152</u> of Subtitle 24 (CB-32-2008)	X	X	X	X	P ⁸⁵	X	X	X	X
Rental of guest rooms (by the residents):									
(A) To 1 or 2 persons (unrelated to all principal residents)	P	P	P	P	P	X	X	X	X
(B) To 3 persons (unrelated to all principal residents)	P	P	X	P	P	X	X	X	X
(C) To not more than 3 persons (unrelated to all principal residents) by a family of related individuals, 1 individual, or 2 unrelated individuals (CB-122-1986)	P	P	X	P	P	P	P	P	P
Residential Revitalization in accordance with <u>Section 27-445.10</u> (CB-58-2001; CB-89-2014)	X	X	X	X	P	P	P	P	P
Rooming houses	SE	P	SE	X	P	X	X	X	X

Tourist cabin camp	X	X	X	X	SE	X	X	X	X
Tourist homes	SE	X	SE	X	SE	X	X	X	X
"Tourist Home" as an "Accessory Use" to a "Dwelling" in accordance with <u>Section 27-445.19</u> (effective 10/1/2019) (CB-10-2018)	P	P	P	P	P	P	P	P	P
Townhouse, cluster development, shown on a preliminary plat of subdivision approved prior to September 1, 1986 (CB-54-1986)	X	X	X	X	X	P ³²	P ³²	X	X
Townhouse, all others (CB-84-1990; CB-47-1996; CB-37-2005; CB-28-2016; CB-93-2017; CB-118-2017; CB-122-2017; CB-28-2018; CB-63-2018; CB-64-2018; CB-97-2018)	X	P ₁₂₉	X	X	P ^{79, 128, 129}	P ^{48, 128}	P ^{48, 114}	X ⁴⁸	P ²
Townhouse, shown on a preliminary plat of subdivision approved pursuant to part 4A. (CB-47-1996)	X	X	X	X	X	P	P	P	P ²
Townhouse, Transit Village (CB-37-2006; CB-28-2016)	X	X	X	X	X	X	P ¹¹¹	X	X
Townhouse, if located within a designated Revitalization Tax Credit District, within a Transit District Overlay Zone, or a Development District Overlay Zone. (CB-112-2004; CB-106-2015; CB-28-2016)	X	X	X	X	X	X	P _{108,111}	X	X
Townhouses or Multi-Family Units (CB-97-2005)	X	X	X	X	X	X	X ⁸²	P	P
(8) Resource Production/Recovery: (CB-12-2016)									
Agricultural uses:									
(A) All general agriculture ²²	P	P	P	P	P ²³	SE	SE	SE	SE

(B) Limited to floriculture, horticulture, gardening, and private, noncommercial greenhouses	X	X	X	X	X	P	P	P	P
(C) Keeping of homing or racing pigeons, provided the use was in existence:									
(i) Prior to June 30, 1987	P	P	P	P	P ⁴	X	P ⁵⁰	X	X
(ii) On or after June 30, 1987 (CB-45-1987; CB-36-1991)	P	P	P	P	P ⁴	X	X	X	X
(D) Equine activities	P	P	P	P ₉₁	SE	X	X	X	X
(E) Equine facility:									
(i) Keeping of horses or ponies	P	P	P	P	P ²³	P ³⁷	P ³⁷	SE	SE
(ii) Private stable	P ₃₅	P ³⁵	P ₃₅	P ₃₅	P ³⁵	P _{35,37}	P ^{35,37}	SE ₃₅	SE ₃₅
(iii) Riding stable:									
(aa) On a tract consisting of less than 20,000 sq. ft.	X	SE	SE	X	X	X	X	X	X
(bb) On a tract consisting of between 20,000 sq. ft. and 9 contiguous acres.	SE	SE	SE	SE	SE	X	X	X	X
(cc) All others (CB-53-2001)	P	P	P	P	SE ⁶⁷	X	X	X	X
(iv) All others (CB-92-2010)	P	P	P	SE ₉₂	X	X	X	X	X
(F) Urban Farm (CB-76-2013; CB-25-2016)	P	P	P	P	P	P ₁₁₂	P ¹¹²	X	X
(G) Medical Cannabis Grower and/or Processor (CB-5-2016)	X	P ₁₀₉	P ₁₀₉	X	X	X	X	X	X
(H) Beekeeping on residential land (CB-80-2016)	P	P	P	P	P	P	P	P	P

Nursery and garden center:									
(A) In accordance with <u>Section 27-445.05</u>	X	P	P	SE	P	X	X	X	X
(B) All others (CB-35-1989; CB-143-1989; CB-135-1993)	SE	SE	SE ₄₅	SE ₅₄	SE	X	X	X	X
Sand or gravel wet-processing, in accordance with <u>Section 27-445.02</u>	SE	SE	SE	SE	SE	SE	SE	SE	SE
Sawmill:									
(A) Only for timber grown on the premises	X	X	SE	SE	X	SE	SE	SE	SE
(B) In connection with an agricultural operation	SE ₂₄	SE ₂₄	X	X	SE	X	X	X	X
Surface mining, in accordance with <u>Section 27-445.02</u>	SE	SE	SE	SE	SE	SE	SE	SE	SE
(9) Transportation/Parking/Communications/Utilities: (CB-12-2016)									
Airport, airpark, airfield, heliport, or helistop; private (CB-14-1992)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Airstrip, private:									
(A) In accordance with <u>Section 27-445.07</u>	P	P	SE	SE	SE	SE	SE	SE	SE
(B) All others (CB-14-1992)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Antennas and related equipment buildings and enclosures, other than satellite dish antennas:									
(A) In accordance with <u>Section 27-445.04</u>	P	P	P	P	P	P	P	P	P
(B) All others (CB-65-2000)	SE	SE	SE	SE	SE	SE	SE	SE	SE

Farm vehicles and farm machinery used on farm premises ⁵¹ (CB-105-1993)	P	P	P	P	P	X	X	X	X
Monopoles and related equipment buildings and enclosures:									
(A) In accordance with <u>Section 27-445.04</u>	P	P	P	P	P	P	P	P	P
(B) All others (CB-65-2000; CB-73-2015)	SE	SE ₁₀₇	SE	SE	SE	SE	SE	SE	SE
Parking lot or garage, or loading area, used in accordance with Part 11 to serve:									
(A) A permitted, PA, or PB use	P	P	P	P	P	P	P	P	P
(B) A Special Exception use (CB-85-1988)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Parking lot used in accordance with Part 11 to serve a use in an adjacent Commercial, Industrial, or M-X-T Zone (CB-85-1988; CB-88-1999)	X	SE	SE	SE	SE	SE	SE ⁶⁵	SE	SE
Parking of mobile home except as otherwise specified	X	X	X	X	X	X	X	X	X
Parking of mobile home in a public right-of-way ³¹	X	X	X	X	X	X	X	X	X
Parking of vehicles owned or used by the occupants of the premises or their bona fide guests:									
(A) Boats and boat trailers ⁹¹ (CB-24-2010)	P	P	P ₁₇	P ₁₇	P ¹⁷	P ¹⁷	P ¹⁷	P _{17,29}	P ¹⁷
(B) Buses ¹⁸ , on the same lot with, and accessory to, the principal use, such as a school or church	SE	P	P	P	P	P	P	P ²⁹	P
(C) Camping trailer (unoccupied): ⁴⁴									
(i) Not more than one	P	X	P	P	P	P	P	P ²⁹	P

(ii) Unlimited number (CB-43-1989)	X	P	X	X	X	X	X	X	X
(D) Not more than 1 commercial vehicle:									
(i) Having a maximum manufacturer's gross vehicle weight specification of up to 17,000 pounds, and which may include unlimited advertising on the side of the vehicle:									
(aa) If parked within a wholly enclosed private parking garage	P	P	P	P	P	P	P	P ²⁹	P
(bb) If parked in a side or rear yard ¹¹	P ⁴	P ⁴	P ⁴	P ⁴	X	X	X	X	X
(ii) If parked on the premises, having a maximum manufacturer's gross vehicle weight specification of up to 8,500 pounds, no advertising (other than a firm name or similar designation not exceeding 4 inches high), and excluding vehicles exceeding 300 cubic feet of load space, stake platform trucks, dump trucks, crane or tow trucks, and vehicles with dual rear axles	P	P	P	P	P	P	P	P ²⁹	P
(iii) Owned and registered by an occupant of the premises, having a manufacturer's gross vehicle weight specification of greater than 17,000 pounds, parked only in the side or rear yard for not more than 72 continuous hours on a lot at least 5 acres in size, and set back 300 feet from all lot lines ¹¹	P	P	X	X	X	X	X	X	X
(iv) Owned and registered by an occupant of the premises, having a manufacturer's gross vehicle weight specification of greater than 17,000 pounds, parked only in the side or rear yard for not more than 72 continuous hours, on a lot at least 2 acres in size ¹¹ (CB-53-1987; CB-35-1993)	SE	SE	SE	X	X	X	X	X	X

(E) Commercial vehicles not exceeding a manufacturer's gross vehicle weight specification of 8,500 pounds; containing no advertising other than a firm name or similar designation not more than 4 inches high; and excluding vehicles exceeding 300 cubic feet of load space, stake platform trucks, dump trucks, crane or tow trucks, or vehicles with dual rear wheels	X	X	X	X	X	X	X	X	X
(F) Private passenger vehicles	P	P	P	P	P	P	P	P	P
Public utility uses or structures:									
(A) Underground pipelines, electric power facilities or equipment, or telephone facilities or equipment; and railroad tracks or passenger stations, but not railroad yards	P	P	P	P	P	P	P	P	P
(B) Other public utility uses or structures (including major transmission and distribution lines and structures, but excluding railroad yards, round houses, car barns, and freight stations) (CB-25-1987; CB-65-2000)	SE	SE	SE	SE	SE	SE	SE	SE	SE
Satellite dish antenna, in accordance with <u>Section 27-424.02</u> :									
(A) Up to 10 feet in diameter, to serve only 1 dwelling unit	P	P	P	P	P	P	P	P	P
(B) More than 10 feet in diameter, to serve only 1 dwelling unit	SE	SE	SE	SE	SE	SE	SE	SE	SE
(C) All others (CB-19-1985)	P	P	P	P	P	P	P	P	P
Storage of any motor vehicle which is wrecked, dismantled, or not currently licensed, except where specifically allowed ¹² (CB-4-1987)	X	X	X	X	X	X	X	X	X

Towers or poles (electronic, radio, or television, transmitting or receiving):									
(A) Commercial purposes	SE	SE	SE	X	X	X	X	X	X
(B) Nonprofit, noncommercial purposes (CB-18-1984; CB-39-1984; CB-94-1984; CB-133-1984; CB-33-1985; CB-123-1994; CB-65-2000)	P	P	P	P	P	P	P	P	P

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
(1) Commercial:								
Agritourism (CB-39-2009)	X	X	X	X	X	X	X	X
Animal Hospital, veterinary office	X	X	X	X	X	X	X	X
Antique shop	X	X	X	X	X	X	X	X
Artist's studio (CB-24-2015)	X	X	X	P ₁₀₃	X	X	X	X
Barber Shop (CB-81-2008; CB-24-2015)	X	X	X	P ₁₀₃	X	X	X	X
Beauty shop (CB-24-2015)	X	X	X	P ₁₀₃	X	X	X	X
Bed-and-Breakfast Inn in accordance with <u>Section 27-445.13</u> (CB-39-2009)	X	X	X	X	X	X	X	X
Bus maintenance accessory to a private school, church, or other place of worship (CB-23-1988)	SE	SE	SE	SE	SE	SE	X	SE

Buying of items within guest rooms and pursuant to <u>Section 27-115(a)(2)</u>	X	X	X	X	X	X	X	X
Catering Establishment (CB-4-2014)	X	X	X	X	X	X	X	X
Collection of recyclable materials as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P
Commercial recreational development (CB-35-2000)	X	X	X	X	X	X	X	X
Contractor's office (must include sanitary facilities), construction yard or shed, or storage building (in connection with a construction project) as a temporary use:								
(A) Subject to Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P
(B) All others	SE	SE	SE	SE	SE	SE	X	SE
Contractor's Office, which may include wholly-enclosed storage, as a permanent use (CB-75-2001)	X	X	X	X	X	X	X	X
Distillery for the production of fuel alcohol	X	X	X	X	X	X	X	X
Drug paraphernalia display or sales, pursuant to <u>Section 27-115(a)(1)</u>	X	X	X	X	X	X	X	X
Eating or Drinking Establishments:								
(i) Eating or drinking establishment, with drive-through service	X	X	X	X	X	X	X	X
(ii) Eating or drinking establishment, excluding drive-through service	X	X	X	X	X	X	X	X

(iii) Eating or drinking establishment of any type, including music and patron dancing past the hours of 12:00 A.M., excluding adult entertainment (CB-14-2013)	X	X	X	X	X	X	X	X
Farm implement sales or repair; farm supplies sales	X	X	X	X	X	X	X	X
Farmer's market or flea market as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u> (CB-63-1998)	P	P	P	P	P	P	P	P
Farm Winery ⁸⁹	X	X	X	X	X	X	X	X
Firewood sales as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P
Funeral parlor, undertaking establishment	SE	SE	SE	SE	SE	SE	SE	SE
Gas station (CB-36-2004)	X	X	X	X	X	X	X	X
Kennel:								
(A) On a lot having a net area of 20,000 sq. ft. or less	X	X	X	X	X	X	X	X
(B) On a lot having a net area between 20,000 sq. ft. and 80,000 sq. ft.	X	X	X	X	X	X	X	X
(C) On a lot having a net area exceeding 80,000 sq. ft. (CB-37-1991; CB-16-1993)	X	X	X	X	X	X	X	X
Landscaping contractor's business (CB-10-1996)	X	X	X	X	X	X	X	X
Limited professional uses in multifamily projects	X	SE ⁸	SE	SE	SE	X	X	X
Monument and headstone sales establishment (CB-60-1998)	X	X	X	X	X	X	X	X
Offices:								

(A) Accountants, architects, clergymen, engineers, lawyers, medical practitioners, and similar recognized and learned professions, as an accessory use in a dwelling	P _{16,19}	P ⁹	P ⁹	X	X	X	X	X
(B) Business office and model apartments in a multifamily dwelling or multifamily project and used only in connection with the sale, rental, operation, service, and maintenance of the dwelling or project (CB-36-1987)	X	P _{10,39}	PB ₁₀	P _{10,39}	PB ₁₀	PB ₁₀	PB ₁₀	PB ₁₀
(C) General business and professional offices (CB-4-2003)	X	X	X	X	X	X	SE ₇₀	SE
(D) Insurance sales office as an accessory use in a dwelling	X	X	X	X	X	X	X	X
(E) Medical practitioner's office (CB-24-2015)	X	X	X	P ₁₀₃	X	X	SE	SE
(F) Medical practitioner's office in a one-family dwelling (except as provided in (A) above) (CB-24-2015)	X	X	X	X	X	X	X	X
(G) Real estate sales office as an accessory use in a dwelling (CB-24-2015)	X	X	X	X	X	X	X	X
(H) Real estate subdivision sales office as a temporary use: (CB-24-2015)								
(i) Subject to Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P
(ii) All others	SE	SE	SE	SE	SE	X	SE	SE
(I) Multifamily dwelling management company (must manage the project within which it is located) (CB-24-2015)	X	P _{10,38}	P _{10,38}	X	X	X	X	X

(J) Temporary trailer for office space accessory to an existing group residential facility, which services more than eight (8) persons, in accordance with Sections <u>27-260</u> and <u>27-261</u> (CB-35-1996; CB-24-2015)	X	X	X	X	X	X	X	X
Parking lot, required, serving adjacent Commercial or Industrial Zone	SE	SE	SE	SE	SE	SE	X	SE
Photography studio and darkroom, as an accessory use solely by the resident of a one-family detached dwelling and located within such dwelling (CB-140-1986)	X	X	X	X	X	X	X	X
Retail sales and consumer service establishment (CB-140-1986)	X	X	X	X	X	P	SE	SE
Seasonal decorations display and sales as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u> ⁴³ (CB-23-1989)	P	P	P	P	P	P	P	P
Waterfront Entertainment/Retail Complex, in accordance with <u>Section 27-445.08</u> (CB-44-1997)	X	X	X	X	X	X	X	X
Wayside stand as a temporary use:								
(A) Subject to Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P
(B) All others	SE	SE	SE	SE	SE	X	SE	SE

<p>Where not otherwise specifically permitted, any use allowed in the C-S-C Zone (excluding those permitted by Special Exception), if; as of February 1, 2003: (1) the use is located on a parcel which is surrounded by commercial and institutional uses; (2) said parcel does not abut any property that is improved with single-family detached residential dwellings; and (3) the site has frontage on a street shown on the applicable Master Plan as an arterial or higher classification. Any such use shall only be located upon property that is the subject of an approved Detailed Site Plan. (CB-4-2003)</p>	X	X	X	X	X	X	X	X
<p>Where not otherwise specifically permitted, any use allowed by Special Exception in the C-S-C, if; as of February 1, 2003: (1) the use is located on a parcel which is surrounded by commercial and institutional uses; (2) said parcel does not abut any property that is improved with single-family detached residential dwellings; and (3) the site has frontage on a street shown on the applicable Master Plan as an arterial or higher classification. Any such use shall only be located upon property that is the subject of an approved Detailed Site Plan. (CB-4-2003)</p>	X	X	X	X	P	SE	X	X
<p>Where not otherwise specifically permitted, any use allowed in the C-S-C Zone (excluding those permitted by Special Exception). (CB-65-2003; CB-70-2003; CB-12-2014)</p>	X	X	X	X	X	X	X	X
<p>Where not otherwise specifically permitted, any use allowed by Special Exception in the C-S-C Zone. (CB-65-2003; CB-70-2003; CB-12-2014)</p>	X	X	X	X	X	X	X	X

Where not otherwise specifically permitted, any use allowed in the C-S-C Zone (excluding those permitted by Special Exception), may be located within a multi-family development, provided that the multi-family development is the subject of a high-rise condominium regime; the uses are located on the street level of the multi-family building, the property is located in a Transit District Overlay Zone, and the property abuts the District of Columbia. (CB-82-2008)	P ⁸⁷	X	X	X	X	X	X	X	
Where not otherwise specifically permitted, any use allowed in the M-X-T Zone (excluding those permitted by Special Exception). (CB-8-2015)	X	X	X	X	X	X	X	X	
Where not otherwise specifically permitted, any use allowed by Special Exception in the M-X-T Zone. (CB-8-2015)	X	X	X	X	X	X	X	X	
(2) Industrial:									
Recycling plant (CB-101-2017)	X	X	X	X	X	X	X	X	X
Where not otherwise specifically permitted, any use allowed in the I-1 Zone (excluding those permitted by Special Exception). (CB-12-2016)	X	X	X	X	X	X	X	X	
Where not otherwise specifically permitted, any use allowed by Special Exception in the I-1 Zone. (CB-12-2016)	X	X	X	X	X	X	X	X	
(3) Institutional/Educational: (CB-12-2016)									
Adult day care center	X	X	X	SE	X	X	X	X	

Assisted living facility (CB-110-2004)	X	X	X	X	X	X	X	X
Chancery, on a lot having a net area of at least 15 acres	X	X	X	X	X	X	X	X
Church or similar place of worship:								
(A) Located on a lot less than 1 acre in size	SE	SE	SE	SE	SE	SE	SE	SE
(B) Located in a building that was originally constructed as a dwelling, on a lot less than 1 acre in size	SE	SE	SE	SE	SE	SE	SE	SE
(C) Located on a lot between 1 and 2 acres in size ⁵²	P	P	P	P	P	P	P	P
(D) Located in a building that was originally constructed as a dwelling, on a lot between 1 and 2 acres in size ⁵²	P	P	P	P	P	P	P	P
(E) All others (CB-23-1988; CB-23-1993; CB-76-1993)	P	P	P	P	P	PA	P	P
Day care center for children:								
(A) Accessory to a publicly-owned recreational facility, a school, a surplus school building, improved property (other than a school) that is under the control of the Board of Education, a church, a public building, or a community building, in accordance with <u>Section 27-445.03</u> ³⁴	P	P	P	P	P	P	P	P
(B) Accessory to a multifamily dwelling or project when located within a community room for the sole use of the residents or employees, in accordance with <u>Section 27-445.03</u>	X	P	P	P	P	P	P	P
(C) Accessory to a multifamily development when located within an existing building in accordance with <u>Section 27-445.03</u>	X	P	P	P	P	P	P	P

(D) All others ⁹⁵ (CB-23-1988; CB-44-1989; CB-24-1999; CB-2-2013)	SE	SE	SE	SE	SE	SE	SE	SE
Eleemosynary or philanthropic institution:								
(A) An adaptive reuse of a structure last occupied by a Federal postal facility on a lot or parcel not more than 25,000 square feet in area for use by an organization serving the homebound	SE	SE	SE	SE	SE	SE	SE	SE
(B) An adaptive reuse of a structure(s) last owned by the Federal Government on a parcel with not more than 8 acres for use by survivors of domestic violence and their families, including social services and rehabilitative services related thereto, such as educational and employment training, counseling, and day care	X	X	X	X	X	X	X	X
(C) A building containing no more than 7,000 square feet of gross floor area on a lot or parcel with not more than 1.5 acres for use by an organization providing benevolent services; for a permitted use, any change in occupant or use shall require Detailed Site Plan approval by the District Council	SE	SE	SE	SE	SE	SE	SE	SE
(D) An adaptive reuse of an existing building containing no more than 10,000 square feet of gross floor area, situated on a lot or parcel with land are not exceeding 1 acre used by an eleemosynary or philanthropic institution providing temporary emergency shelter, family, and/or social services for survivors of domestic violence and their families, in accordance with <u>Section 27-445.17</u> of this Subtitle	X	X	X	X	X	X	X	X
(E) All others (CB-78-1997; CB-8-1998; CB-97-2013; CB-18-2016)	SE	SE	SE	SE	SE	SE	SE	SE
Employment or training center, in accordance with Sections <u>27-260</u> and <u>27-261</u> (CB-20-2015)	X	X	X	X	X	X	X	X

Family day care	P	P	P	P	P	P	P	P
Health campus	SE	SE	SE	SE	SE	X	SE	SE
Hospital	SE	SE	SE	SE	SE	X	SE	SE
Medical/residential campus	SE	SE	SE	SE	SE	X	SE	SE
Mental health and behavioral services program to operate within an existing private school in accordance with <u>Section 27-445.18</u> (CB-30-2016)	X	X	X	X	X	X	X	X
Modular classroom as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u> (CB-106-1989)	P	P	P	P	P	P	P	P
Nursing or care home (may include a private spa)	SE	SE	SE	SE	SE	X	SE	SE
School, private:								
(A) In accordance with <u>Section 27-443</u>	P	P	P	P	P	P	P	P
(B) All others	SE	SE	SE	SE	SE	X	SE	SE
Small group child care center (CB-131-1993)	P	P	P	P	P	P	P	P
(4) Miscellaneous: (CB-12-2016)								
Accessory structures and uses (when not other wise provided for)	P	P	P	P	P	P	P	P
Adaptive reuse of a surplus public school, when not otherwise allowed	SE	SE	SE	SE	SE	X	SE	SE
Adaptive use of a Historic Site, when not otherwise allowed (CB-58-1987)	SE	SE	SE	SE	SE	SE	SE	SE

Animals, not customarily household pets (CB-117-1986; CB-55-1988)	X	X	X	SE	SE	SE	SE	SE
Buildings and uses, serving public health purposes, on land owned by Prince George's County, Maryland, upon which hospitals or health centers are located, except if otherwise allowed as a Permitted (P) use ⁴¹ (CB-55-1988)	P	P	P	P	P	P	P	P
Business Advancement and Food Access Infill, in accordance with <u>Section 27-445.15</u> of this Subtitle (CB-62-2015)	X	X	X	X	X	X	P	X
Cemetery, crematory:								
(A) Cemetery, in accordance with <u>Section 27-445.06</u>	X	X	X	X	X	X	X	X
(B) Cemetery, accessory to a church, convent, or monastery ⁴⁹	P	P	P	P	P	P	P	P
(C) All others (CB-86-1989; CB-11-1991)	X	X	X	X	X	X	X	X
Catering or food processing for offsite consumption, in a commercial kitchen located within a church, private club, or private school (CB-70-2016)	P	P	P	P	P	P	P	P
Home occupations for residents ²⁰ (CB-86-1989; CB-78-2003; CB-11-2004)	P ¹⁶	X	X	X	X	X	X	X
Home occupations for residents, low-impact (CB-11-2004)	P	X	X	X	X	X	X	X
Increase in height of accessory building, used for:								
(A) Servant, household help living quarters ³⁰	SE	SE	SE	SE	SE	X	SE	SE
(B) Agricultural purposes on a lot having a net area of less than 5 acres	X	X	X	X	X	X	X	X

(C) Agricultural purposes on a lot having a net area of at least 5 acres	X	X	X	X	X	X	X	SE
(D) Office	X	X	X	SE	X	X	X	X
Signs, in accordance with Part 12, associated with uses allowed in the applicable Residential Zone (CB-85-1988)	P	P	P	P	P	P	P	P
Signs, outdoor advertising (Billboards) (CB-85-1988)	X	X	X	X	X	X	X	X
Temporary structures and uses not otherwise allowed	SE	SE	SE	SE	SE	X	SE	SE
(5) Public/Quasi Public: (CB-12-2016)								
Library	P	P	P	P	P	PA	P	P
Public buildings and uses, except as otherwise provided	P	P	P	P	P	P	P	P
Reclamation using Class 3 fill material of property operating as an existing or former surface mining site (CB-88-2018)	X	X	X	X	X	X	X	X
Sanitary landfill, rubble fill, or Class 3 fill ^{47, 71} (CB-15-1990; CB-8-2003)	X	X	X	X	X	X	X	X
Voluntary fire, ambulance, or rescue station ²⁶ (CB-70-2008)	P	P	P	P	P	P	P	P
(6) Recreational/Entertainment/Social/Cultural: (CB-12-2016)								
Archery range, privately owned and commercially operated on land leased from, and owned by, a public agency	X	X	X	X	X	X	X	X
Athletic field, outdoor, private nonprofit (CB-43-1994)	SE	SE	SE	SE	SE	SE	SE	SE
Boathouse (private) as an accessory use	X	X	X	X	X	X	X	X

Carnival, circus, fair, or similar use, not exceeding 17 days duration and only on a parking lot as a temporary use in accordance with Sections <u>27-260</u> and <u>27-261</u>	P	P	P	P	P	P	P	P
Club, private	SE	SE	SE	SE	SE	X	SE	SE
Commercial recreational attraction	X	X	X	X	X	X	X	X
Commercial recreational facilities (privately owned) on land leased from a public agency, except as otherwise allowed:								
(A) Leased on or after January 1, 1974	X	X	X	X	X	X	X	X
(B) Leased before January 1, 1974	X	X	X	X	X	X	X	X
Community building or similar nonprofit social use, not publicly owned or operated:								
(A) Only for residents and guests	SE	P	P	P	P	P	P	P
(B) All others (CB-85-1988; CB-33-1989)	SE	SE	SE	SE	SE	X	SE	SE
Conference center and uses accessory thereto (such as restaurants, tennis courts, auditoriums, swimming pools, racquetball courts, riding stables, golf courses, or other recreational, physical fitness, or educational activities) privately owned and commercially operated, on a tract having a gross area of at least 500 acres, owned by a public agency, on which a public golf course is operated on a regular basis	X	X	X	X	X	X	X	X
Courts (indoor or outdoor) (tennis, handball, racquetball, or volleyball), not including courts accessory to a dwelling:								
(A) Privately owned and commercially operated on land leased from, and owned by, a public agency ⁵⁶	X	X	X	X	X	X	X	X

(B) All others (CB-47-1995)	X	X	X	X	X	X	X	X
Golf course:								
(A) At least 18 holes on a tract having a gross area of at least 200 acres; provided that any accessory recreational facilities shall be located at least 100 feet from the nearest property line and effectively screened from view of any adjoining land in a Residential Zone, or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan, not on publicly owned land	SE	SE	P	SE	SE	X	SE	SE
(B) Privately owned and commercially operated on land leased from, and owned by, a public agency ⁵⁶	X	X	X	X	X	X	X	X
(C) Golf Course Conference/Hotel Complex	X	X	X	X	X	X	X	X
(D) All others (CB-47-1995; CB-45-2002)	SE	SE	SE	SE	SE	X	SE	SE
Golf course, miniature (indoor or outdoor):								
(A) Privately owned and commercially operated on land leased from, and owned by, a public agency ⁵⁶	X	X	X	X	X	X	X	X
(B) All others (CB-47-1995)	X	X	X	X	X	X	X	X
Golf driving range:								
(A) Privately owned and commercially operated on land leased from, and owned by, a public agency ⁵⁶	X	X	X	X	X	X	X	X
(B) All others (CB-47-1995)	X	X	X	X	X	X	X	X

Homes Association Recreational Use, in accordance with <u>Section 27-445</u>	P	X	X	X	X	X	X	X
Marina (CB-76-2001)	X	X	X	X	X	X	X	X
Museum, art gallery, aquarium, cultural center, or similar facility (noncommercial)	P	P	P	P	P	PA	P	P
Performance arts center, in accordance with <u>Section 27-445.09</u> (CB-12-2001)	SP	SP	X	SP	X	X	SP	X
Racetrack, including pari-mutuel	X	X	X	X	X	X	X	X
Racetrack, pari-mutuel only	X	X	X	X	X	X	X	X
Recreational campground	X	X	X	X	X	X	X	X
Recreational program, before- and after-school	P	P	P	P	P	X	P	P
Recreational use (nonprofit) not publicly owned or operated, when not otherwise allowed:								
(A) Only for residents and guests	SE	P	P	P	P	P	P	P
(B) All others (CB-33-1989)	SE	SE	SE	SE	SE	X	SE	SE
Saunas, solariums, and health clubs, noncommercial, for the sole use of residents and their guests	X	X	X	X	X	P	SE	SE
Shooting range (rifle, pistol, or skeet):								
(A) On a lot having a net area of at least 20 acres, and subject to annual renewal	X	X	X	X	X	X	X	X
(B) All others	X	X	X	X	X	X	X	X
Skating facility:								

(A) Privately owned and commercially operated on land leased from, and owned by, a public agency ⁵⁶	X	X	X	X	X	X	X	X
(B) All others (CB-89-1994; CB-47-1995)	X	X	X	X	X	X	X	X
Spa, private	P	P	P	P	P	P	P	P
Spa, community	P	P	P	P	P	P	P	P
Stable, private (CB-29-1985)	X	X	X	X	X	X	X	X
Swimming pool (community) for sole use of residents and their guests, in accordance with <u>Section 27-411</u>	X	P	P	P	P	P	P	P
Swimming pool (community), in accordance with <u>Section 27-411</u>	P	X	X	X	X	X	X	X
Swimming pool (private):								
(A) Accessory to a one-family detached dwelling	P	P	P	P	P	X	P	P
(B) Accessory to other dwellings	SE	SF	SF	SF	SF	X	X	X
Swimming pool, privately owned and commercially operated on land leased from, and owned by, a public agency ⁵⁶ (CB-47-1995)	X	X	X	X	X	X	X	X
(7) Residential/Lodging: (CB-12-2016)								
Apartment hotel	X	X	X	X	X	X	SE	SE
Apartment housing for elderly or handicapped families in a building other than a surplus public school building (with provisions for increased density and reduced lot size in Multifamily Zones) (CB-85-1988; CB-91-1991; CB-44-1992, CB-46-1999; CB-66-2005; CB-42-2016; CB-29-2017)	SE	X	X	SF	SF ₁₇	X	SE	SE

Apartment housing for elderly or handicapped families in a surplus public school building	SE	SE	SE	SE	SE	X	SE	SE
Artists' residential studios, in accordance with <u>Section 27-445.09</u> (CB-12-2001)	SP	SP	X	SP	X	X	SP	X
Boardinghouse	X	X	X	P	P	X	P	X
Congregate living facility for more than 8 elderly or physically handicapped residents (CB-90-1985)	X	X	X	SE	X	X	X	X
Congregate living facility for NOT more than 8 elderly or physically handicapped residents (CB-90-1985)	X	X	X	P	X	X	X	X
Convent or monastery (CB-23-1993)	P	P	P	P	P	PA	P	P
Conservation subdivision pursuant to <u>Section 24-152</u> of Subtitle 24 (CB-6-2006)	X	X	X	X	X	X	X	X
Conversion of one-family detached dwelling to a building containing up to 3 dwelling units (not considered as a two-family, three-family, or multifamily dwelling): ⁵⁷								
(A) Prior to November 29, 1949, if the owner of the building resides in the building, and a valid Use and Occupancy permit was in effect on July 1, 1986	X	X	X	X	X	X	X	X
(B) Prior to November 29, 1949, if the owner of the building does not reside in the building, or a valid Use and Occupancy permit was NOT in effect on July 1, 1986	X	X	X	X	X	X	X	X
(C) Prior to November 18, 1980, but on or after November 29, 1949	X	X	X	X	X	X	X	X

(D) On or after November 18, 1980 (CB-58-1986; CB-73-1996)	X	X	X	X	X	X	X	X
Country inn	X	X	X	X	X	X	X	X
Dwelling, farm tenant	X	X	X	X	X	X	X	X
Dwelling, metropolitan, one-family attached (CB-33-2005)	P	X	X	X	X	X	X	X
Dwelling, multifamily:								
(A) In general (CB-67-2003; CB-109-2004; CB-82-2008)	P ⁸⁸	P ⁶	P ⁶	P ⁷⁶	P ⁶	X	X	X
(B) Subject to applicable bedroom percentages	X	P	X	P	X	X	P	P
(C) In excess of applicable bedroom percentages	X	SE	X	SE	X	X	SE	SE
(D) Restricted to one-bedroom and efficiency apartments	X	X	X	X	X	P	X	X
(E) Higher than 110 feet (CB-85-1988)	X	X	X	X	X	SE	SE	P
(F) Up to six dwelling units in a building of no more than two stories, where the first story was previously used for commercial purposes (CB-91-2004)	X	X	X	X	X	X	X	X
(G) With ground floor commercial uses (CB-57-2018)	X	X	X	P ₁₃₁	X	X	X	X
Dwelling, one-family attached, for the elderly ⁵⁸ (CB-71-1996)	P	P ²	P ²	P ²	P ²	X	X	X
Dwelling, one-family detached, for the elderly (CB-90-2004)	X	X	X	X	X	X	X	X

Dwelling, one-family detached, cluster development, shown on a preliminary plat of subdivision approved prior to July 1, 2006 (CB-6-2006)	X	X	X	X	X	X	X	X
Dwelling, one-family detached (in general)	P	P	P	P	P	X	P	P
Dwelling, one-family semidetached ¹ (CB-85-1988)	P	P ²	P ²	P ²	P ²	X	X	X
Dwelling, quadruple-attached (CB-83-1997)	P ²	P ²	P ²	P ^{2,5}	P ²	X	X	X
Dwelling, three-family	P	P ²	P ²	P ²	P ²	X	X	X
Dwelling, two-family detached (CB-85-1988)	P ³	P ²	P ²	P ²	P ²	X	X	X
Dwelling, two-family (in general)	P ³	P ²	P ²	P ²	P ²	X	X	X
Dwellings, one-family attached, cluster development, shown on a preliminary plat of subdivision approved prior to September 1, 1986	X	X	X	X	X	X	X	X
Dwellings, one-family triple-attached, cluster development, shown on a preliminary plat of subdivision approved prior to September 1, 1986	X	X	X	X	X	X	X	X
Dwellings, one-family triple-attached (in general)	X	X	X	X	X	X	X	X
Flag lot development:								
(A) In accordance with preliminary plats approved prior to February 1, 1990, pursuant to Subtitle 24 and recorded within the prescribed time period	X	X	X	X	X	X	X	X
(B) In accordance with <u>Section 24-138.01</u> of Subtitle 24 (CB-72-1989)	X	X	X	X	X	X	X	X
Fraternity or sorority house:								

(A) If legally existing prior to May 20, 1983, and not extended beyond the boundary lines of the lot as it legally existed (prior to May 20, 1983)	X	X	X	P	P	X	P	X
(B) All others	X	X	X	SE	SE	X	P	X
Group residential facility for more than 8 mentally handicapped dependent persons, or for 5 or more other dependent persons (CB-29-2012)	P	P	P	P	P	P	P	P
Group residential facility for not more than 8 mentally handicapped dependent persons	P	P	P	P	P	X	P	P
Guest house, as an accessory use	X	X	X	X	X	X	X	X
Mobile home used as a dwelling for emergency purposes as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u>	X	X	X	X	X	X	X	X
Mobile home used as a one-family detached dwelling	X	X	X	X	X	X	X	X
Mobile home, with use for which amusement taxes collected ²⁸	P	P	P	P	P	P	P	P
Motel	X	X	X	X	X	X	X	X
Opportunity housing dwelling units ⁵⁹ (CB-66-1991; CB-55-1996)	P	P	P	P	P	P	P	P
Planned retirement community ⁵⁹ (CB-55-1996, CB-21-1999)	SE	SE	SE	SE	SE	X	SE	SE ₆₂
Public Benefit Conservation Subdivision pursuant to <u>Section 24-152</u> of Subtitle 24 (CB-32-2008)	X	X	X	X	X	X	X	X
Recreational Community Development, in accordance with <u>Section 27-444</u> ⁵⁹ (CB-16-1989; CB-55-1996)	X	X	X	X	X	X	X	X

Rental of guest rooms (by the residents):								
(A) To 1 or 2 persons (unrelated to all principal residents)	X	X	X	X	X	X	X	X
(B) To 3 persons (unrelated to all principal residents)	X	X	X	X	X	X	X	X
(C) To not more than 3 persons (unrelated to all principal residents) by a family of related individuals, 1 individual, or 2 unrelated individuals (CB-122-1986)	X	X	X	X	X	X	X	X
Residential Revitalization in accordance with <u>Section 27-445.10</u> (CB-58-2001; CB-89-2014)	P	P	P	P	P	P	P	P
Rooming houses	X	X	X	P	P	X	P	X
Tourist cabin camp	X	X	X	X	X	X	X	X
Tourist homes	X	X	X	SE	SE	X	P	X
"Tourist Home" as an "Accessory Use" to a "Dwelling" in accordance with <u>Section 27-445.19</u> (effective 10/1/2019) (CB-10-2018)	P	P	P	P	P	P	P	P
Townhouse, cluster development, shown on a preliminary plat of subdivision approved prior to September 1, 1986 (CB-54-1986)	X	X	X	X	X	X	X	X
Townhouse, shown on a Detailed Site Plan approved prior to December 30, 1996, and in compliance with Section 3 of CB-55-1996 (CB-84-1990; CB-55-1996)	P	P ²	P ²	P ^{2,5}	P ²	X	X	X
Townhouse, shown on a preliminary plat of subdivision approved pursuant to Part 4A (CB-47-1996)	P	P ²	P ²	P ^{2,5}	P ²	X	X	X

Townhouse, Transit Village (CB-37-2006; CB-28-2016)	P ⁸⁴	X	X	X	X	P ₁₁₁	X	X
Townhouse, if located within a designated Revitalization Tax Credit District, within a Transit District Overlay Zone, or a Development District Overlay Zone. (CB-112-2004; CB-106-2015)	X	X	X	P ⁷⁸	X	X	X	X
Townhouse, all others (CB-55-1996; CB-118-2017)	P ₁₂₅	SE	SE	SE	SE	X	X	X
(8) Resource Production/Recovery: (CB-12-2016)								
Agricultural uses:								
(A) All general agriculture ²²	X	X	X	X	X	X	X	X
(B) Limited to floriculture, horticulture, gardening, and private, noncommercial greenhouses	P	P	P	P	P	P	P	P
(C) Keeping of homing or racing pigeons, provided the use was in existence:								
(i) Prior to June 30, 1987	X	X	X	X	X	X	X	X
(ii) On or after June 30, 1987 (CB-45-1987; CB-36-1991)	X	X	X	X	X	X	X	X
(D) Equine Activities	X	X	X	X	X	X	X	X
(E) Equine Facility	X	X	X	X	X	X	X	X
(i) Keeping of horses or ponies	X	X	X	X	X	X	X	X
(ii) Private stable	X	X	X	X	X	X	X	X
(iii) Riding stable								
(aa) On a tract consisting of less than 20,000 sq. ft.	X	X	X	X	X	X	X	X

(bb) On a tract consisting of between 20,000 sq. ft. and 9 contiguous acres	X	X	X	X	X	X	X	X
(cc) All others (CB-92-2010)	X	X	X	X	X	X	X	X
(F) Urban Farm (CB-76-2013)	X	X	X	P ⁹⁷	X	X	X	X
(G) Medical Cannabis Grower and/or Processor (CB-5-2016)	X	X	X	X	X	X	X	X
(H) Beekeeping on residential land (CB-80-2016)	X	X	X	P	X	X	X	X
Nursery and garden center:								
(A) In accordance with <u>Section 27-445.05</u>	X	X	X	X	X	X	X	X
(B) All others (CB-35-1989; CB-143-1989; CB-135-1993)	X	X	X	X	X	X	X	X
Sand or gravel wet-processing, in accordance with <u>Section 27-445.02</u>	SE	SE	SE	SE	SE	X	SE	SE
Sawmill:								
(A) Only for timber grown on the premises	SE	SE	SE	SE	SE	X	SE	SE
(B) In connection with an agricultural operation	X	X	X	X	X	X	X	X
Surface mining, in accordance with <u>Section 27-445.02</u>	SE	SE	SE	SE	SE	SE	SE	SE
(9) Transportation/Parking/Communications/Utilities: (CB-12-2016)								
Airport, airpark, airfield, heliport, or helistop; private (CB-14-1992)	SE	SE	SE	SE	SE	X	SE	SE
Airstrip, private:								
(A) In accordance with <u>Section 27-445.07</u>	SE	SE	SE	SE	SE	SE	SE	SE

(B) All others (CB-14-1992)	SE	SE	SE	SE	SE	SE	SE	SE
Antennas and related equipment buildings and enclosures, other than satellite dish antennas:								
(A) In accordance with <u>Section 27-445.04</u>	P	P	P	P	P	P	P	P
(B) All others (CB-65-2000)	SE	SE	SE	SE	SE	SE	SE	SE
Farm vehicles and farm machinery used on farm premises ⁵¹ (CB-105-1993)	X	X	X	X	X	X	X	X
Monopoles and related equipment buildings and enclosures:								
(A) In accordance with <u>Section 27-445.04</u>	P	P	P	P	P	P	P	P
(B) All others (CB-65-2000)	SE	SE	SE	SE	SE	SE	SE	SE
Parking lot or garage, or loading area, used in accordance with Part 11 to serve:								
(A) A permitted, PA, or PB use	P	P	P	P	P	P	P	P
(B) A Special Exception use (CB-85-1988)	SE	SE	SE	SE	SE	X	SE	SE
Parking lot used in accordance with Part 11 to serve a use in an adjacent Commercial, Industrial, or M-X-T Zone (CB-85-1988; CB-4-2003)	SE	SE	SE	SE	SE	X	SE ₇₀	SE
Parking of mobile home except as otherwise specified	X	X	X	X	X	X	X	X
Parking of mobile home in a public right-of-way ³¹	X	X	X	X	X	X	X	X
Parking of vehicles owned or used by the occupants of the premises or their bona fide guests:								

(A) Boats and boat trailers ⁹¹ (CB-24-2010)	P ¹⁷	P	P	P	P	P	P	P
(B) Buses, 18 on the same lot with, and accessory to, the principal use, such as a school or church	P	P	P	P	P	P	P	P
(C) Camping trailer (unoccupied): ⁴⁴								
(i) Not more than one	P	X	X	X	X	X	X	X
(ii) Unlimited number (CB-43-1989)	X	P	P	P	P	P	P	P
(D) Not more than 1 commercial vehicle:								
(i) Having a maximum manufacturer's gross vehicle weight specification of up to 17,000 pounds, and which may include unlimited advertising on the side of the vehicle:								
(aa) If parked within a wholly enclosed private parking garage	P	X	X	X	X	X	X	X
(bb) If parked in a side or rear yard ¹¹	X	X	X	X	X	X	X	X
(ii) If parked on the premises, having a maximum manufacturer's gross vehicle weight specification of up to 8,500 pounds, no advertising (other than a firm name or similar designation not exceeding 4 inches high), and excluding vehicles exceeding 300 cubic feet of load space, stake platform trucks, dump trucks, crane or tow trucks, and vehicles with dual rear axles	P	X	X	X	X	X	X	X
(iii) Owned and registered by an occupant of the premises, having a manufacturer's gross vehicle weight specification of greater than 17,000 pounds, parked only in the side or rear yard for not more than 72 continuous hours on a lot at least 5 acres in size, and set back 300 feet from all lot lines ¹¹	X	X	X	X	X	X	X	X

(iv) Owned and registered by an occupant of the premises, having a manufacturer's gross vehicle weight specification of greater than 17,000 pounds, parked only in the side or rear yard for not more than 72 continuous hours, on a lot at least 2 acres in size ¹¹ (CB-53-1987; CB-35-1993)	X	X	X	X	X	X	X	X
(E) Commercial vehicles not exceeding a manufacturer's gross vehicle weight specification of 8,500 pounds; containing no advertising other than a firm name or similar designation not more than 4 inches high; and excluding vehicles exceeding 300 cubic feet of load space, stake platform trucks, dump trucks, crane or tow trucks, or vehicles with dual rear wheels	X	P	P	P	P	P	P	P
(F) Private passenger vehicles	P	P	P	P	P	P	P	P
Public utility uses or structures:								
(A) Underground pipelines, electric power facilities or equipment, or telephone facilities or equipment; and railroad tracks or passenger stations, but not railroad yards	P	P	P	P	P	P	P	P
(B) Other public utility uses or structures (including major transmission and distribution lines and structures, but excluding railroad yards, round houses, car barns, and freight stations) (CB-25-1987; CB-65-2000)	SE	SE	SE	SE	SE	X	SE	SE
Satellite dish antenna, in accordance with <u>Section 27-424.02</u> :								
(A) Up to 10 feet in diameter, to serve only 1 dwelling unit	P	P	P	P	P	P	P	P
(B) More than 10 feet in diameter, to serve only 1 dwelling unit	SE	SE	SE	SE	SE	SE	SE	SE

(C) All others (CB-19-1985)	P	P	P	P	P	P	P	P
Storage of any motor vehicle which is wrecked, dismantled, or not currently licensed, except where specifically allowed ¹² (CB-4-1987)	X	X	X	X	X	X	X	X
Towers or poles (electronic, radio, or television, transmitting or receiving):								
(A) Commercial purposes	X	X	X	X	X	X	X	X
(B) Nonprofit, noncommercial purposes (CB-18-1984; CB-39-1984; CB-94-1984; CB-133-1984; CB-33-1985; CB-123-1994; CB-65-2000)	P	P	P	P	P	P	P	P

1	Provided both of an adjoining pair are erected at the same time.
2	Subject to all requirements applicable to the R-T Zone (except as specifically modified for the R-20 Zone).
3	Limited to dwelling units arranged one above the other.
4	On lots having a net area exceeding twenty thousand (20,000) square feet. (CB-45-1987)
5	The townhouses may be developed without conforming to the regulations applicable to townhouses governing roadways and drives, tract widths and sizes, density, and net lot area, provided:
	(A) A Special Exception for multifamily dwelling bedroom percentages increase (Section <u>27-382</u>) has been granted for the subject property with a condition that the property be developed with townhouses;
	(B) A preliminary plat of subdivision has been approved for the property as of June 1, 1975, in accordance with the net lot area and lot frontage requirements applicable to multifamily dwellings in the R-18 Zone, with a maximum density of 22 dwelling units per acre; and
	(C) A final plat was recorded prior to June 1, 1976.

6	Provided a condominium plat is recorded, in accordance with the provisions of the Maryland Condominium Act, setting out each dwelling unit as a separate unit.
7	Provided the use is limited to a person residing in the dwelling.
8	Except as allowed without a Special Exception.
9	Provided the use is located in a community building (constructed as part of a multifamily project), owned by a homes association, that does not contain any dwelling units. Not more than one-third (1/3) of the gross floor area of the community building may be used for professional office space.
10	Provided the multifamily dwelling or project contains at least twenty-four (24) dwelling units. (CB-36-1987)
11	For lots having frontage on more than one (1) street (i.e., a corner lot), a commercial vehicle may only be parked in a yard that does not have street frontage. (CB-53-1987)
12	This shall not apply to:
	(A) Such storage accessory to an allowed use; or
	(B) One (1) such vehicle which is stored in a wholly enclosed garage.
13	For zero lot line development, in accordance with Optional Residential Design Approach provisions of Subtitle 24.
14	Only for the expansion of the existing business on abutting land in the C-M, I-1, I-2, or I-4 Zones.
15	Restricted to one-family detached and semidetached dwellings.
16	Restricted to one-family detached dwellings.
17	Only one (1) of each.
18	Provided:
	(A) The parking area shall be in addition to any required parking lot on the premises. The parking area shall be connected to a public street by means of a driveway (constructed in compliance with the minimum standards of the Department of Permitting, Inspections, and Enforcement) with a minimum width of eleven (11) feet for each lane;

	(B) The parking area shall be screened from any adjoining land in any Residential Zone (on land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan; and
	(C) No repairs, service, maintenance, or gasoline dispensing or storage facility shall be permitted without a Special Exception. (CB-29-2014)
19	Provided:
	(A) The use is limited to one (1) bona fide resident of the dwelling;
	(B) Not more than two (2) nonresident, nonprofessional assistants may be employed;
	(C) Professional consultation at a professional's dwelling with a visiting consultant, or the employment of an alternate professional in the event of the death, disability, illness, temporary absence, or vacation of the resident professional, is also allowed;
	(D) The use shall not alter the residential character or appearance of the premises; and
	(E) The use shall not occupy more than fifty percent (50%) of the gross floor area of the dwelling.
20	Home occupations consisting of general clerical work or professional offices require a use and occupancy permit. (CB-31-1985)
21	Not applicable to multifamily dwellings.
22	Slaughterhouses, fertilizer works, bone yards, plants for the reduction of animal matter, and any uses which are noxious or offensive because of odor, dust, smoke, gas, or noise, are prohibited; may include an equine facility in conjunction with the agricultural use. (CB-92-2010)
23	On lots having a net area of twenty thousand (20,000) square feet or less, keeping cattle, equines, poultry, or other animals or birds (other than customary household pets) shall only be permitted upon approval of a Special Exception. (CB-92-2010)
24	As a temporary use subject to annual renewal and located at least five hundred (500) feet from the boundary line of any other land in a Residential Zone, or land proposed to be used for residential purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone.

25	Limited to four hundred (400) square feet.
26	Provided the site is either:
	(A) In the proximity of an area designated as a fire or rescue station on an approved Functional Master Plan of Fire and Rescue Stations;
	(B) In a location which the Fire Chief has indicated (in writing) is appropriate; or
	(C) Occupied by a station that was in use as a station on June 30, 1982.
	The following activities are considered to be ancillary uses permitted within the hall/assembly area of a voluntary fire, ambulance, or rescue station: bingo (with an approved license from the Department of Permitting, Inspections, and Enforcement), weddings, dinners, community events, organization functions, and private events (with no advance or at the door ticket sales).
	<p>All events must comply with County or State regulations, and events requiring a specific license must obtain such license to be considered a permitted ancillary use. All events must be organized by the voluntary fire, ambulance, or rescue corporation or company and/or a community group from within the immediate vicinity of the station. For weddings, receptions, and dinners, the event may be organized by an individual in conjunction with the voluntary fire, ambulance, or rescue corporation or company and/or a community group within the immediate vicinity of the station. A permitted ancillary use does not include the leasing of the station facility for use by a promoter. Private events may not have advance or at the door ticket sales. All events must end by 10:00 p.m., Sunday through Thursday (except that bingo events must end by 11:00 p.m.), and by midnight on Friday and Saturday, with all patrons off the site within thirty (30) minutes after closing.</p> <p>(CB-70-2008; CB-29-2014)</p>
27	The field shall be located on a lot having a net area of at least ten (10) acres, which is owned and operated by an eleemosynary or philanthropic institution. Any accessory building shall not exceed one thousand (1,000) square feet of gross floor area, and shall only be used for maintenance and storage. Otherwise, a Special Exception is required.
28	Provided:
	(A) The mobile home is located on a lot having a net area of at least five (5) acres;
	(B) The use of the mobile home is in connection with another use on the property for which the County levies an amusement tax;

	(C) The occupants of the mobile home are employed by, or reasonably connected with, the other use; and
	(D) The mobile home shall not be located on the property for more than one hundred twenty (120) cumulative days per calendar year, except mobile homes used in connection with pari-mutuel racetracks where the use shall not exceed two hundred eighteen (218) cumulative days per calendar year.
29	Limited to two (2) vehicles (total, all types) for a lot used for one-family semidetached dwelling, and four (4) vehicles (total, all types) for a two-family detached dwelling.
30	Only in connection with one-family detached dwellings.
31	Except in an emergency. In this case, the parking shall be subject to the traffic and parking regulations applicable to the right-of-way.
32	In a cluster development for which the preliminary plat of subdivision was approved prior to September 1, 1986, showing such one-family attached dwellings. Up to twenty percent (20%) in the R-80 Zone, and twenty-five percent (25%) in the R-55 Zone, of the total number of dwelling units in the cluster development may be one-family attached dwellings. The remainder shall be one-family detached dwellings. (CB-54-1986)
33	Only for expansion of an existing sanitary landfill or rubble fill on abutting land for which an approved Special Exception has not expired.
34	Minimum lot size of two (2) acres required. If associated with a church that has approved off-site parking, the total area of the properties shall be a minimum of two (2) acres. A church must provide its tax-exempt identification number when applying for a Detailed Site Plan or a building or use and occupancy permit for an accessory day care center for children. (CB-23-1988; CB-44-1989; CB-101-2015)
35	In conjunction with an agricultural use.
36	Not allowed in an Agricultural Preservation Development, unless it existed prior to the approval of the site plan.
37	Permitted only on lots having a gross lot area of one (1) acre or more, otherwise a special exception is required. (CB-29-1985)

38	<p>Provided the use either:</p>
	<p>(A) Is located at or below the ground floor level of a multifamily dwelling and does not exceed two thousand (2,000) square feet; or</p>
	<p>(B) Is located in a community building (constructed as part of a multifamily project) owned by a homeowners' association and not containing dwelling units, and does not occupy more than one-half of the gross floor area of the community building. (CB-81-1985)</p>
39	<p>The use shall be related to, dependent on, secondary to, and located on the same record lot as, the multifamily dwelling or project. (CB-36-1987)</p>
40	<p>This does not provide for accessory antennas or overhead distribution lines. (CB-25-1987)</p>
41	<p>Provided the health center is located on a minimum of twenty-five (25) acres. (CB-55-1988)</p>
42	<p>Either:</p>
	<p>(A) In conjunction with an existing golf course or equestrian center; or</p>
	<p>(B) The golf course or equestrian center shall be constructed within five (5) years of approval of the Detailed Site Plan. (CB-16-1989)</p>
43	<p>Minimum lot size of thirty thousand (30,000) square feet required, except for bona fide nonprofit groups or organizations. (CB-23-1989)</p>
44	<p>Parking shall be provided as follows:</p>
	<p>(A) The vehicle shall be located at least eight (8) feet from a street line; and</p>
	<p>(B) If parked in a yard abutting a street, it shall be parked on a dust-free surfaced area. (CB-43-1989)</p>

45	The sale of gazebos and sheds is permitted for a Special Exception approved in 1984 as incidental to its operation if such sale and display is in accordance with <u>Section 27-385</u> and provided no more than two (2) gazebos and two (2) sheds are visible from any public street. (CB-143-1989)
46	If the property is located within the Chesapeake Bay Critical Area, was zoned R-80 prior to December 18, 1989, and is not the subject of a record plat. (CB-72-1989)
47	A sanitary landfill, rubble fill, or Class 3 fill may include a rock crusher only if it is approved as part of the Special Exception. (CB-15-1990; CB-8-2003; CB-87-2003)
48	Townhouses which were permitted when developed pursuant to former Part 4A of this Subtitle prior to January 21, 1997, are permitted. No more than twenty percent (20%) of the total number of dwelling units in the development may be townhouses. (CB-84-1990; CB-47-1996)
49	Provided both uses were existing as of January 1, 1991. (CB-11-1991)
50	On lots having a total area exceeding twelve thousand (12,000) square feet. (CB-36-1991)
51	Includes semitrailers for an agricultural use located on a minimum of ten (10) acres. (CB-105-1993)
52	A church or similar place of worship that is located on a lot between one (1) and two (2) acres in size shall require a Detailed Site Plan in accordance with Part 3, Division 9, of this Subtitle. In addition to the requirements of <u>Section 27-285(b)</u> , the following requirements shall be met:
	(A) The minimum setback for all buildings shall be twenty-five (25) feet from each lot line;
	(B) When possible, there should be no parking or loading spaces located in the front yard; and
	(C) The maximum allowable lot coverage for the zone in which the use is proposed shall not be increased. (CB-76-1993)
53	Provided the net lot area is at least five (5) acres. (CB-76-1993)

<p>54</p>	<p>Any property rezoned to the R-E Zone by a Sectional Map Amendment prior to January 1, 1994, on which a previous special exception was approved for a nursery and garden center may continue to operate as a permitted special exception use, notwithstanding the provisions of <u>Section 27-320</u> of this Subtitle. (CB-135-1993)</p>
<p>55</p>	<p>Provided the field is located on a lot having a net area of at least 40 acres, and any field constructed after August 1, 1996, is set back 100 feet from all property lines. Otherwise, a Special Exception is required. (CB-43-1994; CB-33-1996)</p>
<p>56</p>	<p>Subject to Detailed Site Plan approval in accordance with Part 3, Division 9 of this Subtitle, unless the use is located in a Regional Park owned by the M-NCPPC. (CB-47-1995)</p>
<p>57</p>	<p>Conversion shall not occur until:</p>
	<p>(A) The building is structurally modified to include the additional dwelling units; and</p>
	<p>(B) The additional dwelling units are occupied. (CB-73-1996)</p>
<p>58</p>	<p>For the purposes of this Section, a dwelling for the elderly shall be housing which is operated in accordance with State and Federal Fair Housing laws. (CB-71-1996)</p>
<p>59</p>	<p>Townhouses shall comply with the design guidelines set forth in <u>Section 27-274(a)(11)</u> and the regulations for development set forth in <u>Section 27-433(d)</u>. (CB-55-1996)</p>
<p>60</p>	<p>Section 3 of CB-55-1996 reads as follows: "BE IT FURTHER ENACTED that the provisions of this Ordinance shall not apply to projects for which a Detailed Site Plan has been filed and accepted prior to November 1, 1996, provided the design guidelines and regulations not resulting in a requirement of resubdivision are applicable, and provided building permits for ten percent of the dwelling units included in the Detailed Site Plan are issued within one year of the effective date of this legislation (December 30, 1996), and extensions of time for the permits do not exceed six months, and that the dwelling units are constructed pursuant to the permits.</p>

61	<p>Provided the use is located on a lot or parcel with not more than one-half acre which is adjoining and contiguous to an existing cemetery. (CB-60-1998)</p>
62	<p>Permitted use without requirement for special exception provided the use is on a parcel of land in the R-H Zone, the gross tract area of which is a maximum of twenty (20) acres, which is adjoining R-R zoned land developed with an existing Medical Residential Campus. The entire tract of land in the R-H Zone shall require Detailed Site Plan approval in accordance with Part 3, Division 9, of this Subtitle. Regulations restricting the height of structures, lot size and coverage, frontage, setbacks, density, and other requirements of the zone shall be consistent with existing development in the adjacent Medical Residential Campus. The dimensions and percentages shown on the approved site plan shall constitute the regulations for development. (CB-21-1999)</p>
63	<p>A Special Exception shall not be required provided:</p>
	<p>1. The property is one (1) gross acre or less in size and is located adjacent to a R-18C zoned lot or parcel recommended for an active adult community in an Approved Sector Plan and Sectional Map Amendment;</p>
	<p>2. The property is located within one (1) mile of a fire station;</p>
	<p>3. A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;</p>
	<p>4. Regulations concerning the net lot area, lot coverage and green area, lot width, frontage, yards, building height, distance between unattached townhouses, density, site access, accessory buildings and other requirements of the R-R Zone shall be established and shown on the Detailed Site Plan for approval by the Planning Board and the District Council; and</p>
	<p>5. Age restrictions shall be in conformance with the Federal Fair Housing Act and set forth in covenants submitted with the application and filed in the land records at the time the final plat of subdivision is recorded. (CB-46-1999; CB-42-2016; CB-29-2017)</p>
64	<p>Use of permitted mobile homes is restricted to employees at a riding stable on the Special Exception property. No more than two mobile homes may be located on such a property, and each must be on its own R-E lot as required by <u>Section 27-118.01(c)</u>. A building permit shall be issued by the Department of Permitting, Inspections, and Enforcement for each mobile home. Any mobile home unoccupied for more than 60 days must be removed from the property. (CB-79-1999; CB-29-2014)</p>

65	Permitted use without requirement for Special Exception provided the land on which the lot exists is in the R-55 Zone, immediately adjoins land in the C-S-C Zone, is a part of the same parcel as the land in the C-S-C Zone, and is located within the municipal limits of the City of New Carrollton. (CB-88-1999)
66	The use is permitted on R-R zoned property leased from a public agency before January 1, 1974. Parking and loading facilities shall be provided in accordance with Part 11 (parking and loading requirements). Landscaping, buffering, and screening shall be provided in accordance with the Landscape Manual. Development regulations for building setbacks shall be provided in accordance with Part 6 (Commercial Zone regulations).
	The following uses are not permitted: car wash, animal hospital, training, kennel, grooming, blacksmith, carpet or rug shampooing, department store exceeding 80,000 square feet, electric or gas appliance repair, farm implement sales and repair, upholstery or furniture repair, locksmith, laboratories, lawn mower repair, machine shop, massage establishment, methadone treatment center, model studio, photo processing plant, studio or darkroom, pizza delivery, print shop, newspaper publishing, sauna or steam bath, septic tank sales, service, sewage dump (pump out) services, shoe repair, taxidermy, welding shop, bait shop, bottled gas, feed sales, wayside stand, and any use prohibited in the lease with the public agency, as modified or amended. (CB-35-2000; CB-60-2009)
67	Permitted use without requirement for Special Exception provided the use was existing as of July 1, 2001, is located on a lot or parcel that is not less than 10 acres in size, and abuts a multi-use trail designated on an Approved Master Plan. (CB-53-2001)
68	Provided the use will be located on land that is located within the median of a road classified as a freeway on the applicable Master Plan; the property is at least one-half (1/2) acre in size; and access to the property will not be directly from the main travel lanes of the freeway. (CB-75-2001)
69	Provided:
	(A) The use abuts an existing marina in the C-W-Zone approved prior to 1972 pursuant to a special exception; and
	(B) Notwithstanding the provisions to the contrary, a revised site plan shall be approved by the Planning Board that incorporates the entire property showing existing and proposed improvements in both the R-R and C-W Zones. (CB-76-2001)

70	Permitted use without requirement for special exception, provided; if as of February 1, 2003:
	(A) The use is on a parcel of land which is surrounded by commercial and institutional uses;
	(B) The parcel does not abut any property that is improved with single-family detached residential dwellings;
	(C) The site has frontage on a street shown on the applicable Master Plan as an arterial or higher classification; and
	(D) Any such use shall only be located upon property that is the subject of an approved Detailed Site Plan. (CB-4-2003)
71	A Class 3 fill in existence as of October 7, 2003 that is operating pursuant to any validly issued grading permit, and is not in violation, shall be permitted to continue in operation as a matter of right, but is limited to the fill area established by any previously issued grading permit, not to exceed two renewals of the permit. Those fill operations that are in violation on October 7, 2003 have until December 31, 2003 to comply, or their permit is void. (CB-8-2003; CB-87-2003)
72	Provided:
	(A) The property is located on and inside the Capital Beltway at an existing interchange with said Beltway;
	(B) The site contains a minimum of eighty (80) acres that is split-zoned, I-3 and R-R, with not more than twenty percent (20%) zoned R-R;
	(C) The property is proposed for employment uses in the most recently approved applicable Master Plan;
	(D) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle; and
	(E) The site plan shall include at least two (2) stores containing one hundred thousand (100,000) square feet or more of gross floor area. (CB-65-2003)
73	Provided:

	(A) The use is located on land no less than thirty (30) acres and not more than seventy (70) acres in size;
	(B) The land adjoins properties in the R-T Zone that is at least sixty (60) acres in size and is developed with at least three hundred and fifty (350) townhouses;
	(C) The land and adjoining properties described in Subsection (B) were placed in the R-T Zone as a result of an approved Sectional Map Amendment;
	(D) The land has frontage on and access to a road classified as an arterial on the applicable Master Plan and maintained by the State Highway Administration; and
	(E) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. (CB-70-2003)
74	Permitted as an expansion of an existing nonconforming animal hospital, veterinary office with a valid use and occupancy permit issued on or before July 1, 1998. Said expansion is limited to four thousand (4,000) square feet of gross floor area and is subject to Detailed Site Plan approval, in accordance with Part 3, Division 9, of this Subtitle, by the Planning Board or its designee. (CB-76-2003; CB-61-2018)
75	Provided:
	(A) The use is located on property in both the C-M and R-A Zones;
	(B) The property has frontage on a road classified as a freeway on the applicable Master Plan;
	(C) The property is between forty thousand (40,000) and forty-five thousand (45,000) square feet in size and abuts the site of an existing gas station that was certified as a nonconforming use; and
	(D) A Detailed Site Plan shall be approved by the Planning Board that shows proposed improvements in both the C-M and R-A Zones and demonstrated compliance with <u>Section 27-358(a)(1), (2), (4), (5), (6), (7), (8), (9) and (10)</u> . In addition, the Detailed Site Plan shall demonstrate that there are no single family homes on the property or on any abutting property. (CB-36-2004)
76	Provided:
	(A) A condominium plat is recorded, in accordance with the provisions of the Maryland Condominium Act, setting out each dwelling unit as a separate unit, or a housing cooperative is established to own the dwelling units; and

	(B) At least ninety percent (90%) of all required parking spaces are provided in a parking structure. (CB-109-2004)
77	Up to seventy-five (75) dwelling units are permitted only if adjoining and operated by the same organization as an adult day care use, approved by Special Exception. All assisted living facilities standards and requirements in Part 6, Division 5, must be met, including Detailed Site Plan approval under Part 3, Division 9. (CB-110-2004)
78	Provided:
	(A) Townhouse development is within a multifamily complex formerly used for multifamily dwellings, where residential (multifamily and/or townhouse) density was reduced as part of its redevelopment;
	(B) Townhouse development shall be in accordance with the regulations for the R-T Zone; and
	(C) Detailed Site Plan approval is required in accordance with Part 3, Division 9, of this Subtitle. (CB-112-2004)
79	Permitted only to replace an existing surface mining or Class III fill operation located directly adjacent to an interstate (with "I" classification, not "US" or "MD") highway, which operation has an active permit at the time of preliminary plan approval for the townhouse, two-family dwelling or multifamily development. The Planning Board shall approve a Detailed Site Plan under Part 3, Division 9, of the Zoning Ordinance. Multifamily dwellings are permitted as provided in <u>Section 27-436</u> for the R-18 Zone, and townhouses are permitted as provided in <u>Section 27-433</u> for the R-T Zone. Regulations concerning lot size, coverage, frontage, setbacks, density, bedroom percentages, and other requirements applicable to multifamily, two-family dwellings and townhouse dwellings shall not apply; these dimensional (bulk) requirements shall be those approved by the Planning Board (or District Council after review) in the Detailed Site Plan. In its site plan review, the District Council may require the applicant to demonstrate in the site plan record that highway facilities are adequate to serve the townhouse project. Notwithstanding any provision to the contrary in <u>Section 27-270</u> of this Subtitle, any property subject to this provision shall not be required to obtain a final certified Detailed Site Plan approval prior to the approval and issuance of any County grading permit. This provision shall not apply to legal nonconforming sand and gravel or Class III fill operations. (CB-37-2005; CB-9-2012; CB-73-2015)
80	Reserved. (CB-53-2005; CB-4-2013)
81	(A) Permitted in the R-18 Zone without a Special Exception, provided that the subject property:

	(i) Includes at least five (5) acres;
	(ii) Is located within the Developed Tier; and
	(iii) Adjoins property also in the R-18 Zone.
	(B) Age restrictions in conformance with the Federal Fair Housing Act shall be set forth in covenants submitted with the application and shall be approved by the District Council and filed in the land records at the time the final subdivision plat is recorded. The applicant must obtain approval of a Detailed Site Plan, as provided in Part 3, Division 9, and demonstrate by evidence in the record that:
	(i) The net lot area is at least fifty percent (50%) of the minimum net lot area normally required in the zone;
	(ii) The density is not more than twice that normally allowed in the zone; and
	(iii) The project is financed at least partially by tax credits approved by the State of Maryland. (CB-66-2005)
82	Permitted in the R-55 Zone provided that the subject property meets the following criteria:
	(A) Has area of at least two (2) acres;
	(B) Has frontage on a freeway or highway; and
	(C) Is within a Growth Corridor or Growth Center as defined in the General Plan.
	In accordance with the standards listed below, the applicant must obtain approval of a Detailed Site Plan as provided in Part 3, Division 9. In site plan review, the Planning Board shall find that the proposed use and subject property meet all Division 9 requirements (except as provided below) and will:
	(A) Include at least thirty (30) but not more than fifty (50) residential units;
	(B) Include a traffic study that is prepared in accordance with the Planning Board Guidelines for Analysis of Traffic Impact of Development Proposals showing on-site circulation patterns, access points on and off site, impacts on major highways and intersections, and impacts mitigated in accordance with the Guidelines;
	(C) Incorporate reasonable regulations for height of structures, architectural design, lot size and coverage, frontage, setbacks, density (as restricted below), dwelling unit types, percentages of uses, and other dimensional requirements, in place of conventional requirements;

	(D) Have residential densities not exceeding eighteen (18) units per gross tract acre;
	(E) Have interior private roads only where appropriate for and in furtherance of community purposes, and approved by the Department of Permitting, Inspections, and Enforcement; and
	(F) Be adjacent to or connected to C-S-C zoned land being redeveloped as a mixed-use development defined as at least two (2) uses including residential, retail, or office with each use comprising no less than ten percent (10%) of the uses of the site.
	(i) Recreation facilities should be provided to serve the community; and
	(ii) The recreation facilities shall be constructed prior to or concurrently with the residential units or as stated in a construction schedule approved by the District Council.
	(G) The site plan shall also demonstrate the development and uses:
	(i) Are in harmony with the purposes of this Subtitle;
	(ii) Conform with all applicable requirements of this Subtitle;
	(iii) Will not substantially impair the integrity of the applicable Master Plan, any applicable Functional Master Plan, or the General Plan;
	(iv) Will not adversely affect the health, safety, or welfare of residents or workers in the neighborhood;
	(v) Will not be detrimental to the use or development of adjacent properties or the neighborhood generally; and
	(vi) Conform to an approved Tree Conservation Plan. (CB-97-2005; CB-29-2014)
83	In the Rural Tier as defined by the 2002 General Plan or as amended through a subsequent planning process where a preliminary plat of subdivision is required pursuant to Subtitle 24 after June 30, 2006 the subdivision of land shall be subject to <u>Section 24-152(g)(2)</u> through (6), and (h) of the Conservation Subdivision regulations. The minimum lot width at the building line and street line, and main building setback along a scenic and historic road are contained in <u>Section 27-445.12(a)</u> Tables 1 and 3. (CB-1-2006)

84	<p>Provided the property has a net lot area of at least six (6) acres and is located in a mixed use activity center designated as a "Transit Village" in the applicable Area Master Plan.</p> <p>(CB-37-2006)</p>
85	<p>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 <u>Section 27-274</u> (a)(11) and the regulations for development set forth in <u>Section 27-433</u> (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.</p> <p>(CB-32-2008)</p>
86	<p>Provided:</p>
	<p>(A) The subject property is a minimum of eighteen thousand (18,000) square feet in size.</p>
	<p>(B) The subject property is located on a corner lot with frontage on at least one public street with a right of way greater than eighty (80) feet in width.</p>
	<p>(C) The use requires no new "building" construction on the subject property.</p>
	<p>(D) The use meets the Additional Requirements for Specific Special Exception as set forth in <u>Section 27-348.03</u>.</p> <p>(CB-81-2008)</p>
87	<p>Each project developed pursuant to this provision shall be subject to a mandatory Detailed Site Plan reviewed by the District Council.</p> <p>(CB-82-2008)</p>
88	<p>Permitted only where the multifamily development is the subject of a condominium regime, the property is located in a Transit Development Overlay Zone, the property abuts the District of Columbia, and the development includes a mix of residential and commercial uses. A Detailed Site Plan shall be approved by the Planning Board in accordance with Part 3, Division 9 of the Zoning Ordinance. Regulations concerning lot size, coverage, frontage, setbacks, density, bedroom percentages, and other requirements applicable to multifamily dwellings shall apply; these dimensional (bulk) requirements shall be those approved by the Planning Board (or the District Council) in the Detailed Site Plan.</p> <p>(CB-82-2008)</p>

89	Permitted in accordance with <u>Section 27-445.01</u> on land assessed for agricultural use. A restaurant may be permitted as an accessory use to a farm winery subject to approval of a special exception. The inclusion of a food or beverage store is not permitted as an accessory use to a Farm Winery. (CB-36-2009)
90	The use is permitted by right, but requires approval of a Detailed Site Plan to ensure the development of an appropriate rural/environmental setting whenever the land area covered by buildings and other structures exceeds 40,000 square feet. (CB-39-2009)
91	Parking shall be provided as follows:
	(A) The boat and boat trailer shall be located at least eight (8) feet from a street line;
	(B) The boat and boat trailer shall be parked on a dust-free surface area such as concrete, asphalt, or gravel;
	(C) The boat and boat trailer shall be properly licensed and operable;
	(D) The boat and boat trailer shall not be in excess of twenty (20) feet unless located on a lot at least two (2) acres in size; and
	(E) The boat and boat trailer shall be covered to prevent the accumulation of water. (CB-24-2010)
92	Provided the use is for the purpose of promoting agritourism as defined in <u>Sec. 27-107(a)</u> . (CB-92-2010)
93	Permitted use without requirement for Special Exception only to replace a legal, nonconforming nursing or care home on an abutting R-80 Zone lot, which has been in continuous operation since 1970. A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. (CB-55-2011)
94	Permitted use without requirement for Special Exception or Detailed Site Plan provided the property on which the use is located is owned by a non-profit organization as of October 1, 2012, and further provided that said property shall be exempt from the requirements of the Prince George's County Landscape Manual, <u>Section 27-442(c)</u> Regulations for Lot Coverage and Green Area, and Part 11 for off-street parking and loading except for parking facilities for the physically handicapped. (CB-105-2012; CB-97-2013)

<p>95</p>	<p>If the day center is owned and operated by a church and was previously a Head Start public school and day care center operated by Prince George's Board of Education, it may be permitted by right, in accordance with <u>Section 27-445.03</u>. Said day care center must be adjacent to the church. The church must provide its tax-exempt identification number when applying for a Detailed Site Plan or a building or use and occupancy permit, as well as documentation demonstrating the contractual relationship between the church and the Prince George's Board of Education. (CB-2-2013)</p>
<p>96</p>	<p>Permitted use provided the subject property is subject to a previously approved special exception for a parking lot on residential land serving an adjacent property in a commercial zone and the adjacent property is developed with an eating or drinking establishment with drive-through service. (CB-14-2013)</p>
<p>97</p>	<p>Permitted use if the extent of the use on the property does not exceed a maximum of five (5) acres in size. The Urban Farm shall not allow noxious odors or dust to drift off the premises. The applicant shall be required to obtain a Health Department permit if fruits and vegetables are cut up or prepared foods are being sold to the public. Signage shall be limited to way finding and directional signs. (CB-76-2013; CB-25-2016)</p>
<p>98</p>	<p>Provided the use is limited to the preparation of food and/or beverages only and is within a public building owned and operated by a municipality that operates a food service facility therein pursuant to a food service facility permit issued prior to January 1, 2014. (CB-4-2014)</p>
<p>99</p>	<p>Provided, and notwithstanding any other provision of this Section, that:</p>
	<p>(A) The property has frontage on and access to a road classified as arterial on the applicable Master Plan;</p>
	<p>(B) The use is located on a site that is split-zoned, C-S-C and R-R, consisting of no more than six (6) acres in size, with existing commercial improvements on the site; and</p>
	<p>(C) The site and the land described in Subsection (B) was split-zoned, C-S-C and R-R, as a result of a Sectional Map Amendment approved after January 1, 2013. (CB-12-2014)</p>
<p>100</p>	<p>A special exception shall not be required for an eleemosynary or philanthropic institution, or the rental of the facilities on the property by the eleemosynary or philanthropic institution, including but not limited to banquet hall, auditorium, or other indoor or outdoor recreational facilities not already permitted on property that is:</p>

	(A) An aggregate of at least 85 acres in area;
	(B) Is split-zoned Open Space (O-S) and Residential Estate (R-E);
	(C) Partially outside the Growth Boundary of the County; and
	(D) The eleemosynary or philanthropic institution is the title owner of the property in the land records of the County. (CB-70-2014)
101	For a public safety fraternal organization private club located on a lot having a gross tract area of at least five (5) acres, a special exception shall not be required and shall be deemed a permitted use. (CB-75-2014)
102	Permitted as a temporary use in the R-R Zone, where:
	(A) The adaptive reuse is on publicly owned land, for which the County has conveyed a leasehold interest, subject to certain terms; and
	(B) Upon conclusion of the temporary use on the property, the property will be used as a Community Building, as defined in <u>Section 27-107.01(a)</u> , in furtherance of a continuing public benefit. (CB-20-2015)
103	Provided the use is not located within a multifamily project and is located within an existing one-story building situated on at least five (5) lots that have frontage on, but no direct vehicular access to, a roadway with a transportation functional classification as an arterial or higher on the applicable Master Plan, and said lots were rezoned from commercial to residential pursuant to a Sectional Map Amendment approved between January 1, 2010 and December 31, 2010. (CB-24-2015)
104	Provided, and notwithstanding any other provision of this Section, that:
	(A) The lot or parcel is entirely surrounded by land in the M-X-T Zone;
	(B) The lot or parcel was approved by a Sectional Map Amendment after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation;
	(C) The lot or parcel was recommended for medium-to high density or mixed-use in a Master Plan or Sector Plan approved after October 1, 2006, and for which a comprehensive land use planning study was conducted by Technical Staff prior to initiation; and

	(D) The lot or parcel area is less than 2.0 acres in size. (CB-8-2015)
105	For a public safety fraternal organization private club located on a lot or parcel having a gross tract area of at least five (5) acres, any alteration, enlargement, extension or revision of the special exception use shall not require the filing and approval of a special exception application. (CB-43-2015)
106	Permitted uses on property in the O-S Zone, as follows:
	(A) The proposed use is located on property that is contiguous with property in the C-S-C Zone; and
	(B) The property has been used as a commercial retail business since January 1, 2000, or earlier. (CB-73-2015)
107	A Special Exception shall not be required and shall be a permitted use on property in the O-S Zone, provided:
	(A) The tower, pole, or monopole is located on property that is contiguous with property in the C-S-C Zone;
	(B) The property has been used as a commercial retail business since January 1, 2000, or earlier; and
	(C) The use is otherwise in conformance with the prescriptions of <u>Section 27-416(a)(1)–(4)</u> of this Subtitle. (CB-73-2015)
108	Townhouses are a permitted use, provided:
	(A) The use is located on a lot(s) or parcel(s) of less than two (2) acres in size;
	(B) The property is currently developed with institutional/educational uses; and

	<p>(C) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. Regulations concerning the net lot area, lot coverage and green area, lot/width frontage, yards, building height, distance between unattached townhouses, density, accessory buildings, private streets, minimum area for development, and other requirements of the R-55 and R-T Zones shall not apply. If not specified within the Transit District Standards or Development District Standards applicable to the property, the foregoing requirements shall be established and shown on the Detailed Site Plan. The detailed site plan process pursuant to this section shall also include review of architectural features for the proposed development.</p> <p>(CB-106-2015)</p>
109	<p>Subject to conformance with <u>Section 27-445.16</u> of this Subtitle.</p> <p>(CB-5-2016)</p>
110	<p>Provided, and notwithstanding any other provision of this Subtitle, the lot or parcel is:</p>
	<p>(A) Less than four (4) acres in size;</p>
	<p>(B) Contiguous to property located in the I-1 Zone;</p>
	<p>(C) Adjacent to property owned by the Federal Government;</p>
	<p>(D) Has frontage on a Master Plan right-of-way; and</p>
	<p>(E) Development regulations for the development of industrial uses shall conform with the provisions of Part 7 (Industrial Zone regulations) of this Subtitle for the I-1 Zone; as such, the development regulations for the residential zones shall not apply to qualifying industrial development in the R-R Zones of Prince George's County.</p> <p>(CB-12-2016; CB-119-2017)</p>
111	<p>Provided that the use conforms with the following criteria:</p>
	<p>(A) The townhouses shall be located on a lot(s) or parcel(s) with a land area less than eleven (11) acres in size;</p>
	<p>(B) The property is located within a development area designated through a Sector Plan and Sectional Map Amendment approved before January 1, 2010;</p>
	<p>(C) The property is located within a Development District Overlay Zone approved prior to June 1, 2014;</p>
	<p>(D) The property is located within a development district eligible for Tax Increment Financing as designated by the County before January 1, 2015;</p>

	(E) In accordance with <u>Section 27-548.25</u> of this Subtitle, the development is subject to a Detailed Site Plan process in accordance with Part 3, Division 9;
	(F) Notwithstanding any provision of this Subtitle to the contrary, the regulations of the R-10A Zone concerning net lot area, lot coverage and green area, lot/width frontage, yards, building height, distance between unattached townhouses, density, accessory buildings, and other requirements shall not apply; all such requirements for the development shall be established by and shown on the approved Detailed Site Plan; and
	(G) Dimensional (bulk) requirements shall be established and approved by the Planning Board and/or the District Council in the final decision applicable to the Detailed Site Plan. (CB-28-2016)
112	Provided:
	(A) The use shall not cause noxious odors or dust to drift off the premises;
	(B) Onsite signage shall be limited to one identification sign not exceeding six (6) square feet in area. Interpretative signs educating attendees about urban farming are allowed on the property;
	(C) The use must be maintained in an orderly manner, including litter removal, irrigation, pest control, and removal of dead or diseased plant materials. All garbage must be removed from the site weekly;
	(D) Garbage and compost receptacles at an urban farm shall be screened from the street and adjacent properties by utilizing landscaping, fencing, or storage within structures;
	(E) The use shall be required to obtain all necessary permits as applicable, including for accessory structures and signage,
	(F) Notwithstanding <u>Section 27-107.01(243.8)</u> , incidental sales are not permitted onsite; however, customers subscribed to a Community Supported Agriculture (CSA) program managed by the farm are allowed to pick up their weekly share of produce from the urban farm property, and
	(G) Crop plantings shall be located a minimum of ten (10) feet from the front street line. (CB-25-2016)
113	Provided that the use is within a building being used as a beauty shop pursuant to FN 114 of this Section. (CB-71-2016)

114	Notwithstanding any other provision of this Subtitle, the use shall be permitted without the requirement of a special exception, provided:
	(A) The use is on a parcel or lot having a gross tract area of no more than three (3) acres;
	(B) The use is in a building that includes more than five (5) chairs and is not included within a single-family residential dwelling;
	(C) The site has frontage on a street shown on the applicable Master Plan as an arterial or higher classification;
	(D) The majority of parking provided for the building shall be beside or behind the building; and
	(E) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. Regulations concerning the net lot area, lot coverage and green area, lot/width, frontage, yards, building height, density, minimum area for development, any dimensional (bulk) requirements, and other requirements of the R-R Zone shall not apply. If not specified within Transit District Standards or Development District Standards applicable to a property, the foregoing requirements shall be established and shown on the Detailed Site Plan. (CB-71-2016)
115	Provided:
	(A) The property was used as a parking lot serving adjacent property in a commercial zone pursuant to a special exception approved prior to September 1, 1991.
	(B) A detailed site plan shall be approved in accordance with Part 3, Division 9 of this Subtitle.
	(C) Regulations concerning the net lot area, lot coverage and green area, lot/width, frontage, yards, building height, density, minimum area for development, any dimensional (bulk) requirements, and other requirements applicable for development in the R-55 Zone shall not apply. (CB-81-2016)
116	Provided the lot or parcel:
	(A) Is less than ½ (one-half) acre in size;
	(B) Abuts property located in the C-O Zone; and

	(C) Has frontage on a State maintained roadway classified as an urban minor arterial as well as on a County maintained roadway with a median containing a monument located adjacent to the property. (CB-83-2016)
117	A Special Exception shall not be required provided:
	1. The property is identified for active adult community in an Approved Sector Plan and Sectional Map Amendment;
	2. The property shall not be subject to the condominium or other home ownership recommendation as the zone requires or as may be stated within an Approved Sector Plan and Sectional Map Amendment;
	3. A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;
	4. Regulations concerning the net lot area, lot coverage and green area, lot width, frontage, yards, building height, site access, distance between unattached townhouses, density, accessory buildings and other requirements of the R-18 or R-18C Zones shall be established and shown on the Detailed Site Plan for approval by the Planning Board and the District Council.
	5. Age restrictions shall be in conformance with the Federal Fair Housing Act and set forth in covenants submitted with the application and filed in the land records at the time the final plat of subdivision is recorded; and
	6. The applicant must demonstrate by evidence in the record that:
	(A) The net lot area is at least fifty percent (50%) of the minimum net lot area normally required in the zone;
	(B) The density is not more than twice what is normally allowed in the zone; and
	(C) The project is financed at least partially by tax credits approved by the State of Maryland. (CB-29-2017)
118	Permitted as a use in the R-55 Zone, where:
	(A) The lot or parcel is located at a "T" intersection with direct frontage and access to a roadway classified as a Collector by the 2009 Approved Countywide Master Plan of Transportation; and
	(B) The lot or parcel is located within 1,000 feet of Southern Avenue and the Prince George's County boundary with the District of Columbia; and

	(C) The lot or parcel is located within the Approved Master Plan and SMA for the Heights and Vicinity (Planning Area 76A), approved November 21, 2000; and
	(D) The lot or parcel is located adjacent to land placed in the M-X-T Zone as a result of the Southern Green Line Station Area Sector Plan and Sectional Map Amendment, approved February 25, 2014. (CB-71-2017)
119	Notwithstanding any other provision of this Subtitle or County Code, a health campus on property that is the subject of one or more previously approved special exceptions for a health campus, including all uses set forth in <u>Section 27-362(a)(3)</u> , which shall include any use set forth in <u>Section 27-362(a)(3)</u> (including parking and loading needs of employees and residents of, and visitors and delivery services to, the site) on property contiguous to the property boundaries of said previously approved health campus use, shall be permitted by right and does not require special exception approval, provided:
	(1) The original special exception as to the existing health campus use for the property (which may have been enlarged since the original approval) was approved prior to January 1, 1984;
	(2) The health campus consists of a minimum of fifty (50) contiguous acres;
	(3) The health campus has frontage on at least two (2) rights-of-way, one of which has a functional transportation classification of collector or higher, and the other has a functional transportation classification of freeway; and
	(4) The health campus includes buildings with at least 100,000 square feet of gross floor area. (CB-88-2017)
120	Notwithstanding any other provision of this Part, townhouses are a permitted use, provided:
	(A) The use is located on a lot(s) or parcels(s) that is less than sixteen (16) acres in size and adjoins land zoned C-S-C;
	(B) The property adjoins land which is the subject of an approved development application for a gas station; and

	<p>(C) A Detailed Site Plan shall include adjoining property located in the C-S-C Zone and be approved in accordance with Part 3, Division 9, of this Subtitle. Regulations concerning the net lot area, lot coverage, frontage, setbacks, density, landscaping and other requirements of the R-R Zone shall not apply. These dimensional (bulk) regulations shall be approved in accordance with such requirements applicable to a Regional Urban Community in the M-X-T Zone, as set forth in <u>Section 27-544(f)(2)(E)</u> and (G) of this Subtitle, by the Planning Board (or District Council after review) in the Detailed Site Plan. The Detailed Site Plan shall show commercial development and include architectural review to ensure high quality design and construction materials compatible with the surrounding area.</p> <p>(CB-122-2017; CB-75-2018)</p>
121	<p>One-family detached dwellings in the R-R Zone may be developed pursuant to the regulations applicable to the R-55 Zone, provided:</p>
	<p>(A) The property is adjacent to land owned by the Maryland-National Capital Park and Planning Commission;</p>
	<p>(B) The total land proposed for development is less than five (5) acres;</p>
	<p>(C) The land proposed for development has frontage on a dedicated, but unimproved, public right-of-way;</p>
	<p>(D) The property was included on a Preliminary Plan of Subdivision approved on or before January 1, 2007 and is subject to a new Preliminary Plan of Subdivision reflecting the number of lots to be developed; and</p>
	<p>(E) The property is within one-half (½) mile of a municipal boundary.</p> <p>(CB-99-2017)</p>
122	<p>Provided, and notwithstanding any other provisions or regulations in this Part, the lot(s) or parcel(s):</p>
	<p>(A) Are more than 300 acres in size;</p>
	<p>(B) Are located outside of the growth boundary in the General Plan;</p>
	<p>(C) Includes a portion of the site that was part of a prior surface mining operation pursuant to a previously approved special exception;</p>
	<p>(D) Is at least in part no more than 2,000 feet from the boundaries of Charles County;</p>
	<p>(E) Excludes the recycling of textiles, rubber products, or nonferrous metals; and</p>

	<p>(F) Development regulations shall be provided in accordance with Part 7 (Industrial Zone regulations) of this Subtitle for the I-2 Zone; as such, the development regulations for the Residential Zone shall not apply. (CB-101-2017)</p>
123	<p>Notwithstanding any other provision of this Section, townhouses are a permitted use, provided:</p>
	<p>(A) The use is located on a lot(s) or parcel(s) that is less than four (4) acres in size and is adjacent to land zoned R-T;</p>
	<p>(B) The property is adjoined on two (2) sides by land which was zoned R-M as of November 1, 2017 and which is improved with or is the subject of an approved development application which includes townhouses;</p>
	<p>(C) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. Regulations concerning the net lot area, lot coverage, frontage, setbacks, density, landscaping and other requirements of the R-R Zone shall not apply. All such requirements shall be those as shown, established and approved on the Detailed Site Plan. The Detailed Site Plan shall also include architectural review to ensure high quality design and construction materials compatible with that approved for development on the abutting property. (CB-93-2017)</p>
124	<p>Permitted use, provided:</p>
	<p>(A) The R-55 is combined with R-T and I-3 zoned lots, parcels, or property totaling less than sixteen (16) gross acres in size and located less than 2,000 feet from an interchange to the outer loop of the Capital Beltway (I-95/I-495);</p>
	<p>(B) The property shall have access to a signalized intersection of a publicly maintained roadway with a functional transportation classification as an Arterial or higher within the 2009 <i>Countywide Master Plan of Transportation</i> ; and</p>
	<p>(C) Regulations of the R-55 Zone shall not apply; all requirements for development shall be established by and shown on a Detailed Site Plan approved by the Planning Board and/or the District Council. (CB-118-2017)</p>
125	<p>Permitted use notwithstanding <u>Section 27-223(i)</u>; however, if the R-T zoned property is combined with R-55 and I-3 zoned lots, parcels, or property totaling less than sixteen (16) gross acres in size and located less than 2,000 feet from an interchange to the outer loop of the Capital Beltway (I-95/I-495); a townhouse is only a permitted use provided:</p>

	<p>(A) The property shall have access to a signalized intersection of a publicly maintained roadway with a functional transportation classification as Arterial or higher within the 2009 Countywide Master Plan of Transportation; and</p>
	<p>(B) Regulations of the R-T Zone shall not apply; all requirements for development shall be established by and shown on a Detailed Site Plan approved by the Planning Board and/or the District Council. (CB-118-2017; CB-29-2019)</p>
126	<p>Permitted use, provided:</p>
	<p>(A) The proposed use is located on lots, parcels, or property with a total land area of fifteen (15) gross acres in size or less;</p>
	<p>(B) The proposed use is located on land adjacent to and with frontage on an existing, publicly-owned pedestrian/bicycle recreational facility;</p>
	<p>(C) The proposed use is located on property with frontage and access to a signalized intersection of a publicly-maintained roadway with a functional transportation classification of 'Collector' or higher pursuant to the applicable Countywide Master Plan of Transportation; and</p>
	<p>(D) The regulations ordinarily applicable to development within the R-R Zone shall not apply; instead, all requirements for development of the proposed townhouse dwelling unit residential uses shall be determined through a detailed site plan approval process and depicted on the certified Detailed Site Plan as approved by the Planning Board and/or District Council, in accordance with the provisions of <u>Section 27-548(h)</u> of this Subtitle, in pertinent part, as follows:</p>
	<p>(i) Townhouses developed pursuant to a Detailed Site Plan for which an application is filed after December 30, 1996, shall be on lots at least one thousand one hundred (1,100) square feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building group, except where the applicant demonstrates to the satisfaction of the Planning Board or District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8) dwelling units) would create a more attractive living environment or would be more environmentally sensitive. 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 in the total development, and the minimum building width in any continuous, attached group shall be twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined as all interior building space except the garage and unfinished basement or attic area.</p>

	<p>(ii) For purposes of this section, a building group shall be considered a separate building group (even though attached) when the angle formed by the front walls of two (2) adjoining rows of units is greater than forty-five degrees (45°).</p>
	<p>(iii) Garages may not dominate the streetscape. Garages are preferred to be incorporated into the rear of the building and accessed by an alley. Sidewalks are required on both sides of all public and private streets and parking lots. (CB-28-2018)</p>
127	<p>Notwithstanding any other provision of this Part, townhouses are a permitted use, provided:</p>
	<p>(A) The use is located on property that is greater than fifty (50) acres in size;</p>
	<p>(B) The property, or a portion thereof, is located in a Local Center as designated in the General Plan;</p>
	<p>(C) The property has frontage on a roadway with a functional transportation classification as a freeway on the applicable Master Plan; and</p>
	<p>(D) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. Regulations concerning the net lot area, lot coverage, frontage, setbacks, density, landscaping and other requirements or regulations of the R-R Zone shall not apply. All such dimensional requirements shall be those approved in accordance with such requirements applicable to the M-X-T Zone in the Detailed Site Plan including architectural elevations. (CB-63-2018)</p>
128	<p>Notwithstanding any other provision of this Part, townhouses are a permitted use, provided:</p>
	<p>(A) The use is located on property that has a minimum of eight (8) acres;</p>
	<p>(B) The property, or a portion thereof, is located less than 1,000 feet from property designated as a regional park operated by the Maryland-National Capital Park and Planning Commission or less than 500 feet from property designated as an Historic Site or Resource on the National Register of Historic Places;</p>
	<p>(C) The property on which the use will be located has frontage on a roadway with a functional transportation classification of collector or higher; and</p>

	<p>(D) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. Regulations concerning the net lot area, lot coverage, frontage, setbacks, density, landscaping and other requirements or regulations of the R-80 Zone shall not apply. All such dimensional requirements shall be those approved in accordance with such requirements applicable to the M-X-T Zone in the Detailed Site Plan including architectural elevations. (CB-64-2018)</p>
129	<p>Permitted use, provided:</p>
	<p>(A) The property is located within a character area that is the subject of a Minor Amendment to an area Sector Plan and Sectional Map Amendment approved on or after March 1, 2018;</p>
	<p>(B) The property that is proposed for residential development, consisting of single-family detached and single-family attached residential dwelling units, will be located on of lot(s) or parcel(s) with an aggregate acreage of not more than One Hundred Thirty (130) acres in size;</p>
	<p>(C) Development regulations applicable to O-S Zone set forth within this Subtitle, including minimum lot sizes, coverage, frontage, setbacks, density, lot width, yards, building height, distance between townhouse groups and other requirements shall not apply to the development of single-family detached and single-family attached (townhouse) residential dwellings as authorized herein. Instead, the density regulations for the R-R Zone shall apply. All such other development regulations, including architectural review of proposed uses for development of the subject property, shall be as established and shown on a Detailed Site Plan approved in accordance with Part 3, Division 9 of this Subtitle; and</p>
	<p>(D) A preliminary plan of subdivision approval process shall apply to development authorized pursuant to this Section. (CB-97-2018)</p>
130	<p>Conversion of Hospital to Health Campus is subject to the requirements listed in <u>Section 27-362(a)(2)</u> and (3) of this Subtitle, except Sections <u>27-362(a)(2)(D)</u> and (G) shall not apply. Not less than fifteen percent (15%) of the site shall be devoted to green area. Wherever a special exception is required within <u>Section 27-362</u> instead, a detailed site plan shall be required and approved in accordance with Part 3 Division 9 of this Subtitle. The Health Campus may include a state licensed freestanding medical facility in addition to or in lieu of a general acute care hospital. (CB-56-2018)</p>
131	<p>Permitted use, provided:</p>
	<p>(A) The proposed development is located on a lot(s) or parcel(s) of less than five (5) acres in size;</p>

	(B) The applicable area Master Plan or Sector Plan recommends mixed use as a future land use on the lot(s) or parcel(s);
	(C) All commercial uses permitted in the C-S-C zone shall be permitted on the ground floor of a multi-family building;
	(D) The property is located adjacent to an existing or proposed light rail transit station;
	(E) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;
	(F) Regulations concerning lot size, net lot area, lot coverage and green area, lot width, yards, building height, density, FAR, accessory buildings, bedroom percentages, and other regulations applicable to development in the R-18 and R-55 Zones shall not apply. Instead, the approved Detailed Site Plan shall set forth all development regulations to be followed, and shall include review and approval of architectural elevations;
	(G) The Detailed Site Plan shall be subject to the Prince George's County Landscape Manual; and
	(H) The Detailed Site Plan shall include a traffic impact analysis which evaluates traffic capacity at critical intersections. (CB-57-2018)
132	Provided the property is zoned R-A and is both (i) an existing or former surface mining site and (ii) the site of a former golf course. Notwithstanding the provisions of this Subtitle, Class 3 fills meeting the requirements of this footnote are permitted as part of a reclamation of property operating as an existing or former surface mining site and shall not be subject to the special exception requirement pursuant to <u>Section 27-405.01</u> of the Zoning Ordinance, and shall operate for a maximum of ten years subject to the following:
	(a) If the use of Class 3 fill materials on site include a rock crusher or other processing equipment, its location shall be shown on the site plan;
	(b) A traffic study, prepared in accordance with the Planning Board's "Guidelines for the Analysis of the Traffic Impact of Development Proposals," shall be submitted with the reclamation permit application and shall include an analysis of haul routes for the truck traffic generated by the use, with any required mitigation made as a condition of permit approval;

	<p>(c) The Class 3 fill material reclamation shall meet the buffering and screening requirements of the Landscape Manual, shall have a 100-foot non-disturbance buffer from all property lines, and shall include landscaping or berms sufficient to screen fill operations from adjoining residentially-zoned property, property containing a use listed in subsection (a)(6), and public streets or highways. All berms and landscaping shall be installed in the initial phase of development, before fill is placed on site;</p>
	<p>(d) The height limitations for the Class 3 fill reclamation operation shall be at grade or ground level for the site;</p>
	<p>(e) The fill operation shall have a staging area with equipment for cleaning truck wheels and a minimum 22-foot paved access road designed to accommodate no less than 25 trucks;</p>
	<p>(f) The site entrance shall have a gate which is locked when the fill is not in operation. Hours and days of operation shall be limited to Monday through Friday, 7:00 am to 5:00 pm, 8:00 am to 3:00 pm Saturday. Site or operational personnel shall be on site during hours of operation;</p>
	<p>(g) The site shall have proper signage showing the name of the operator, the permit number, hours of operation, telephone number of the operator, as well as provide directional signs for internal truck traffic and haul routes. The site plan shall also provide for final reclamation and stabilization of the site at the cessation of the fill operation;</p>
	<p>(h) The site and Class 3 fill material reclamation operation shall be subject to inspection by the Department of Permitting, Inspections, and Enforcement for compliance with county or state laws or regulations at the agency's discretion.</p>
	<p>(i) A haul road permit shall be obtained from the County Department of Public Works and Transportation (DPW&T) prior to issuance of any grading or building permits related to the Class 3 fill site. A street construction permit shall be obtained from the County Department of Public Works and Transportation (DPW&T) prior to issuance of any grading or building permits related to the Class 3 fill site;</p>

	<p>(j) Upon completion of the reclamation using Class 3 fill materials or the expiration of the ten-year limit to its operation, whichever is earlier, and within two years after the cessation of Class 3 fill operations, the Class 3 fill applicant and/or operator, including any successors or assigns, shall, as a condition of and detailed within any permit approval, grade all disturbed areas and stabilize the site by cover with topsoil, seed and straw and prepare the onsite access road and adequate onsite parking lot(s) to a subbase grade with recycled concrete and construct, for outdoor public use, a minimum of three multi-purpose competition-size playing fields, a professional-sized basketball court, and, if determined to be financially feasible by the applicant, an 18-hole golf course with clubhouse. Such recreational uses shall be submitted to and approved by DPIE, after consultation with Maryland National Park and Planning Commission (M-NCPPC) Staff, as a condition of permit approval for fill operations. All field, golf, and recreational use areas shall have a minimum of 2-feet of Class 2 or better cover material; and</p>
	<p>(k) Fill operations shall not be located within five hundred (500) feet of an existing residence, school, day care center, church, hospital, nursing home/assisted living facility or community center. (CB-88-2018)</p>
<p>133</p>	<p>A special exception is not required for a Class 3 fill provided the property was zoned R-A through a Sectional Map Amendment approved after July 1, 2013, and if the fill operation would fill its materials on property previously mined for sand and gravel in order to reclaim such property for public use as prescribed in this footnote. Notwithstanding any other provisions of this Subtitle, a Class 3 fill is permitted in accordance with the reclamation activities prescribed in this footnote for a maximum of ten (10) years after the date fill operations are permitted, subject to conforming to the following:</p>
	<p>(a) If the use of Class 3 fill materials on site include a rock crusher or other processing equipment, its location shall be shown on the site plan;</p>
	<p>(b) A traffic study, prepared in accordance with the Planning Board's "Guidelines for the Analysis of the Traffic Impact of Development Proposals," shall be submitted with the reclamation permit application and shall include haul routes for the truck traffic generated by the use, with any required mitigation made a condition of permit approval;</p>
	<p>(c) The Class 3 fill material reclamation shall meet the buffering and screening requirements of the Landscape Manual, shall maintain a 100-foot non-disturbance buffer from all property lines, and shall include landscaping or berms sufficient to screen fill operations from adjoining residentially-zoned property, property containing a use listed in subsection (a)(6), and public streets or highways. All berms and landscaping shall be installed in the initial phase of development, before Class 3 fill is placed on site;</p>

	<p>(d) The height limitations for the Class 3 fill reclamation operation shall not exceed:</p>
	<p>(i) 60 feet more than the ground elevation at the point of public road access to the site or road; and</p>
	<p>(ii) seven (7) percent grade for any slope.</p>
	<p>(e) The Class 3 fill operation shall have a staging area with equipment for cleaning truck wheels and a minimum 22-foot paved access road designed to accommodate no less than 25 trucks;</p>
	<p>(f) The site entrance shall have a gate which is locked when the fill is not in operation. Hours and days of Class 3 fill operation shall be limited to Monday through Friday, 7:00 am to 5:00 pm, and 8:00 am to 3:00 pm on Saturday. Site or operational personnel shall be on site during hours of Class 3 fill operation;</p>
	<p>(g) The site shall have proper signage showing the name of the operator, the permit number, hours of operation, telephone number of the operator, as well as provide directional signs for internal truck traffic and haul routes. The site plan shall also provide for final reclamation and stabilization of the site at the cessation of the fill operation in accordance with an approved Prince George's County Soil Conservation Plan;</p>
	<p>(h) The site and Class 3 fill material reclamation operation shall be subject to inspection by the Department of Permitting, Inspections, and Enforcement (DPIE) for compliance with county or state laws or regulations at the agency's discretion.</p>
	<p>(i) A haul road permit shall be obtained from the County Department of Public Works and Transportation (DPW&T) prior to issuance of any grading or building permits related to the Class 3 fill site. A street construction permit for access may be required from the County Department of Public Works and Transportation (DPW&T) prior to issuance of any grading or building permits related to the Class 3 fill site;</p>

	<p>(j) Upon completion of the reclamation using Class 3 fill materials or the expiration of the permit, whichever is earlier, and within two years after the cessation of Class 3 fill operations, the Class 3 fill applicant and/or operator, including any successors or assigns, shall, as a condition of any permit approval, shall stabilize the site in accordance with an approved Prince George's County Soil Conservation Plan. The applicant shall also construct a 24-foot wide site access road and minimum 100-space onsite parking lot(s) to a subbase grade with recycled concrete and construct, for outdoor public use, multi-purpose competition-size playing fields containing a minimum of three multi-purpose fields, two full professional size basketball courts, a tot-lot playground, and supporting recreational uses deemed appropriate in accordance with this plan and submitted to and approved by DPIE, after consultation with Maryland-National Capitol Park and Planning Commission (M-NCPPC) staff, as a condition of permit approval of the Class 3 fill operation. All field and recreational use areas shall have a minimum of 2-feet of Class 2 or better cover material. Upon completion of the above defined improvements said multi-purpose fields and recreational facilities, the property shall be dedicated to the M-NCPPC - Prince George's County Department of Parks and Recreation for public use; and</p>
	<p>(k) Fill operations shall not be located within five hundred (500) feet of an existing residence, school, day care center, church, hospital, nursing home/assisted living facility or community center. (CB-89-2018)</p>
<p>134</p>	<p>(a) A Special Exception shall not be required, provided:</p>
	<p>(A) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;</p>
	<p>(B) The site includes lots or parcels totaling ten (10) acres in size or more owned by a nonprofit organization on or before July 1, 2019;</p>
	<p>(C) The site is adjacent to an historic resource as designated in accordance with Subtitle 29 of this Code and has frontage on a roadway with a functional transportation classification as collector or higher within the applicable Master Plan;</p>
	<p>(D) Regulations concerning the height of the structure, lot size, lot coverage, frontage, and density shall be in accordance with the R-10 Zone for multifamily dwellings. All other regulations shall be established and shown on the Detailed Site Plan;</p>
	<p>(E) 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 handicapped 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; and</p>

(b) For purposes of this Section, the terms "elderly family" and "physically handicapped family" shall have the same meanings as defined in Section 27-337(c).

(CB-9-2019)

Sec. 27-441.01. - Prohibited Commercial Use of Residential Property.

- (a) The Zoning Ordinance generally restricts residential properties to residential and compatible accessory uses. Commercial uses on residential properties are limited to those expressly permitted by Sec. 27-441. While residents are entitled to enjoy the use of their property consistent with the applicable regulations, in order to ensure and protect the enjoyment, character and value of residential neighborhoods and buildings, the provisions herein are established.
- (b) The District Council finds the increasing use of residential properties for parties, events, assemblies, or gatherings open to the public in return for payment of a cover charge or the sale of goods or services is adversely impacting the surrounding residential neighborhoods with increasing criminal activity, noise, and traffic, and by inhibiting ingress and egress for vehicles, including emergency vehicles, in these residential neighborhoods. The District Council is charged with balancing the rights of its citizens under the Federal and State constitutions to peaceful assembly, free expression, religious freedom, and other rights with the right of quiet enjoyment and protection of the inherent characteristics of property in dedicated Residential Zones.
- (c) Prohibited commercial use of residential property in this section shall mean any occupancy of residential property for the purpose of holding commercial parties, events, assemblies, or gatherings on the premises.
- (d) Use of residential property shall be deemed commercial and not permitted, except as otherwise provided for in the Zoning Ordinance, if:
 - (1) The owner, lessee, resident, or any occupier of the property receives payment or other consideration, e.g., goods, property or services, in excess of One Hundred Dollars (\$100.00) per party or event for the commercial use of the property, including payment by any means, direct or indirect, including security deposits;
 - (2) Goods, property, or services are offered for sale or sold on or at the property, during use of the property; however, this subsection shall not apply if:
 - (A) All goods, property, or services offered are donated to or for charitable, religious or political organizations or candidates for public office, that have received 501(c)(3) or other tax exempt status under the U.S. Internal Revenue Code, as amended, or in accordance with applicable election laws;
 - (B) All of the proceeds from sales are directly payable and paid to charitable, religious or political organizations or candidates for public office, that have received 501(c)(3) or other tax exempt status under the U.S. Internal Revenue Code, as amended, or in accordance with applicable election laws. An organization or candidate may reimburse donors for goods or property donated; or
 - (C) The sale is of the property itself or personal property of the owner, lessee, occupier, or resident (excluding personal property owned by a business).
 - (3) Use of the property by attendees requires an admittance or membership fee or a donation, excluding donations directly payable and paid by attendees to charitable, religious or political organizations or candidates for public office, that have received 501(c)(3) or other tax exempt status under the U.S.

Internal Revenue Code, as amended, or in accordance with applicable election laws; or

- (4) There is any advertising that promotes the occupancy or use of the residential property for the purpose of holding commercial parties, events, assemblies, or gatherings. Advertising includes, but is not limited to, traditional media, newspaper, magazines, flyers, handbills, television commercial, radio advertisement, outdoor advertising, direct mail, blogs or social media, including electronic mail, websites or text messages.
- (e) Exemptions. Notwithstanding the previous subsection, this Section does not apply to:
 - (1) The open showing of residential property to the public by a licensed real estate agent, the owner, lessee, or resident, for the purpose of promoting the sale or lease of the subject property, provided that no sale or display of goods, property or services by sponsoring businesses unrelated to the sale or lease of the property transpires, or:
 - (2) Any use in a mixed use zone.
- (f) Any police officer or inspector may enforce this Section by:
 - (1) Issuing an immediate order to cease and desist the prospectively planned prohibited activity to the owner, lessee, resident or occupier of the property, and posting the front door of the property, subject to the right of any aggrieved party within five (5) business days to request an expedited hearing before the Chief of Police or the Director of the Prince George's County Department of Permitting, Inspections and Enforcement, or their respective designees, of the cease and desist order issued by the officer or inspector; or
 - (2) Issuing a Five Hundred Dollar (\$500) civil fine for each offense. No violation notice need be issued prior to the issuance of the civil citation, notwithstanding any other provision of the Zoning Ordinance or County Code to the contrary.
- (g) Any decision of the Chief of Police or the Director of the Prince George's County Department of Permitting, Inspections and Enforcement, or their respective designees, issued under this Section may be appealed by an aggrieved party within five (5) business days of receipt of the decision to the Board of Appeals.
- (h) Any person who violates the prescriptions of this Section shall be deemed guilty of a misdemeanor and, upon conviction, shall be subject to a fine not to exceed One Thousand Dollars (\$1,000.00) or incarceration up to six (6) months in jail, or both such fine and imprisonment.

(CB-30-2017)

DIVISION 4. - REGULATIONS.

Sec. 27-442. - Regulations.

- (a) Regulations tables.
 - (1) The following tables contain additional regulations for development in the Residential Zones.

(CB-2-1984; CB-7-1984; CB-105-1984; CB-130-1984; CB-33-1985; CB-114-1989; CB-73-1994; CB-4-2003)

(b) **TABLE I - NET LOT AREA (Minimum in Square Feet)** ^{2,19}

	ZONE								
USE	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20

One-family detached dwellings:									
In general (CB-89-2000; CB-88-2005)	871,200	217,800	87,120	40,000 ₂₅	20,000 ₂₂	9,500	6,500	6,500	6,500
Lot shown on a plat recorded after February 1, 1970	-	20,000 ₄	20,000 ₄	20,000 ₄	-	-	-	-	-
Lot shown on a plat recorded on or before February 1, 1970	-	15,000 ₄	15,000 ₄	15,000 ₄	15,000	-	-	-	-
Lot shown on a plat recorded on or before July 1, 1966	-	10,000 _{3,4}	10,000 _{3,4}	10,000 _{3,4}	10,000 _{3,14}	-	-	-	-
Lot shown on a valid preliminary plat of subdivision filed with the Commission on or before July 1, 1966, and subdivision plat recorded on or before July 1, 1967	-	10,000 _{3,4}	10,000 _{3,4}	10,000 _{3,4}	10,000 ₃	-	-	-	-
Lot in a cluster development (CB-114-1989)	-	10,000 ₄	10,000 ₄	10,000 ₁₈	10,000	6,000 ₆	4,800 ₄	-	-
Lot that was created under the intra-family conveyance provisions of Subtitle 24, Section 107(c)(15) ²⁴ (CB-47-2009)	-	43,560	-	-	-	-	-	-	-
Lot that was created through resubdivision as a cluster development (CB-114-1989)	-	7,000 ⁴	7,000 ₄	-	7,000 ₁₀	-	-	-	-

<p>Lot that was created by the subdivision or resubdivision of 25 acres or more, wherein the number of lots permitted shall be the gross acreage divided by 2</p>	-	-	43,560	-	-	-	-	-	-
<p>Lot that was created by the subdivision or resubdivision of 50 acres or more, wherein the number of lots permitted shall be the gross acreage divided by 5</p>	-	87,120	-	-	-	-	-	-	-
<p>Lot that was created under the lot size averaging provisions of Subtitle 24 of this Code, by a final plat pursuant to a preliminary plat approved prior to July 1, 2006. (CB-6-2006)</p>	-	-	-	30,000	15,000	8,000	5,000	-	-
<p>Lot shown on a plat recorded on or before September 19, 1970</p>	-	-	-	-	-	8,000	-	-	-
<p>Lot shown on a plat recorded prior to November 29, 1949 (CB-114-1989; CB-67-1999; CB-11-2002)</p>		10,000	10,000	10,000	10,000	6,000	5,000	5,000	5,000

Lot that is part of a resubdivision of land on a plat that was originally recorded prior to November 29, 1949, and was composed of lots having an average net area of 5,000 square feet or less (CB-114-1989)	-	-	-	-	-	-	5,000	5,000	5,000
Lot, shown on a recorded plat, that is in a minor portion of a block, the majority (more than half) of which and the immediate surrounding area of which has been subdivided prior to September 22, 1957, with lots having net areas of 5,500 square feet or less (CB-114-1989)	-	-	-	-	-	-	5,500	5,500	5,500
One-family metropolitan dwellings (CB-33-2005)	-	-	-	-	-	-	-	-	-
One-family semidetached dwellings	-	-	-	-	-	-	-	3,500	3,500
One-family triple-attached dwellings	-	-	-	-	-	-	-	-	2,000
	-	-	-	-	-	-	-	-	3,000
Townhouses	-	-	-	-	-	-	-	-	2,000
Townhouse, Transit Village (CB-37-2006)	-	-	-	-	-	-	-	-	-
Two-family dwellings	-	-	-	-	-	-	-	7,000	-

Three-family dwellings	-	-	-	-	-	-	-	-	-
Multifamily dwellings:	-	-	-	-	-	-	-	-	-
In general	-	-	-	-	-	-	-	-	-
Lot recorded prior to November 29, 1949	-	-	-	-	-	-	-	-	-
Other allowed uses (CB-33-1985)	_____ 20	_____ 16	16_____	16_____	16_____	16_____	16_____	16_____	16_____

	ZONE							
	R-T 7	R-30 7	R-30C	R-18 7	R-18C	R-10A	R-10	R-H
One-family detached dwellings:								
In general	6,500	6,500	6,500	6,500	6,500	-	6,500	6,500
Lot shown on a plat recorded after February 1, 1970	-	-	-	-	-	-	-	-
Lot shown on a plat recorded on or before February 1, 1970	-	-	-	-	-	-	-	-
Lot shown on a plat recorded on or before July 1, 1966	-	-	-	-	-	-	-	-
Lot shown on a valid preliminary plat of subdivision filed with the Commission on or before July 1, 1966, and subdivision plat recorded on or before July 1, 1967	-	-	-	-	-	-	-	-
Lot in a cluster development (CB-114-1989)	-	-	-	-	-	-	-	-

Lot that was created under the intra-family conveyance provisions of Subtitle 24, Sec. 107(c)(15) ²⁴ (CB-47-2009)	-	-	-	-	-	-	-	-
Lot that was created through resubdivision as a cluster development (CB-114-1989)	-	-	-	-	-	-	-	-
Lot that was created by the subdivision or resubdivision of 25 acres or more, wherein the number of lots permitted shall be the gross acreage divided by 2	-	-	-	-	-	-	-	-
Lot that was created by the subdivision or resubdivision of 50 acres or more, wherein the number of lots permitted shall be the gross acreage divided by 5	-	-	-	-	-	-	-	-
Lot that was created under the lot size averaging provisions of Subtitle 24 of this Code, by a final plat pursuant to a preliminary plat approved prior to July 1, 2006. (CB-6-2006)	-	-	-	-	-	-	-	-
Lot shown on a plat recorded on or before September 19, 1970	-	-	-	-	-	-	-	-
Lot shown on a plat recorded prior to November 29, 1949 (CB-114-1989)	5,000	5,000	5,000	5,000	5,000	-	5,000	5,000

Lot that is part of a resubdivision of land on a plat that was originally recorded prior to November 29, 1949, and was composed of lots having an average net area of 5,000 square feet or less (CB-114-1989)	5,000	5,000	5,000	5,000	5,000	-	5,000	5,000
Lot, shown on a recorded plat, that is in a minor portion of a block, the majority (more than half) of which and the immediate surrounding area of which has been subdivided prior to September 22, 1957, with lots having net areas of 5,500 square feet or less (CB-114-1989)	5,500	5,500	5,500	5,500	5,500	-	5,500	5,500
One-family metropolitan dwellings (CB-33-2005)	2,200	-	-	-	-	-	-	-
One-family semidetached dwellings	1,500	1,500	1,500	1,500	1,500	-	-	-
One-family triple-attached dwellings	-	-	-	-	-	-	-	-
Townhouses, constructed pursuant to a Detailed Site Plan filed prior to November 1, 1996, and in compliance with Section 3 of CB-55-1996 ²¹ (CB-55-1996)	1,500	1,500	1,500	1,500	1,500	-	-	-
Townhouse, Transit Village (CB-37-2006)	1,500	-	-	-	-	-	-	-
Townhouses, all others	1,800	1,800	1,800	1,800	1,800	-	-	-
Two-family dwellings	1,500	1,500	1,500	1,500	1,500	-	-	-

Three-family dwellings	1,500	1,500	1,500	1,500	1,500	-	-	-
Multifamily dwellings:								
In general	-	14,000	14,000	16,000	43,560	87,120	20,000	217,800
Lot recorded prior to November 29, 1949	-	-	-	4,000 ₁₂	-	-	-	-
Other allowed uses (CB-33-1985)	16	17	17	17	17	17	17	17

1	One thousand five hundred (1,500) square feet for townhouses and other attached one-family dwellings shown on a preliminary plat of subdivision approved prior to September 1, 1986. (CB-54-1986)
2	If lot is not served by a public water or sewage system, the minimum net lot area shall be increased to include any additional area deemed necessary by the County Health Officer to insure a potable water supply and adequate sewage disposal.
3	Provided each lot is served by a public or other approved water supply system.
4	(A) Provided either:
	(i) The lot was a record lot (legally created by plat or deed) prior to classification in the R-A, O-S, or R-E Zone;
	(ii) The lot is in conformance with all the requirements of the Zone it was in when recorded; and
	(iii) The owner of record does not own abutting lots or parcels;
	OR
	(i) The lot was created by the resubdivision of two (2) or more undeveloped lots (in the same ownership) of less than five (5) acres each (O-S Zone), two (2) acres each (R-A Zone), or forty thousand (40,000) square feet each (R-E Zone);
	(ii) The resubdivision reduced the degree of nonconformity with the requirements (including lot size) of the existing zone; and

	(iii) The lots created contain at least twenty thousand (20,000) square feet, unless the total area of all abutting lots or parcel is under one ownership and is less than twenty thousand (20,000) square feet.
	(B) The lot may be developed in accordance with the requirements of Regulations Tables II, III, IV, V, VII, and VIII of this Section applicable to the R-R Zone. If the lot is within a cluster development, it may be developed in accordance with the approved cluster site plan.
5	The following modifications may be permitted for preliminary plats of subdivision accepted prior to July 1, 2006.
	(A) Minimum lot size of at least sixty percent (60%) of the total number of lots:
	(i) O-S Zone - five (5) acres; or
	(ii) R-A Zone - two (2) acres;
	(B) Minimum lot size of any one (1) lot:
	(i) O-S Zone - two (2) acres - only one (1) such lot per fifty (50) acres;
	(ii) R-A Zone - one (1) acre - only one (1) such lot per twenty-five (25) acres;
	(C) Minimum lot size of remaining lots:
	(i) O-S Zone - three (3) acres; or
	(ii) R-A Zone - fifty thousand (50,000) square feet;
	(D) All lots allowed under (B) & (C), above, shall be used only for residential or agricultural purposes; and
	(E) No portion of the subdivided tract may be resubdivided unless:
	(i) The land is rezoned to another zone;
	(ii) The entire tract is resubdivided into five (5) acre lots in the O-S Zone or two (2) acre lots in the R-A Zone; or

	(iii) The size and number of lots which would be created by resubdivision are in conformance with (A), (B), (C), & (D), above, and the maximum number of lots permitted is not more than the gross acreage divided by five (5) (O-S Zone) or two (2) (R-A Zone). (CB-6-2006)
6	Provided the average net area of all lots created in the subdivision is at least nine thousand five hundred (9,500) square feet.
7	Attached dwellings (other than multifamily dwellings) may be developed as condominiums or cooperative units. In this case, the recorded individual lot provisions shall not apply. Instead, the requirements for net lot area will be applied for review purposes, only, and shall be shown on the preliminary plat of subdivision and Detailed Site Plan.
8	Outer lots (see Figure 52).
9	Inner lots (see Figure 52).
10	If original subdivision was duly recorded in the Land Records of the County before July 1, 1967, and the net lot area of each lot in that subdivision was at least ten thousand (10,000) square feet.
11	With eight thousand (8,000) square feet for all three units.
12	Where the District Council believes that a smaller lot is necessary, in order to make possible the redevelopment of a deteriorated or obsolescent single-family residential area.
13	The relationship between the percentage of the lot covered by multifamily dwellings and the amount of net lot area per dwelling unit shall be in accordance with the following table:

Percentage of Net Lot Area Coverage by Multifamily Dwellings	Minimum Net Lot Area per Dwelling Unit (Square Feet)
More than 11; not more than 12	1,400
More than 10; not more than 11	1,300
More than 9; not more than 10	1,200
More than 8; not more than 9	1,100

More than 7; not more than 8	1,000
7 or less	900

14	On a record lot having a net area of between ten thousand (10,000) and twenty thousand (20,000) square feet, a one-family detached dwelling may be erected, provided the lot was created (under the provisions of <u>Section 24-111(b)</u> of Subtitle 24 of this Code) from land previously subdivided in accordance with the Zoning Ordinance standards applicable to the R-R Zone on or before July 1, 1966.
15	(A) No variance of a lot size less than ten thousand (10,000) square feet (six thousand (6,000) square feet in the R-80 Zone) shall be considered except in (D) below.
	(B) When two or more lots are combined to provide a single building site, the lots shall be consolidated in accordance with <u>Section 24-108(a)(3)</u> of the Subdivision Regulations prior to the issuance of a building permit so as to create a single lot, unless the residence is to be built on a portion of each of the existing lots.
	(C) If a lot (or combination of lots) has a width of at least forty (40) feet, and was recorded prior to April 17, 1928, it can be used for a one-family dwelling provided the lot (or combination of lots) meets the minimum net lot area requirements of the appropriate zone.
	(D) In Revitalization Tax Credit Areas or municipalities, a variance may be obtained to reduce the minimum lot size to five thousand (5,000) square feet.
	(E) Until March 1, 2004, if a single owner combines lots, as provided in (B) above, to form at least thirty-five (35) buildable lots ten thousand (10,000) square feet or more in area, and if all such buildable lots are within one thousand five hundred (1,500) feet of one another and were unimproved on July 1, 2001, then the owner may combine lots for up to four combination lots which are seven thousand five hundred (7,500) square feet or more in area.
	(F) If the original lot size was ten thousand (10,000) square feet but reduced in size due to a right of way taking or some other public purpose, the minimum lot size may be reduced to five thousand (5,000) square feet. Such reduction is not permitted where an adjacent lot in the same ownership may be combined with the lot under ten thousand (10,000) square feet to reduce or eliminate the area deficiency. Such reduction is not allowed unless a building permit has been obtained prior to July 1, 2003 except as provided in subsection (G). Buffering for adjoining properties shall be provided on each lot less than ten thousand (10,000) square feet.

	<p>(G) The minimum lot size may be reduced to five thousand (5,000) square feet in the R-R Zone if the original lot size was ten thousand (10,000) square feet but reduced in size due to a right-of-way taking for a lot which was the subject of approved variances, except lot size, and said variances were approved prior to the right-of-way taking. Any other lots under the same ownership shall be combined to achieve a lot that meets the 10,000 square foot standard.</p> <p>(CB-67-1999; CB-91-2001; CB-11-2002; CB-64-2003; CB-43-2009)</p>
16	Same as would be applied to one-family detached dwellings.
17	Same as would be applied to multifamily dwellings.
18	Provided the lot:
	(A) Is a record lot;
	(B) Has a net lot area of less than forty thousand (40,000) square feet;
	(C) Is a part of a cluster development for which the preliminary subdivision plat was approved by the Planning Board prior to March 1, 1981;
	(D) Was reclassified to the R-E Zone prior to July 10, 1981;
	(E) Is part of a cluster development for which the final subdivision plat was approved by the Planning Board after being filed within the time prescribed in Subtitle 24 of this Code (irrespective of whether approval or recordation of the plat occurred prior to classification in the R-E Zone); and
	(F) Is developed in accordance with the approved cluster development site plan.
19	<p>For a lot shown on a record plat of subdivision approved pursuant to former Part 4A of this Subtitle prior to January 21, 1997, no minimum lot area is required.</p> <p>(CB-84-1990; CB-47-1996)</p>
20	<p>Same as would be applied to one-family detached dwellings, except public uses, for which no minimum lot area is required.</p> <p>(CB-73-1994; CB-76-1995)</p>

21	Section 3 of CB-55-1996 reads as follows: "BE IT FURTHER ENACTED that the provisions of this Ordinance shall not apply to projects for which a Detailed Site Plan has been filed and accepted prior to November 1, 1996, provided the design guidelines and regulations not resulting in a requirement of resubdivision are applicable, and provided building permits for ten percent of the dwelling units included in the Detailed Site Plan are issued within one year of the effective date of this legislation (December 30, 1996), and extensions of time for the permits do not exceed six months, and that the dwelling units are constructed pursuant to the permits.
22	If the original lot size was greater than or equal to twenty thousand (20,000) square feet but reduced in size due to a right-of-way taking or for a stormwater management pond, the minimum lot size may be reduced to no less than ten thousand (10,000) square feet. Such reduction is not permitted where an adjacent lot in the same ownership may be combined with the lot under twenty-thousand (20,000) square feet to reduce or eliminate the area deficiency. (CB-89-2000)
23	The minimum lot size may be reduced to no less than fourteen thousand (14,000) square feet provided:
	(A) The parcel is less than eighty (80) acres in size;
	(B) All or part of the property is the subject of an approved Special Exception for a nursery and garden center, which will be extinguished upon the recordation of the Final Plat of Subdivision;
	(C) The lot yield is less than fifty-five (55) for one-family detached dwellings;
	(D) Development of the lots shall be in accordance with the standards of the R-S Zone; and
	(E) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle. (CB-88-2005)
24	All other lot development standards shall be in accordance with the regulations for the R-E Zone. (CB-47-2009)

(c) TABLE II - LOT COVERAGE AND GREEN AREA

	ZONE									
	R- O-S	O-S	R-A	R-E	R-R	R- 80	R- 55	R- 35	R- 20	

Lot Coverage (Maximum % of Net Lot Area):									
Dwellings (including all accessory uses, home occupations): ^{7,8}									
One-family detached, in general (CB-11-2002; CB-5-2011)	2	5 ₁₂	10 ₁₂	20	25	30	30	30	30
One-family detached, cluster development (CB-54-1986; CB-84-1990)	-	-	-	-	30	30	30	-	-
One-family metropolitan dwellings (CB-33-2005)	-	-	-	-	-	-	-	-	-
One-family semidetached	-	-	-	-	50	50	50	30	35
One-family triple-attached	-	-	-	-	-	-	-	-	40
	-	-	-	-	-	-	-	-	30
Townhouses	-	-	-	-	-	-	-	-	35
Townhouse, Transit Village (CB-37-2006)	-	-	-	-	-	-	-	-	-
Two-family	-	-	-	-	-	-	-	30	-
Three-family	-	-	-	-	-	-	-	-	-
Multifamily	-	-	-	-	-	-	-	-	-
Agricultural preservation development	-	-	-	-	50	-	-	-	-
Churches or similar places of worship on lots between one (1) and two (2) acres in size (CB-76-1993)	-	50	50	50	50	50	50	50	50
Other allowed uses within two thousand and five hundred (2,500) feet of a drinking water reservoir (CB-83-2003)	10	10	10	10	20	20	20	20	20
Other allowed uses	10	50	50	60	60	60	60	60	60

Green Area Minimum % of Net Lot Area:									
Multifamily dwellings having 4 or more stories	-	-	-	-	-	-	-	-	-
Multifamily dwellings having less than 4 stories	-	-	-	-	-	-	-	-	-
Green Area Minimum % of Net Tract Area:									
Attached dwellings (other than multifamily dwellings)	-	-	-	-	-	-	-	-	-

	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
Lot Coverage (Maximum % of Net Lot Area):								
Dwellings (including all accessory uses, home occupations): ⁷								
One-family detached, in general	30	30	30	30	30	-	30	30
One-family detached, cluster development (CB-54-1986; CB-84-1990)	-	-	-	-	-	-	-	-
One-family metropolitan dwellings (CB-33-2005)	50	-	-	-	-	-	-	-
One-family semidetached	35	35	35	35	35	-	-	-
One-family triple-attached	-	-	-	-	-	-	-	-
	-	-	-	-	-	-	-	-
Townhouses	35	35	35	35	35	-	-	-
Townhouse, Transit Village (CB-37-2006)	50	-	-	-	-	-	-	-
Two-family	35	35	35	35	35	-	-	-

Three-family	35	35	35	35	35	-	-	-
Multifamily dwellings having 4 or more stories (CB-109-2004; CB-35-2005)	-	20	20	40	40	50	50	12 ¹ / ₄
Multifamily dwellings having less than 4 stories (CB-109-2004; CB-35-2005)	-	20	20	30	30	50	50	12 ¹ / ₄
Agricultural preservation development	-	-	-	-	-	-	-	-
Churches or similar places of worship on lots between one (1) and two (2) acres in size (CB-76-1993)	50	50	50	50	50	50	50	50
Other allowed uses within two thousand and five hundred (2,500) feet of a drinking water reservoir (CB-83-2003)	10	20	20	20	20	20	20	20
Other allowed uses (CB-4-2003)	60	60	60	60	60	50	60	60
Green Area Minimum % of Net Lot Area:								
Multifamily dwellings having 4 or more stories	-	-	-	60	60	50	50	55
Multifamily dwellings having less than 4 stories	-	70	70	70	70	50	50	55
Green Area Minimum % of Net Tract Area:								
Attached dwellings (other than multifamily dwellings)	50	50	50	50	50	-	-	-

1	This percentage is for building coverage (and not for lot coverage) of the overall net tract area.
2	Inner lot.
3	Outer lot.
4	The relationship between the percentage of the lot covered by multifamily dwellings and the amount of net lot area per dwelling unit shall be in accordance with the following table:

Percentage of Net Lot Area Coverage by Multifamily Dwellings	Minimum Net Lot Area per Dwelling Unit (Square Feet)
More than 11; not more than 12	1,400
More than 10; not more than 11	1,300
More than 9; not more than 10	1,200
More than 8; not more than 9	1,100
More than 7; not more than 8	1,000
7 or less	900

5	For zero lot line development.
6	May include inner courts of one hundred twenty-five (125) square feet or larger, with each side of the court being ten (10) feet or longer.
7	For a lot shown on a preliminary plat of subdivision for cluster development approved prior to September 1, 1986, no maximum percent of lot coverage is required for any type of one-family dwelling. (CB-54-1986)
8	For a lot shown on a record plat of subdivision approved pursuant to former Part 4A of this Subtitle prior to January 21, 1997, no maximum percent of lot coverage is required. (CB-84-1990; CB-47-1996)
9	For a lot under twelve thousand (12,000) square feet that is part of a resubdivision of land on a plat that was originally recorded prior to November 29, 1949 or for lots containing 15,000 square feet or less within the corporate boundaries of a municipality with a population of over 50,000, the maximum percent of lot coverage is thirty percent (30%). (CB-11-2002; CB-24-2008)
10	No maximum percent of lot coverage is required if; as of February 1, 2003:
	(A) The use is on a parcel of land which is surrounded by commercial and institutional uses;

	(B) The parcel does not abut any property that is improved with single-family detached residential dwellings; and
	(C) The site has frontage on a street shown on the applicable Master Plan as an arterial or higher classification. (CB-4-2003)
11	If at least ninety percent (90%) of all required parking spaces are provided in a parking structure, the Lot Coverage may be increased to thirty-five percent (35%). (CB-109-2004)
12	For lots created pursuant to the Varying Lot Size provisions in accordance with <u>Section 27-442(b)</u> Table I - Net Lot Area, Footnote 5. In the O-S Zone, lots below five (5) acres, but not less than two (2) acres in size may have a maximum percentage of net lot area lot coverage of ten percent (10%) and in the R-A Zone, lots below two (2) acres, but not less than one (1) acre in size may have a maximum percentage of net lot area lot coverage of fifteen percent (15%). (CB-5-2011)

(d) TABLE III - LOT/WIDTH FRONTAGE (Minimum in Feet) ^{12, 21}

	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
At Front Building Line:									
One-family detached dwellings, in general ¹³	300	300 ¹	150	150 <small>14,19</small>	100 <small>2,14,20</small>	75 ¹⁴	65 <small>4,14</small>	65	65
One-family detached dwellings, cluster development ¹⁷ (CB-54-1986)	-	-	-	-	75 ¹⁴	65 ¹⁴	50 ¹⁴	-	-
One-family metropolitan dwellings (CB-33-2005)	-	-	-	-	-	-	-	-	-
One-family semidetached dwellings	-	-	-	-	-	-	-	30	30

One-family triple-attached dwellings	-	-	-	-	-	-	-	-	80 ⁸
Townhouses	-	-	-	-	-	-	-	-	16 [—]
Townhouse, Transit Village (CB-37-2006)	-	-	-	-	-	-	-	-	-
Two-family dwellings	-	-	-	-	-	-	-	60 ⁵	-
Three-family dwellings	-	-	-	-	-	-	-	-	-
Multifamily dwellings	-	-	-	-	-	-	-	-	-
Other allowed uses	300	300 ¹	150	150	100 _{2,20}	75	65 ⁴	65	65
At Front Street Line (Existing or Proposed): ¹⁸									
One-family detached dwellings, in general ¹³	25	25	25	50 ¹⁵	70 _{3,15,20}	50 ¹⁵	45 _{4,15}	45	45
One-family detached dwellings, cluster development ¹⁷ (CB-54-1986)	-	-	-	-	50 ¹⁵	45 ¹⁵	40 ¹⁵	-	-
One-family metropolitan dwellings (CB-33-2005)	-	-	-	-	-	-	-	-	-
One-family semidetached dwellings	-	-	-	-	-	-	-	20	20
One-family triple-attached dwellings	-	-	-	-	-	-	-	-	65 ⁸
Townhouses	-	-	-	-	-	-	-	-	16 [—]
Townhouse, Transit Village (CB-37-2006)	-	-	-	-	-	-	-	-	-
Two-family dwellings	-	-	-	-	-	-	-	40	-

Three-family dwellings	-	-	-	-	-	-	-	-	-
Multifamily dwellings	-	-	-	-	-	-	-	-	-
Other allowed uses (CB-33-1985)	25	25	25	50	70 3,20	50	454	45	45

	ZONE								
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H	
At Front Building Line:									
One-family detached dwellings, in general ¹³	65	65	65	65	65	-	65	65	
One-family detached dwellings, cluster development ¹⁷ (CB-54-1986)	-	-	-	-	-	-	-	-	
One-family metropolitan dwellings (CB-33-2005)	22	-	-	-	-	-	-	-	
One-family semidetached dwellings	100	100	100	100	100	-	-	-	
One-family triple-attached dwellings	-	-	-	-	-	-	-	-	
Townhouses	100	100	100	100	100	-	-	-	
Townhouse, Transit Village (CB-37-2006)	20	-	-	-	-	-	-	-	
Two-family dwellings	100	100	100	100	100	-	-	-	
Three-family dwellings	100	100	100	100	100	-	-	-	
Multifamily dwellings	-	75	75	85	85	100	100	250	
Other allowed uses	65	75	75	85	85	100	100	250	

At Front Street Line (Existing or Proposed): ¹⁸								
One-family detached dwellings, in general ¹³	45	45	45	45	45	-	45	45
One-family detached dwellings, cluster development ¹⁷ (CB-54-1986)	-	-	-	-	-	-	-	-
One-family metropolitan dwellings (CB-33-2005)	22	-	-	-	-	-	-	-
One-family semidetached dwellings	100	100	100	100	100	-	-	-
One-family triple-attached dwellings	-	-	-	-	-	-	-	-
Townhouses	100	100	100	100	100	-	-	-
Townhouse, Transit Village (CB-37-2006)	20	-	-	-	-	-	-	-
Two-family dwellings	100	100	100	100	100	-	-	-
Three-family dwellings	100	100	100	100	100	-	-	-
Multifamily dwellings	-	75	75	85	85	100	100	250
Other allowed uses (CB-33-1985)	45	75	75	85	85	100	100	250

1	If the lot was recorded prior to October 30, 1970, and has a net lot area of at least twenty thousand (20,000) square feet, the minimum width may be reduced to one hundred ten (110) feet.
2	If the lot is served by a public or other approved water supply system, or the land was previously subdivided in accordance with the applicable regulations of the R-R Zone on or before July 1, 1966, and resubdivided in conformance with <u>Section 24-111(b)</u> of Subtitle 24 of this Code, the minimum width may be reduced to not less than eighty (80) feet.
3	If the lot is located on a cul-de-sac, the minimum width may be reduced to sixty (60) feet.
4	Either:

	(A) Fifty (50) feet at the front building line and twenty-five (25) feet at the front street line, if the plat was recorded prior to April 17, 1928, or the lot is part of a resubdivision recorded prior to April 17, 1928, and composed of lots having an average net area of five thousand (5,000) square feet or less; or
	(B) Fifty-five (55) feet at the front building line and thirty-five (35) feet at the front street line, if the lot is shown on a recorded plat and is in a minor portion of a block, the majority (more than half) of which and the immediate surrounding area of which has been subdivided prior to September 22, 1957, with lots having net areas of five thousand five hundred (5,500) square feet or less. (CB-114-1989)
5	Fifty (50) feet if the lot was recorded prior to April 17, 1928.
6	One hundred (100) feet for interior tracts; one hundred twenty (120) feet for corner tracts.
7	Applied to the entire tract used for a group of attached dwellings and not to an individual lot associated with only one (1) dwelling. Each individual lot does not have to have frontage on a street.
8	Middle lot shall be at least eighteen (18) feet wide at both front building and front street lines.
9	Corner lot - one hundred (100) feet. Lot or parcel used for multifamily project - one hundred (100) feet.
10	Corner lot - one hundred (100) feet. Lot or parcel used for multifamily project - one hundred twenty-five (125) feet.
11	Corner lot - one hundred twenty-five (125) feet. Lot or parcel used for multifamily project - one hundred fifty (150) feet.
12	Except as otherwise specified in Division 3, Table of Uses.
13	If a lot (or combination of lots) has a width of at least forty (40) feet and was recorded prior to April 17, 1928, it may be used for a one-family, detached dwelling, provided the lot (or combination of lots) meets the minimum net lot area of the appropriate zone. If the lot (or combination of lots) cannot meet the net lot area requirements, and additional abutting land cannot be added because it is developed, the lot (or combination of lots) may be used for a one-family dwelling if it contains a net lot area of at least five thousand (5,000) square feet.
14	For a flag lot, the front building line shall be established by the approved building envelope.

15	<p>For a flag lot, the lot frontage at the front street line may be reduced to not less than eleven (11) feet for a lot shown on a preliminary plat approved on or before February 1, 1990; the lot frontage at the front street line may be reduced to not less than twenty-five (25) feet for a lot shown on a preliminary plan approved after February 1, 1990. (CB-72-1989)</p>
16	<p>If the property is located in an area which is the subject of an Urban Renewal Plan adopted by the County, the minimum frontage requirements shall be the same shown on the Urban Renewal Plan.</p>
17	<p>For a lot shown on a preliminary plat of subdivision for cluster development approved prior to September 1, 1986, no minimum lot width or frontage is required for any type of one-family dwelling. (CB-54-1986)</p>
18	<p>All lots must have frontage on a public street, except where development of a lot fronting on a private street, right-of-way, or easement is authorized pursuant to Subtitle 24 of this Code.</p>
19	<p>If the lot is served by an individual well or sewerage system. If the lot is served by public water and sewerage systems, the width may be reduced to one hundred twenty (120) feet, provided the lot is in system area one (1), two (2), or three (3) at the time the final plat of subdivision is approved. If the lot was created under the lot size averaging provisions of Subtitle 24, has a net area of less than forty thousand (40,000) square feet, and is to be served by public water and sewerage systems, the width may be reduced to one hundred (100) feet, provided that the lot is in system area one (1), two (2), or three (3) at the time the final plat of subdivision is approved.</p>
20	<p>If a lot (1) is served by a public or an alternate approved water supply system (other than an individual well on the lot); and (2) appears on a subdivision plat which was recorded in the land records of the County prior to October 23, 1957, the minimum widths for the front building and front street lines are fifty-five (55) feet and thirty-five (35) feet, respectively. (CB-94-1985)</p>
21	<p>For a lot shown on a record plat of subdivision approved pursuant to former Part 4A of this Subtitle prior to January 21, 1997, no minimum lot width or frontage is required. (CB-84-1990; CB-47-1996)</p>

(e) TABLE IV - YARDS (Minimum Depth/Width in Feet) ^{23, 24, 25}

	ZONE
--	------

	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
Front: ⁷									
One-family detached dwellings, in general (CB-54-1986)	50	50	50 ¹	25 ¹	25 ²⁰	25 _{1,20}	25 ²⁰	25	25
One-family detached dwellings, cluster development (CB-54-1986)	-	-	-	-	25 ²⁰	25 ²⁰	25 ²⁰	-	-
One-family metropolitan dwellings (CB-33-2005)	-	-	-	-	-	-	-	-	-
One-family semidetached dwellings	-	-	-	-	-	-	-	25	25
One-family triple-attached dwellings	-	-	-	-	-	-	-	-	25
Townhouses	-	-	-	-	-	-	-	-	12
Townhouse, Transit Village (CB-37-2006)	-	-	-	-	-	-	-	-	-
Two-family dwellings	-	-	-	-	-	-	-	25	25
Three-family dwellings	-	-	-	-	-	-	-	-	-
Multifamily dwellings	-	-	-	-	-	-	-	-	-
Other allowed uses	50	50	50 ¹	25 ¹	25 ²⁰	25 _{1,20}	25 ²⁰	25	25
Minimum distance of front building line to center line of existing or proposed street upon which it fronts	-	-	-	50	-	50	-	-	-
Side: ⁹									

Total of Both Yards/Minimum of Either Yard:									
One-family detached dwellings, in general ²² (CB-54-1986)	40/20	40/20	35/17	35/17	17/8 6,21	17/8 21	17/8 6,8,21	17/8 6,8	17/8 6,8
One-family detached dwellings, cluster development (CB-54-1986)	-	-	-	-	17/8 6,21	17/8 21	17/8 6,21	-	-
One-family metropolitan dwellings (CB-33-2005)	-	-	-	-	-	-	-	-	-
One-family semidetached dwellings	-	-	-	-	-	-	-	9 ^{6,10}	9 ^{6,10}
One-family triple-attached dwellings	-	-	-	-	-	-	-	-	20/10 12
Townhouses	-	-	-	-	-	-	-	-	12
Townhouse, Transit Village (CB-37-2006)	-	-	-	-	-	-	-	-	-
Two-family dwellings	-	-	-	-	-	-	-	18/9 ⁶	-
Three-family dwellings	-	-	-	-	-	-	-	-	-
Multifamily dwellings	-	-	-	-	-	-	-	-	-
Other allowed uses ^{6,8}	40/20	40/20	35/17	35/17	17/8 6,21	17/8 21	17/8 6,8,21	17/8 6,8	17/8 6,8
If a corner lot, the side yard along the street ⁷	50	50	50 ⁵	25	25 5,8,20	25 6,20	25 5,8,20	25 ^{5,6}	25 ⁶
	-	-	-	-	-	-	-	-	-
Rear:									

One-family detached dwellings, in general (CB-54-1986)	20	20	35	25	20	20	20	20	20
One-family detached dwellings, cluster development (CB-54-1986)	-	-	-	-	20	20	20	-	-
One-family metropolitan dwellings (CB-33-2005)	-	-	-	-	-	-	-	-	-
One-family semidetached dwellings	-	-	-	-	-	-	-	20	20
One-family triple-attached dwellings	-	-	-	-	-	-	-	-	45 ¹⁸
Townhouses	-	-	-	-	-	-	-	-	12 [—]
Townhouse, Transit Village (CB-37-2006)	-	-	-	-	-	-	-	-	-
Two-family dwellings	-	-	-	-	-	-	-	20	-
Three-family dwellings	-	-	-	-	-	-	-	-	-
Multifamily dwellings	-	-	-	-	-	-	-	-	-
Other allowed uses (CB-114-1989)	20	20	35	25	20	20	20	20	20

	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
Front: ⁷								

One-family detached dwellings, in general (CB-54-1986)	25	25	25	25	25	-	25	25
One-family detached dwellings, cluster development (CB-54-1986)	-	-	-	-	-	-	-	-
One-family metropolitan dwellings (CB-33-2005)	25	-	-	-	-	-	-	-
One-family semidetached dwellings	2 [—]	2 [—]	2 [—]	2 [—]	2 [—]	-	-	-
One-family triple-attached dwellings	-	-	-	-	-	-	-	-
Townhouses	2 [—]	2 [—]	2 [—]	2 [—]	2 [—]	-	-	-
Townhouse, Transit Village (CB-37-2006)	2 [—]	-	-	-	-	-	-	-
Two-family dwellings	2 [—]	2 [—]	2 [—]	2 [—]	2 [—]	-	-	-
Three-family dwellings	2 [—]	2 [—]	2 [—]	2 [—]	2 [—]	-	-	-
Multifamily dwellings	-	30	30	30 ¹⁹	30 ¹⁹	30 ⁴	30 ⁴	50 ³
Other allowed uses	25	30	30	30 ¹⁹	30 ¹⁹	30 ⁴	30 ⁴	50 ³
Minimum distance of front building line to center line of existing or proposed street upon which it fronts	-	60 ¹³	60 ¹³	60 ¹⁹	60 ¹⁹	60 ⁴	60 ⁴	90 ³
Side: ⁹								
Total of Both Yards/Minimum of Either Yard:								

One-family detached dwellings, in general ²² (CB-54-1986)	17/8 6,8	17/8 6,8	17/8 6,8	17/8 6,8	17/8 6,8	-	17/8 6,8	17/8 ^{6,8}
One-family detached dwellings, cluster development (CB-54-1986)	-	-	-	-	-	-	-	-
One-family metropolitan dwellings (CB-33-2005)	2	-	-	-	-	-	-	-
One-family semidetached dwellings	2	2	2	2	2	-	-	-
One-family triple-attached dwellings	-	-	-	-	-	-	-	-
Townhouses	2	2	2	2	2	-	-	-
Townhouse, Transit Village (CB-37-2006)	2	-	-	-	-	-	-	-
Two-family dwellings	2	2	2	2	2	-	-	-
Three-family dwellings	2	2	2	2	2	-	-	-
Multifamily dwellings	-	30/10	30/10	30/10 19	30/10 19	30/10 4	30/10 4	50/20 ³
Other allowed uses ^{6,8}	17/8 6,8	30/10	30/10	30/10 19	30/10 19	30/10 4	30/10 4	50/20 ³
If a corner lot, the side yard along the street ⁷	25 5,8,11	30 13,16	30 13,16	30 13,16,19	30 13,16,19	30 ^{4,16}	30 4,16,17	50 3,13,15,17
	-	25 ¹⁴	25 ¹⁴	25 ¹⁴	25 ¹⁴	-	25 ¹⁴	25 ¹⁴
Rear:								
One-family detached dwellings, in general (CB-54-1986)	20	20	20	20	20	-	20	20

One-family detached dwellings, cluster development (CB-54-1986)	-	-	-	-	-	-	-	-
One-family metropolitan dwellings (CB-33-2005)	25	-	-	-	-	-	-	-
One-family semidetached dwellings	2 [—]	2 [—]	2 [—]	2 [—]	2 [—]	-	-	-
One-family triple-attached dwellings	-	-	-	-	-	-	-	-
Townhouses	2 [—]	2 [—]	2 [—]	2 [—]	2 [—]	-	-	-
Townhouse, Transit Village (CB-37-2006)	2 [—]	-	-	-	-	-	-	-
Two-family dwellings	2 [—]	2 [—]	2 [—]	2 [—]	2 [—]	-	-	-
Three-family dwellings	2 [—]	2 [—]	2 [—]	2 [—]	2 [—]	-	-	-
Multifamily dwellings	-	30	30	30 ¹⁹	30 ¹⁹	30 ⁴	30 ⁴	50 ³
Other allowed uses	20	30	30	30 ¹⁹	30 ¹⁹	30 ⁴	30 ⁴	50 ³

1	<p>If most of the lots located on one side of a street between two intersecting streets are occupied by buildings which have a front yard depth different from that required in general, no building (erected within three hundred (300) feet of any existing building) shall have a front yard depth less than that established in the block.</p>
---	--

2	<p>For townhouses, and one-family semidetached, two-family, and three-family dwellings, 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. For Townhouses, Transit Village specific individual yards are not required, instead, at least four hundred (400) square feet per lot shall be allocated for front, side, or rear yard purposes; however, the actual yard may be reduced to not less than two hundred fifty (250) 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.</p> <p>(CB-44-1988; CB-33-2005; CB-37-2006)</p>
3	<p>For each one (1) foot the building exceeds fifty-two (52) feet, the yards shall be increased by (1) foot.</p>
4	<p>For each two (2) feet the building exceeds thirty-six (36) feet in height, the yards shall be increased by one (1) foot.</p>
5	<p>If the lot adjoining the corner lot along its rear line does not front on the side street of the corner lot, or is in a nonresidential zone, the minimum side yard shall be twenty (20) feet in the R-A Zone, and fifteen (15) feet in the R-R Zone (except as provided in Footnotes 1 and 7), in the R-55 Zone, and (for allowed one-family detached dwellings) in the R-35, R-20, R-T, R-30, R-30C, R-18, R-18C, R-10, and R-H Zones.</p>
6	<p>For each one (1) foot the building exceeds thirty-five (35) feet in height, the minimum side yards shall be increased by one-half (1/2) foot.</p>
7	<p>If most of the lots on one side of a street between two intersecting streets have (prior to April 17, 1928) been lawfully occupied with buildings having greater front yards than required by these regulations, no building erected shall have less of a front yard than the established average. This regulation shall also apply to the side yard of a corner lot but shall not be construed so as to reduce to less than twenty-four (24) feet the buildable width of the lot.</p>
8	<p>If the record lot is at least fifty (50), but not more than fifty-two (52), feet wide at the front building line and was recorded on a subdivision plat prior to November 29, 1949, each yard may be reduced to seven (7) feet.</p>
9	<p>Two (2) side yards required for each building or group of attached buildings (except as provided in Footnotes 2, 10, 12, 20, 21, and 23).</p>
10	<p>One (1) side yard (per dwelling) required.</p>

11	For all uses except townhouses, and one-family semidetached, two-family, and three-family dwellings.
12	Each (outer lot) side yard shall be at least ten (10) feet wide, and any yard abutting a street shall be at least twenty-five (25) feet deep. In addition, at least one thousand three hundred (1,300) square feet per lot shall be allocated for front, side, or rear yard purposes.
13	For all uses except townhouses, and one-family detached, one-family semidetached, two-family, and three-family dwellings.
14	Only for one-family detached dwellings.
15	Provided the side building line is at least ninety (90) feet from the center line of the street.
16	Provided the side building line is at least sixty (60) feet from the center line of the street.
17	For all uses except one-family detached dwellings.
18	If the rear lot line abuts an alley (at least twenty (20) feet wide) that intersects with a street, or if a private automobile garage is attached to the rear of the main building, the rear yard may be reduced to twenty-five (25) feet. If this reduction would impair access to any other building or garage, the reduction shall not be allowed.
19	On a lot having a net area of at least five (5) acres, for each one (1) foot the building exceeds thirty-six (36) feet, the yards shall be increased by one (1) foot.
20	Twenty (20) feet for zero lot line development. When the building height exceeds thirty-five (35) feet, the minimum front yard shall be increased by one (1) foot for each additional foot of building height.
21	One (1) side yard at least fifteen (15) feet wide in the R-R Zone, generally, and ten (10) feet wide in an R-R Zone cluster development and in the R-80 Zone, generally, shall be provided for zero lot line development. When the building height exceeds thirty-five (35) feet, the minimum side yard shall be increased by one (1) foot for each additional foot of building height. No minimum side yard is required in an R-80 Zone cluster development or in the R-55 Zone for zero lot line development. (CB-54-1986)
22	If the lot is only forty (40) feet wide, two (2) yards (at least five (5) feet wide each) shall be provided. For each one (1) foot of lot width over forty-two (42) feet (up to fifty (50) feet) the total of both side yards shall be increased by one-half (1/2) foot.

23	For a lot shown on a preliminary plat of subdivision approved prior to September 1, 1986, there are no yard requirements for cluster developments, except that if such a lot abuts land in the R-R, R-80, or R-55 Zone which is not developed as part of a cluster development, the cluster development lot shall have at least the same yard as required for the abutting land. (CB-54-1986)
24	For a townhouse, no parking space or area shall be located in a minimum required yard, and access drives shall cross the yards in as direct a manner as possible. All dwellings other than townhouses and multifamily shall comply with front yard regulations in Part 2, Division 4. (CB-32-1985; CB-34-2002; CB-82-2003)
25	For a lot shown on a record plat of subdivision approved pursuant to former Part 4A of this Subtitle prior to January 21, 1997, there are no yard requirements. (CB-84-1990; CB-47-1996)

(f) TABLE V - BUILDING HEIGHT (Maximum in Feet, Main Building) ⁸

	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
All allowed uses ^{7, 12}	35	35	50 10	35	35 1	40	35 1	35 1,9	35 1,3,9

	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
All allowed uses ^{7, 12} (CB-96-1993)	40 2,9	40 3,4,9	40 3,4,9	40 3,5,9	40 3,5,9	110 6	110 6,9	9,11

1	Not more than two and one-half (2 1/2) stories. If additional side yard is provided in accordance with Table IV, Footnote 6, the height may be increased to forty (40) feet, but not over three (3) stories.
---	--

2	Not more than three (3) stories. If the building is a two-family dwelling in which the units are arranged one above the other, the height may be increased to fifty (50) feet, but not over four (4) stories.
3	The maximum height of townhouses shall be the same as that in R-T Zone. In the R-30, R-30C, R-18, and R-18C Zones, the maximum height of one-family semidetached, two-family, and three-family dwellings shall be the same as that in the R-T Zone.
4	If the building has a gable, hip, or gambrel roof, the height (measured to the mean height level between eaves and roof) may be increased by eight (8) feet.
5	On a lot or tract having a net area of four (4) or more acres, the height may be increased to eighty (80) feet. (CB-109-2004)
6	At least eighty percent (80%) of the total number of dwelling units of the multifamily project shall be within buildings having a minimum height of fifty-two (52) feet. Not more than twenty percent (20%) of the total number of dwelling units of the multifamily project may be in buildings of a lesser height. The maximum height may be increased by approval of a Special Exception. (CB-87-1986)
7	The height of public and quasi-public buildings may be increased to one hundred twenty (120) feet, provided that, for each one (1) foot increase in height, every yard is increased by one (1) foot.
8	On any building lot with an average slope greater than one (1) vertical foot in seven (7) horizontal feet, one (1) additional story shall be permitted on the downhill side of the building (for buildings where the number of stories is regulated). The building height shall not be increased above that specified in the zone in which it is located. (See Figure 53.)
9	The maximum height of one-family detached dwellings shall be the same as that in the R-55 Zone.
10	No height limit for agricultural buildings.
11	Minimum height of fifty-two (52) feet for multifamily dwellings.
12	The height of churches or similar places of worship may be increased to eighty (80) feet, provided that, for each one (1) foot increase in height, every yard is increased by one (1) foot. (CB-14-2011)

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

	ZONE						
	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
Distance Between Unattached Multifamily Dwellings:							
In general	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)	50	50	2 [—]	2 [—]	2 [—]	2 [—]	-

1	Within the same multifamily project.
2	Calculated the same as for distance between multifamily dwellings in the respective zone.
3	One-half (1/2) the height of the taller building or thirty (30) feet (whichever is greater).
4	Plus two (2) feet for each one (1) foot by which the taller building exceeds thirty-six (36) feet in height.
5	Plus one-half (1/2) foot for each one (1) foot by which the taller building exceeds thirty-six (36) feet in height.
6	Inner courts are prohibited for multifamily dwellings.

(h) TABLE VII - DENSITY (Maximum Dwelling Units Per Net Acre of Net Lot/Tract Area)

	ZONE
--	------

	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
One-family detached dwellings, in general	0.05	0.20	0.50	1.08	2.17	4.58	6.70	6.70	6.70
One-family detached dwellings, cluster development ² (CB-54-1986)	-	-	-	-	3.00	3.00	4.20	-	-
	-	-	-	-	2.00	4.10	-	-	-
One-family metropolitan dwellings (CB-33-2005)	-	-	-	-	-	-	-	-	-
One-family semidetached dwellings	-	-	-	-	-	-	-	12.44	12.44
One-family triple-attached dwellings	-	-	-	-	-	-	-	-	16.33
Townhouses	-	-	-	-	-	-	-	-	16.33
Townhouse, Transit Village (CB-37-2006)	-	-	-	-	-	-	-	-	-
Two-family dwellings	-	-	-	-	-	-	-	12.44	-
Three-family dwellings	-	-	-	-	-	-	-	-	-
Multifamily dwellings (CB-114-1989)	-	-	-	-	-	-	-	-	-

	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
One-family detached dwellings, in general	6.70	6.70	6.70	6.70	6.70	-	6.70	6.70
One-family detached dwellings, cluster development ² (CB-54-1986)	-	-	-	-	-	-	-	-

One-family metropolitan dwellings (CB-33-2005)	6.00	-	-	-	-	-	-	-
One-family semidetached dwellings	8.00	8.00	8.00	8.00	8.00	-	-	-
One-family triple-attached dwellings	-	-	-	-	-	-	-	-
Townhouses, constructed pursuant to a Detailed Site Plan filed prior to November 1, 1996, and in compliance with Section 3 of CB-55-1996 ⁹ (CB-55-1996)	8.00	8.00	8.00	8.00	8.00	-	-	-
Townhouse, Transit Village (CB-37-2006)	12.00	-	-	-	-	-	-	-
Townhouses, all others (CB-55-1996)	6.00	6.00	6.00	6.00	6.00	-	-	-
Two-family dwellings	8.00	8.00	8.00	8.00	8.00	-	-	-
Three-family dwellings, constructed pursuant to a Detailed Site Plan filed prior to November 1, 1996, and in compliance with Section 3 of CB-55-1996 ⁹ (CB-55-1996)	12.00	12.00	12.00	12.00	12.00	-	-	-
Three-family dwellings, all others (CB-55-1996)	9.00	9.00	9.00	9.00	9.00	-	-	-
Multifamily dwellings (CB-114-1989)	-	10.00	12.00	12.00	14.00	48.00	48.00	48.40
	-	-	-	20.00	20.00	-	-	-

1 These densities are the normal requirements for the zone. They may increase in those zones having variable net lot area provisions in Table I.

2	Densities for cluster development are based on the number of acres in the net tract area encompassed by the cluster development.
3	If the building is thirty-six (36) or less feet high.
4	If the building is more than thirty-six (36) feet high (four (4) or more stories) and has an elevator.
5	Plus one (1) dwelling unit for every thousand (1,000) square feet of indoor space provided for social, recreational, or educational purposes for exclusive use by the residents.
6	For cluster developments with lots having net areas of at least seven thousand (7,000) square feet, which were created by the resubdivision of land described on a record plat duly recorded in the County land records on or before July 1, 1967, provided there are at least ten thousand (10,000) square feet per dwelling unit in the net tract area for cluster development.
7	For cluster developments with lots having net areas of at least ten thousand (10,000) square feet.
8	For cluster developments having one-family detached dwelling lots of at least six thousand (6,000) square feet and townhouse or other one-family attached dwelling lots of at least one thousand five hundred (1,500) square feet, which were created by the resubdivision of land that was previously approved as a single subdivision described on a record plat or plats duly recorded in the County land records, provided:
	(A) The land covered by the record plat(s) includes a one hundred (100) year floodplain area which was not taken into consideration and which did not appear on the plat(s) as originally approved;
	(B) The total number of lots created by the resubdivision, not including any lots created on additional land considered pursuant to paragraph (E), does not exceed the total number of lots previously approved by the Planning Board for said plat(s);
	(C) The resubdivision does not result in a cluster net tract area density greater than 4.1 dwelling units per acre;
	(D) Not less than eighty percent (80%) of the units are constructed as one-family detached dwellings, including any land considered pursuant to paragraph (E);
	(E) The Planning Board may consider the subdivision of additional adjacent land concurrently with said resubdivision application in the formation of a new preliminary plat of subdivision. The density on the additional land shall not exceed three (3) dwelling units per acre of net tract area. (CB-65-1985)

9 Section 3 of CB-55-1996 reads as follows: "BE IT FURTHER ENACTED that the provisions of this Ordinance shall not apply to projects for which a Detailed Site Plan has been filed and accepted prior to November 1, 1996, provided the design guidelines and regulations not resulting in a requirement of resubdivision are applicable, and provided building permits for ten percent of the dwelling units included in the Detailed Site Plan are issued within one year of the effective date of this legislation (December 30, 1996), and extensions of time for the permits do not exceed six months, and that the dwelling units are constructed pursuant to the permits.

(i) TABLE VIII - ACCESSORY BUILDINGS ^{10, 16}

	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
Coverage (Maximum Percentage of Yard)	25	25	25	25	25	25	25	25	25
Setback (Minimum in Feet), in general:									
From front street line	60	60	80	60	60	60	60	60	60
From side lot line	2	2	15	2	2	2	2	2	2 $\frac{1}{2}$
From rear lot line	2	2	10	2	2	2	2	2	2 $\frac{1}{2}$
From alley line	5	5	10	5	5	5	5	5	5
If building ¹³ used for housing or sale of animals or fowl except homing pigeons: ¹									
From side or rear lot line	25	25	25	25	25	25	25	25	25
From dwelling on adjoining lot	50	50	50	50	50	50	50	50	50
If building ¹³ used for homing or racing pigeons: ¹									
From side or rear lot line	10	10	25	10	10	-	10 $\frac{1}{5}$	-	-
From dwelling on adjoining lot (CB-45-1987; CB-36-1991)	25	25	50	25	25	-	25 $\frac{1}{5}$	-	-

If a corner lot: ¹									
From side street line (along which an abutting lot fronts) ²	30	30	50	30	30	30	30	30	30
From side street line (along which an abutting lot does not front) ⁴	15	15	25	15	15	15	15	15	15
From rear lot line ²	10	10	12	10	10	10	10	10	10
Height (Maximum in Feet above the Ground) (CB-114-1989; CB-129-1989)	15	15	15	15	15	15	15	15	15

	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
Coverage (Maximum Percentage of Yard)	25	25	25	25	25	25	25	25
Setback (Minimum in Feet), in general:								
From front street line	60	60	60	60	60	60	60	60
From side lot line	2	2	2	2	2	2	2	2
From rear lot line	2	2	2	2	2	2	2	2
From alley line	5	5	5	5	5	5	5	5
If building ¹³ used for housing or sale of animals or fowl except homing pigeons: ¹								
From side or rear lot line	25	25	25	25	25	25	25	25
From dwelling on adjoining lot	50	50	50	50	50	50	50	50
If building ¹³ used for homing or racing pigeons: ¹								
From side or rear lot line	-	-	-	-	-	-	-	-

From dwelling on adjoining lot (CB-45-1987; CB-36-1991)	-	-	-	-	-	-	-	-
If a corner lot: ¹								
² From side street line (along which an abutting lot fronts)	30	30	30	30	30	30	30	30
From side street line (along which an abutting lot does not front) ⁴	15	15	15	15	15	15	15	15
From rear lot line ²	10	10	10	10	10	10	10	10
(Maximum in Feet above the Ground) (CB-114-1989; CB-129-1989)	25	15	15	15	15	15	15	15

1	Requirements for setback from front street line and alley line are the same as for accessory buildings in general.
2	Where the rear lot line abuts a lot in a Residential Zone or land proposed to be used for residential purposes in a Comprehensive Design, Mixed Use, or Planned Community Zone, that fronts on the side street.
3	If the building is located less than sixty (60) feet from the side street line.
4	Where no lots (in the same block as the corner lot) front on the side street.
5	May be increased for certain purposes by approval of a Special Exception (Section 27-330).
6	If the building is located less than fifty (50) feet from the side street line.
7	On lots having a net area exceeding twenty thousand (20,000) square feet. (CB-45-1987)
8	May be increased to forty (40) feet with approval of a Special Exception, if the building is used for agricultural purposes and is erected on property (used for agriculture) containing at least five (5) acres.
9	Not over two (2) stories.

10	<p>Accessory buildings, generally, shall be located only in the rear yard; however, on lots having no rear yard (through lots) and on corner lots where the designated front of the main building faces the side street, accessory buildings may be located in the yard opposite the designated front of the main building. In the R-H Zone, an accessory building may not encroach upon the minimum required yards. Accessory buildings associated with attached or multifamily dwellings may be located in any yard other than the one which the front of the dwelling faces, except that a guard booth may be located at the entrance to a development for which it provides security. A private parking garage accessory to a multifamily dwelling shall be subject to the setback regulations applicable to a main building in the zone in which it is located. The setback and height requirements of this table do not apply to dwellings which are accessory buildings, as addressed by <u>Section 27-424.01</u>. A detached garage accessory to a one-family detached dwelling may be located in a front or side yard adjoining a street, provided it was constructed prior to January 1, 1980.</p> <p>(CB-110-1985, CB-129-1989; CB-65-1990; CB-36-1992)</p>
11	<p>If the lots are used for one-family triple-attached dwellings, accessory buildings are limited to private automobile garages (one (1) per lot), storage sheds, pet shelters, and any agricultural accessory buildings shown on an approved Special Exception site plan. Garages on a corner lot may front on the side lot line, or may be attached to the rear of the main building. Private automobile garages may be attached or detached along side lot lines, and a pair of garages may be attached (back-to-back) to a similar pair along the rear lot lines. If the garage has access from the rear yard, the front of the garage shall be not less than twenty-five (25) feet from the nearest point of the main building. (See Figure 70.)</p> <p>(CB-110-1985)</p>
12	<p>In the R-20 Zone, when property abutting side and rear lot lines is also in the R-20 Zone, private parking garages may abut side and rear lot lines. In all other cases, the setback for private parking garages shall be the same as for any other accessory building.</p> <p>(CB-129-1989)</p>
13	<p>Includes accessory structures (for example, coops, runs, pens, hutches, and the like).</p> <p>(CB-110-1985)</p>
14	<p>A private parking garage accessory to a multifamily dwelling shall be subject to the maximum (but not the minimum) height regulations applicable to a main building in the zone in which it is located.</p> <p>(CB-129-1989)</p>
15	<p>Provided the use was in existence prior to June 30, 1987.</p> <p>(CB-36-1991)</p>

16	<p>These requirements do not apply to mobile homes used as accessory buildings that are in compliance with <u>Section 27-424.04</u>. For mobile homes used as accessory buildings that were previously used for agricultural storage purposes, the setback requirements in Table IV of this Section for mobile homes shall apply.</p> <p>(CB-36-1994)</p>
----	---

NONCONFORMING



DIVISION 6. - NONCONFORMING BUILDINGS, STRUCTURES, AND USES.

SUBDIVISION 1. - GENERAL REQUIREMENTS AND PROCEDURES.

Sec. 27-240. - Definitions.

- (a) "Nonconforming Building or Structure" and "Nonconforming Use" are defined in Section 27-107.01.
- (b) For the purposes of this Subdivision, "party of interest" shall be defined as any person having personal knowledge of the subject property or the proposed nonconforming use, any person having a current or previous financial interest in the subject property or the proposed nonconforming use, or any person living or owning property within one (1) mile from the subject property.

(CB-78-1991)

Sec. 27-241. - Continuation.

- (a) Any nonconforming building, structure, or use may be continued, repaired, or maintained. It may not be altered, enlarged or extended except in accordance with this Division.
- (b) In order for a nonconforming use to continue, a use and occupancy permit must be issued identifying the use as nonconforming, and the use must be certified in accordance with Section 27-244. In addition, a nonconforming surface mining operation located within a Chesapeake Bay Critical Area Overlay Zone may only continue if it meets the criteria set forth in Section 27-410(e).
- (c) Continuous, day-to-day operation of a certified nonconforming use is required to maintain its nonconforming status. Discontinuance of day-to-day operation for a period of one hundred eighty (180) or more consecutive calendar days shall constitute abandonment of the use. No certified nonconforming use may be reestablished unless either:
 - (1) The case involves reconstruction, restoration, or reestablishment in accordance with Section 27-243; or
 - (2) The Planning Board determines (upon written request) that the conditions of nonoperation were beyond the control of the person who was in control of the property during the period of nonoperation. The Planning Board's determination shall be based on satisfactory evidence presented by the person making the request.
- (d) The provisions of Subsection (c), above, do not apply to:
 - (1) Nonconforming buildings and structures occupied by conforming uses;
 - (2) Certified nonconforming surface mining operations that are not within a Chesapeake Bay Critical Area Overlay Zone; or
 - (3) Mobile home dwellings and trailer camps used in accordance with Section 27-250.
- (e) For properties within the Chesapeake Bay Critical Area, the following shall apply: (1) A lot or parcel legally developed as of July 1, 2008, shall not be considered nonconforming for purposes of Critical Area lot coverage.
 - (2) For the purpose of increasing Critical Area lot coverage on a lot or parcel under subparagraph (1) above, the Critical Area lot coverage limitations of Sec. 27-548.17 shall not be construed to apply to a development activity for which an approved Conservation Plan or Staff Level review was obtained and:
 - (A) A building permit was issued before July 1, 2008; and
 - (B) Construction was initiated and an inspection was performed before July 1, 2009.

Sec. 27-242. - Alteration, extension, or enlargement.

(a) **In general.**

- (1) A nonconforming building or structure, or a certified nonconforming use (except as provided for in this Section) may be altered, enlarged, or extended, provided that:
 - (A) The alteration, enlargement, or extension conforms to the building line setback, yard, and height regulations of the zone in which the use is located; and
 - (B) A special exception has been approved by the District Council, in accordance with Part 4 of this Subtitle.

(b) **Exceptions.**

(1) **Surface mining.**

- (A) A certified nonconforming use involving surface mining may be expanded to include the entire parcel of land (or acreage owned or leased at the time the use became nonconforming) upon which the removal operations were initially conducted, provided the initial use predates the adoption of the original Zoning Map for the area. This expansion does not require a Special Exception (Section 27-384). This exception does not apply if the use is located in a one hundred (100) year floodplain. Additionally, if the use is located within a Chesapeake Bay Critical Area Overlay Zone, a Special Exception for surface mining in accordance with Section 27-410 is required.

(2) **Structures in floodplains.**

- (A) Existing nonconforming buildings, structures, and uses within a one hundred (100) year floodplain may be modified in accordance with Section 27-243.02. These modifications do not require a Special Exception if the nonconforming building, structure, or use is not enlarged or extended.

(3) **Gas stations.**

- (A) The following modifications of a certified nonconforming gas station may be permitted by the Planning Board without a special exception (Section 27-384):
 - (i) The enlargement or relocation of pump islands;
 - (ii) The addition of one (1) pump island;
 - (iii) The addition, relocation, or modification of a fence, kiosk, island shelter, island canopy, storage area, trash enclosure, vending area, or lavatory facility;
 - (iv) The addition, relocation, or modification of an accessory building used solely for the storage of automotive replacement parts or accessories. The accessory building shall be wholly enclosed. The building shall either be constructed of brick (or another building material similar in appearance to that of the main structure) and placed on a permanent foundation, or it shall be entirely surrounded with screening material. Screening shall consist of a wall, fence, or sight-tight landscaping material, which shall be at least as high as the accessory building. The screening shall be approved as part of the modification.
- (B) A site plan shall be submitted showing the modifications.
- (C) The modifications shall not violate any condition of a previously approved Special Exception for a gas station on the property.
- (D) The modification shall be in conformance with Section 27-358(a)(5), (6), (7), (8), and (10), Section 27-358(c), and any provisions of the zone in which the property is located.

- (E) At the time the application is filed, a fee shall be paid by the applicant to cover the costs of processing the application. The amount of the fee shall be established by the Planning Board.
- (F) The Planning Board's decision on the requested modification shall be sent to all persons of record in the hearing before the Planning Board, and to the District Council. This decision may be appealed to the District Council upon petition by any person of record. The petition shall be filed with the Clerk of the Council within thirty (30) days after the date of the notice of the Planning Board's decision. The District Council may vote to review the Planning Board's decision on its own motion within thirty (30) days after the date of the notice. The Clerk of the Council shall notify the Planning Board of any appeal of review decision. Within seven (7) days after receiving this notice, the Planning Board shall transmit to the District Council all written evidence and materials submitted for consideration by the Planning Board, a transcript of the public hearing on the revised plan, and any additional information or explanatory material deemed appropriate. The District Council shall schedule a public hearing on the appeal or review. The Council shall give at least thirty (30) calendar days notice of the hearing to all persons of record and the Planning Board, all of whom shall be entitled to appear at the hearing. Testimony at the hearing shall be limited to the facts and information contained within the record made at the hearing before the Planning Board. Within sixty (60) days after the close of the Council's hearing, the Council shall affirm, reverse, or modify the decision of the Planning Board, or return the modification request to the Planning Board to take further testimony or reconsider its decision. Where the Council approves a modification, it shall make the same findings which are required to be made by the Planning Board. If the Council fails to act within the specified time, the Planning Board's decision is automatically affirmed. The Council shall give its decision in writing, stating the reasons for its action. Copies of the decision shall be sent to all persons of record and the Planning Board.

(4) Drive-in and fast-food restaurants.

- (A) The following modifications of a certified nonconforming drive-in or fast-food restaurant may be permitted by the Planning Board without a Special Exception (Section 27-384):
 - (i) The addition, relocation, or modification of a freezer on the sides or rear of the restaurant building;
 - (ii) The addition, relocation, or modification of gross floor area in order to provide rest rooms to serve the physically handicapped;
 - (iii) The addition, relocation, or modification of vestibules above and around points of access to the restaurant building; or
 - (iv) The addition, relocation, or modification of a fence, storage area, or trash enclosure.
- (B) A site plan shall be submitted showing the modifications.
- (C) The modification shall not violate any condition of a previously approved Special Exception for a drive-in or fast-food restaurant on the property.
- (D) At the time the application is filed, a fee shall be paid by the applicant to cover the costs of processing the application. The amount of the fee shall be established by the Planning Board.
- (E) The Planning Board's decision (resolution) on the requested modification shall be sent to all persons of record in the hearing before the Planning Board and to the District Council. This decision may be appealed to the District Council upon petition of any person of record. The petition shall be filed with the Clerk of the Council within thirty (30) days after the date of the notice of the Planning Board's decision. The District Council may vote to review the Planning Board's decision on its own

motion within thirty (30) days after the date of the notice. The Clerk of the Council shall notify the Planning Board of any appeal or review decision. Within seven (7) days after receiving this notice, the Planning Board shall transmit to the District Council a copy of the file on the proposed revision, all written evidence and materials submitted for consideration by the Planning Board, a transcript of the public hearing on the revised plan, and any additional information or explanatory material deemed appropriate. The District Council shall schedule a public hearing on the appeal or review. The Clerk of the Council shall give at least thirty (30) calendar days notice of the hearing to all persons of record and the Planning Board, all of whom shall be entitled to appear at the hearing. Testimony at the hearing shall be limited to the facts and information contained within the record made at the hearing before the Planning Board. Within sixty (60) days after the close of the Council's hearing, the Council shall affirm, reverse, or modify the decision of the Planning Board, or return the modification request to the Planning Board to take further testimony or reconsider its decision. Where the Council approves a modification, it shall make the same findings that are required to be made by the Planning Board. If the Council fails to act within the specified time, the Planning Board's decision is automatically affirmed. The Council shall give its decision in writing, stating the reasons for its action. Copies of the decision shall be sent to all persons of record and the Planning Board.

(5) Recreational and social uses for multifamily dwellings.

- (A) The alteration, extension, or enlargement of recreational and social uses associated with certified nonconforming multifamily dwellings, for the sole use of residents and their guests, shall not be considered an alteration, extension, or enlargement of the nonconforming use. A Detailed Site Plan shall be approved for this use in accordance with Part 3, Division 9, of this Subtitle, prior to the issuance of any permits.

(6) One-family detached dwellings.

- (A) The alteration, extension, or enlargement of a nonconforming one-family detached dwelling may be permitted and does not require a Special Exception provided that:
- (i) The modification conforms to the requirements of subparagraph (a)(1)(A), above;
 - (ii) Development on the property (including the proposed modification) conforms to the lot coverage limitations of the zone in which the property is located; and
 - (iii) Within a Chesapeake Bay Critical Area Overlay Zone, development on the property (including the proposed modification) conforms to any applicable requirements concerning impervious surface ratios, except as provided in paragraph (9), below.

(7) Improvements to multifamily development.

- (A) In multifamily developments existing as of January 1, 1990, in the R-30, R-30C, R-18, R-18C, R-10, and R-H Zones, the following improvements do not require a Special Exception:
- (i) Fence or wall;
 - (ii) Trash enclosure;
 - (iii) Guard booth;
 - (iv) Canopy;
 - (v) Playground and outdoor play area for a day care center for children;
 - (vi) Landscaping;
 - (vii) Day care centers for children in multifamily units;

- (viii) Antenna, otherwise permitted in the zone;
 - (ix) Equipment room for telecommunications located inside an existing building;
 - (x) Day care center for children located within an existing free-standing building in a project in excess of one hundred (100) units, with a maximum of one (1) per project, provided that it is located in a "Hot Spot" as defined in State law or "Revitalization Area," it is operated by a nonprofit entity, and at least 50% of the children are residents of the project;
 - (xi) New access or parking, if accompanied by a reduction of 30% or more in the number of bedrooms; and
 - (xii) An increase of no more than ten percent (10%) in the gross floor area of a building, not to exceed 2,000 square feet of gross floor area, provided the increase is to allow for the enlargement of an existing area used for recreational purposes.
- (B) Such improvements shall conform to any applicable regulations in this Subtitle.
- (C) In Multifamily developments existing as of January 1, 1990, a Special Exception is not required for an Urban Farm in the R-18 Zone.
- (8) Screening requirements for vehicle repair facilities, vehicle towing stations, and vehicle storage yards.**
- (A) The alteration of a certified nonconforming vehicle repair facility, vehicle towing station, or vehicle storage yard may be permitted by the Planning Board and does not require a Special Exception, provided the alteration is made to comply with the screening requirements set forth in Section 13-235 of Subtitle 13, and Section 4.4 of the Landscape Manual.
- (9) Chesapeake Bay Critical Area Overlay Zone.**
- (A) Within a Chesapeake Bay Critical Area Overlay Zone, the alteration, extension, or enlargement of a certified nonconforming structure may be permitted and does not require a Special Exception, provided that all of the following provisions are met:
- (i) Lot coverage in the CBCA is the only nonconforming element of the subject property relative to the Chesapeake Bay Critical Area Overlay Zone in which it is located, and either all requirements of the underlying zone are met, or other provisions of Subsection (b) apply to the subject use;
 - (ii) All structures contributing to the nonconforming lot coverage in the CBCA were in existence prior to July 1, 2008; and
 - (iii) Development on the property (including the proposed modification) does not result in a net increase in lot coverage in the CBCA.
- (10) Nonconforming buildings, structures, or certified nonconforming uses in TDOZs.**
- (A) Existing nonconforming uses, buildings, or structures which have become nonconforming as a result of the adoption of a Transit District Overlay Zone (TDOZ) may be enlarged in height without the necessity of obtaining approval of a Special Exception, provided the existing square footage of the structure is not enlarged or increased, provided further that it does not exceed applicable height limits set forth in the approved Transit District Development Plan.
- (11) Safety Improvements Required by the Commission.**
- (A) A Special Exception shall not be required for safety improvements made to an existing certified nonconforming use pursuant to an executed agreement with the Maryland-National Capital Park and Planning Commission. The safety improvements shall be identified on the certified nonconforming use site plan.

- (12) **Adaptive reuse of Community Building.**
- (A) The renovation and adaptive reuse of a historic structure located within a certified nonconforming use multifamily development pursuant to a Historic Area Work Permit approved by the Historic Preservation Commission does not require a special exception for alteration, extension, or enlargement of the nonconforming use. Allowable modifications shall include, but not be limited to:
- (i) Reconfiguration of internal driveways, parking and drive aisles, provided the total number of parking spaces is not reduced;
 - (ii) The construction of an addition to the historic structure including related sidewalks, entrances, and other site work.
- (B) Upon completion of the improvements proposed in accordance with Section 27-242(b)(12)(A), the owner shall be entitled to submit a revised nonconforming use site plan reflecting the improvements which shall be recertified by the Planning Board's authorized representative.
- (C) For purposes of this Subsection, the provisions of Section 27-330.02 shall also not apply.
- (13) **Military Installation Overlay Zone.** In the Military Installation Overlay Zone, alterations, extensions, or enlargements of uses, buildings, or structures considered nonconforming pursuant to the provisions of Section 27.548.53 may be permitted to allow modifications subject to Sections 27-255(c)(2) and 27-255(c)(3) of this Subtitle.
- (14) **Digital Billboard.**
- (A) The relocation, alteration, reconstruction, enlargement, or extension of a billboard in order to convert it into a digital billboard does not require a special exception, provided that it meets the requirements of Section 27-630.03.
- (15) **Conveyance to a governmental agency for public use.**
- (A) In the event that a conveyance of land to a governmental agency for public use pursuant to Section 24-107(c)(5) of this Code increases the nonconformity of an existing nonconforming use, such use does not require a special exception for any alteration, extension, or enlargement of the nonconforming use. Increases in nonconformity may include:
- (i) A reduction in net lot area of the property which is the subject of the nonconforming use;
 - (ii) An increase in density;
 - (iii) A reduction in green area;
 - (iv) An increase in lot coverage;
 - (v) A reduction of building setback from any new property line resulting from the conveyance; and/or
 - (vi) A change that impacts any other design requirement or specification or which creates or increases any nonconformity of the buildings, structures or use.
- (B) Upon completion of the conveyance, the owner shall be required to submit a revised nonconforming use site plan reflecting the changes which result from the conveyance, which shall be recertified by the Planning Board's authorized representative.

(CB-41-1986; CB-72-1987; CB-33-1989; CB-11-1990; CB-65-1990; CB-30-1992; CB-104-1992; CB-7-1993; CB-88-1994; CB-70-1995; CB-24-1999; CB-95-2000; CB-18-2003; CB-1-2004; CB-40-2007; CB-76-2010; CB-30-2012; CB-76-2013; CB-42-2015; CB-84-2016; CB-91-2018)

(a) **Without enlargement, extension, or relocation.**

- (1) The restoration, reconstruction, or reestablishment of a nonconforming building or structure, or a certified nonconforming use, which has either been unintentionally destroyed by fire or other calamity, has temporarily ceased operation for the sole purpose of correcting Code violations, or has temporarily ceased operation due to the seasonal nature of the use, may be permitted without relocation, enlargement, or extension, provided that:
 - (A) Where the building, structure, or use has been unintentionally destroyed by fire or other calamity, a building permit for restoration or reconstruction shall be issued within one (1) calendar year from the destruction date, and construction pursuant to the permit has begun within six (6) calendar months after the date of issuance (or lawful extension) of the permit, and proceeds to completion in a timely manner. If it has been destroyed for more than one (1) calendar year, the reconstruction, reestablishment, or restoration may only be permitted upon approval of a Special Exception in accordance with Part 4 of this Subtitle.
 - (B) Where a certified nonconforming use has temporarily ceased operation, either for the sole purpose of correcting Code violations or because the nature of the nonconforming use is seasonal, such use shall be reestablished within one (1) calendar year from the date upon which operation last ceased.
- (2) The intentional demolition and reconstruction, reestablishment, or restoration of a certified nonconforming use on the same lot, which does not involve relocation, enlargement, or extension, is prohibited within the Safety Zones of the Military Installation Overlay Zone, but may be permitted outside of the Safety Zones of the Military Installation Overlay Zone only upon approval of a Special Exception in accordance with Part 4 of this Subtitle.

(b) **With enlargement, extension, or relocation.**

- (1) The reconstruction or restoration of a nonconforming building or structure, or a certified nonconforming use, which has been unintentionally destroyed by fire or other calamity and which involves an enlargement, extension, or relocation, may be permitted only upon approval of a Special Exception in accordance with Part 4 of this Subtitle.
- (2) The intentional demolition and reconstruction of a certified nonconforming use on the same lot, which involves relocation, enlargement, or extension, is prohibited within the Safety Zones of the Military Installation Overlay Zone, but may be permitted outside of the Safety Zones of the Military Installation Overlay Zone only upon approval of a Special Exception in accordance with Part 4. The requirement for a Special Exception shall not apply to the replacement of a mobile home, provided the new mobile home does not exceed one thousand and fifty (1,050) square feet in size.
- (3) Notwithstanding any other provision within this Section, the reconstruction or restoration of a nonconforming building or structure, or a certified nonconforming use involving an enlargement, extension, or relocation of uses, buildings, or structures considered non-conforming pursuant to the provisions of Section 27-548.53 of this Subtitle is prohibited.

(CB-97-1992; CB-42-2015)

Sec. 27-243.01. - Change of nonconforming use to another use.

A nonconforming use may not be changed to, or changed to include, any use other than that certified, unless such other use is permitted, or permitted by grant of a Special Exception, in the zone in which the nonconforming use is located.

(CB-86-1988)

Sec. 27-243.02. - Floodplains.

- (a) Nonconforming buildings and structures, and certified nonconforming uses, located within a one hundred (100) year floodplain may be modified to incorporate flood-proofing measures provided that:
 - (1) The measures do not raise the level of the one hundred (100) year floodplain; and
 - (2) The measures are in conformance with Division 2 of Subtitle 4, "Building," of this Code, entitled "Construction or Changes in Floodplain Areas."

Sec. 27-243.03. - Nonconforming buildings and structures occupied by conforming uses.

Satisfactory evidence as to the actual existence (date of construction) of a nonconforming building or structure shall be submitted with any application for a permit to use a nonconforming building or structure for a conforming use. The use and occupancy permit shall not be issued until satisfactory evidence has been provided.

Sec. 27-244. - Certification.

- (a) **In general.**
 - (1) A nonconforming use may only continue if a use and occupancy permit identifying the use as nonconforming is issued after the Planning Board (or its authorized representative) or the District Council certifies that the use is nonconforming is not illegal (except as provided for in Section 27-246 and Subdivision 2 of this Division). Any person making use of or relying upon the certification that is violating or has violated any conditions thereof, or that the use for which the certification was granted is being, or has been exercised contrary to the terms or conditions of such approval shall be grounds for revocation proceedings in accordance with this Code.
- (b) **Application for use and occupancy permit.**
 - (1) The applicant shall file for a use and occupancy permit in accordance with Division 7 of this Part.
 - (2) Along with the application and accompanying plans, the applicant shall provide the following:
 - (A) Documentary evidence, such as tax records, business records, public utility installation or payment records, and sworn affidavits, showing the commencing date and continuous existence of the nonconforming use;
 - (B) Evidence that the nonconforming use has not ceased to operate for more than one hundred eighty (180) consecutive calendar days between the time the use became nonconforming and the date when the application is submitted, or that conditions of nonoperation for more than one hundred eighty (180) consecutive calendar days were beyond the applicant's and/or owner's control, were for the purpose of correcting Code violations, or were due to the seasonal nature of the use;
 - (C) Specific data showing:
 - (i) The exact nature, size, and location of the building, structure, and use;
 - (ii) A legal description of the property; and
 - (iii) The precise location and limits of the use on the property and within any building it occupies;
 - (D) A copy of a valid use and occupancy permit issued for the use prior to the date upon which it became a nonconforming use, if the applicant possesses one.
 - (E) (i) In the case of outdoor advertising signs, the requirements of Section 27-244(b)(2)(B) are not applicable. Documentary evidence, including, but not limited to deeds, tax records, business records, approved plats or development plans, permits, public utility installation or payment

records, photographs, and sworn affidavits, showing that the outdoor advertising sign was constructed prior to and has operated continuously since January 1, 2002.

- (ii) Notwithstanding any provision of this Subtitle to the contrary, in the case of outdoor advertising signs that were in existence as of November 15, 2016, that were certified as nonconforming or could have been certified as nonconforming uses, but were removed prior to December 31, 2018, the owner may be certified pursuant to this Division, provided that the use is accepted as filed through an application for Certification of a Nonconforming Use on or before June 30, 2019.
- (iii) Notwithstanding any provision of this Subtitle to the contrary, in the case of outdoor advertising signs that were in existence as of November 15, 2016, that were certified as nonconforming or could have been certified as nonconforming uses, but were removed after December 31, 2018, the outdoor advertising sign may be certified pursuant to this Division, provided that an application for Certification of a Nonconforming Use is filed and accepted for processing no later than 180 days after the outdoor advertising sign is removed. Upon approval of the application, a permit to reconstruct the sign may be issued, including a permit to construct a digital billboard provided that said use conforms with the requirements of Section 27-630.03 of this Subtitle.

(c) **Notice.**

- (1) Notice of the proposed application shall be provided by the applicant in accordance with Section 27-125.01 of this Subtitle.
- (2) The following notice provisions shall not apply to uses that, with the exception of parking in accordance with Section 27-549, occur solely within an enclosed building.
- (3) The Planning Board shall post the property with a durable sign(s) within ten (10) days of acceptance of the application and accompanying documentation. The signs(s) shall provide notice of the application; the nature of the nonconforming use for which the permit is sought; a date, at least twenty (20) days after posting, by which written comments and/or supporting documentary evidence relating to the commencing date and continuity of such use, and/or a request for public hearing from a party of interest will be received; and instructions for obtaining additional information. Requirements regarding posting fees, the number, and the location of signs shall conform to the requirements set forth in Subsection (f), below.

(d) **Administrative review.**

- (1) Except for outdoor advertising signs, if a copy of a valid use and occupancy permit is submitted with the application, where applicable a request is not submitted for the Planning Board to conduct a public hearing, and, based on the documentary evidence presented, the Planning Board's authorized representative is satisfied as to the commencing date and continuity of the nonconforming use, the representative shall recommend certification of the use as nonconforming for the purpose of issuing a new use and occupancy permit identifying the use as nonconforming, upon finding, within the administrative record for the application, that the use to be certified as nonconforming has no outstanding Code violations with the Department of Permitting, Inspections, and Enforcement regarding the property other than failure to have a use and occupancy permit. This recommendation shall not be made prior to the specified date on which written comments and/or requests for public hearing are accepted.
- (2) For outdoor advertising signs, if satisfactory documentary evidence described in Section 27-244(b)(2)(E) is

received, the Planning Board's authorized representative shall recommend certification of the use as nonconforming for the purpose of issuing applicable permits and certifying the use as nonconforming. This recommendation shall not be made prior to the specified date on which written comments and/or requests for public hearing are accepted.

- (3) Following a recommendation of certification of the use as nonconforming, the Planning Board's authorized representative shall notify the District Council of the recommendation. Electronic notice of the recommendation for certification shall also be made by the Planning Board's authorized representative not later than seven (7) calendar days after the date of the recommendation. The Planning Director shall also publish the development activity report on the Planning Department's website.
- (4) If the District Council does not elect to review the recommendation within thirty (30) days of receipt of the recommendation as authorized by Subsection (e), below, the representative shall certify the use as nonconforming.
- (5) Subsections (3) and (4), above, and Subsection (e), below, shall not apply to uses that, with the exception of parking in accordance with Section 27-549, occur solely within an enclosed building.

(e) District Council review.

- (1) The District Council may, on its own motion, vote to review the Planning Board representative's recommendation, for the purpose of determining whether the use should be certified as nonconforming, within thirty (30) days of receipt of the recommendation.
- (2) If the District Council decides to review the proposed certification, the Clerk of the Council shall notify the Planning Board of the Council's decision. Within seven (7) calendar days after receiving this notice, the Planning Board shall transmit to the Council all materials submitted to it in connection with the application.
- (3) The Zoning Hearing Examiner shall conduct a public hearing on the application. The Zoning Hearing Examiner shall make the same findings required for Administrative review or approval by Planning Board required in this Section, as well as any other applicable prescriptions regulating the proposed use specified within any other applicable Subtitle of this Code.
- (4) The Zoning Hearing Examiner shall file a written recommendation with the District Council within thirty (30) days after the close of the hearing record.
- (5) Any person of record may appeal the recommendation of the Zoning Hearing Examiner within fifteen (15) days of the filing of the Zoning Hearing Examiner's recommendation with the District Council. If appealed, all persons of record may testify before the District Council.
- (6) Persons arguing shall adhere to the District Council's Rules of Procedure, and argument shall be limited to thirty (30) minutes for each side, and to the record of the hearing.
- (7) The District Council shall affirm the certification only if it finds that a nonconforming use exists and has continuously operated, and upon finding, within the administrative record for the application, that the use to be certified as nonconforming has no outstanding Code violations with the Department of Permitting, Inspections, and Enforcement regarding the property, other than failure to have a use and occupancy permit.
- (8) The District Council shall make its decision within forty-five (45) days from the filing of the Zoning Hearing Examiner's recommendation. Failure of the Council to take action within this time shall constitute a decision to certify the use.

(f) Planning Board review.

- (1) Required hearing.
 - (A) If a copy of a valid use and occupancy permit is not submitted with the application, if the documentary evidence submitted is not satisfactory to the Planning Board's authorized representative to prove the commencing date or continuity of the use, or if a public hearing has been requested by any party of interest challenging the commencing date and/or continuity of the use, the Planning Board shall conduct a public hearing on the application for the purpose of determining whether the use should be certified as nonconforming.
- (2) Application for certification.
 - (A) Whenever the Planning Board will hold a hearing on a certification of the use as nonconforming, the applicant shall complete the appropriate form provided by the Planning Board.
- (3) At least seven (7) calendar days prior to the public hearing, the Planning Board shall send written notice of the date, time, and place of the hearing to the applicant and to all persons of record.
- (4) Planning Board action.
 - (A) The Planning Board may decide to either grant or deny certification of the use as nonconforming. If it decides to certify that a nonconforming use actually exists and has continuously operated and upon finding, within the administrative record for the application, that the use to be certified as nonconforming has no outstanding Code violations with the Department of Permitting, Inspections, and Enforcement regarding the property, other than failure to have a use and occupancy permit.
 - (B) The recommendation of the Planning Board shall be in the form of a resolution adopted at a regularly scheduled public meeting. The resolution shall set forth findings of fact and conclusions of law in support of the Planning Board's recommendation.
 - (C) The Planning Board shall send a copy of the resolution to all persons of record.
- (5) District Council election to review; Appeal of Planning Board's recommendation.
 - (A) The recommendation of the Planning Board may be appealed by any person of record to the District Council by filing an appeal with the Clerk of the Council. In addition, and notwithstanding any appeal of the Planning Board's recommendation filed by a person of record, the District Council may, on its own motion, vote to review the Planning Board's recommendation for the purpose of making a final decision as to whether the use should be certified as nonconforming.
 - (B) The appeal shall be filed, or District Council vote to review the Planning Board recommendation shall occur, within thirty (30) calendar days after the resolution of the Planning Board was mailed. If no appeal is filed, and the District Council does not elect to review the recommendation of Planning Board within thirty (30) calendar days after the resolution of the Planning Board is mailed, the Planning Board's recommendation shall become the final decision as to the application to certify the use as nonconforming.
 - (C) Before the District Council makes a decision on the application, it shall hold a public hearing.
 - (D) The Council may decide to affirm, reverse, or modify the recommendation of the Planning Board. The decision of the Council shall be based on the record made before the Planning Board. No new evidence shall be entered into the record of the case unless it is remanded to the Planning Board and a rehearing is ordered.

(g) Applicability.

- (1) This Section shall not apply to nonconforming buildings or structures occupied by conforming uses. (See Section 27-243.03.)

(CB-130-1987; CB-78-1991; CB-56-1993; CB-85-1993; CB-14-1998; CB-15-1998; CB-41-2002; CB-12-2003; CB-1-2004; CB-84-2016; CB-49-2017; CB-94-2017; CB-98-2018)

Sec. 27-245. - Revocation of certification.

- (a) Upon a petition filed by the Director of the Department of Permitting, Inspections, and Enforcement (or his designee), or upon its own motion, the Planning Board shall hold a public hearing to determine whether the certification of a nonconforming use should be revoked.
- (b) The Planning Board shall revoke the certification if it finds that either:
 - (1) There was fraud or misrepresentation in obtaining the certification;
 - (2) A certified nonconforming use has been discontinued for a period of one hundred eighty (180) or more consecutive calendar days, unless the conditions of nonoperation were beyond the control of the owner or holder of the use and occupancy permit; or
 - (3) Any applicable requirements of Section 27-244 or Subdivision 2 of this Division have not been met.
- (c) The Planning Board shall notify the Director of the Department of Permitting, Inspections, and Enforcement (or his designee) of a revocation. The Director, in turn, shall revoke the use and occupancy permit for the nonconforming use.
- (d) The decision of the Planning Board may be appealed to the District Council in the same manner as an original certification (Section 27-244(f)(6)).

(CB-50-1984; CB-1-2004; CB-29-2014; CB-49-2017)

Sec. 27-246. - Validation of permits issued in error.

Any building, structure, or use, for which a permit issued in error has been validated by the District Council in accordance with Section 27-258, shall be deemed a nonconforming building or structure, or a certified nonconforming use, unless otherwise specified by the Council when it validates the permit. The nonconforming building or structure, or certified nonconforming use, shall be subject to all of the provisions of this Division.

SUBDIVISION 2. - ADDITIONAL REQUIREMENTS FOR SPECIFIC NONCONFORMING USES.

Sec. 27-247. - Junk yards and automobile salvage yards.

- (a) In order for a certified nonconforming junk yard or automobile salvage yard to continue, the requirements of this Section shall be met, in addition to any other applicable requirements of this Division.
- (b) The purposes of this Section are:
 - (1) To protect passersby from the dangers inherent in the dismantling, movement, or storage of wrecked and junked motor vehicles and other scrap materials;
 - (2) To protect children, who are naturally attracted to these sites;
 - (3) To prevent stray dogs from frequenting the site;
 - (4) To prevent rats, mice, and other vermin from infesting the site;
 - (5) To protect the health and safety of workers and residents in the general area;
 - (6) To prevent or control detrimental effects upon neighboring properties, and existing and proposed land uses in the general area; and

- (7) Any similar purposes.
- (c) All certified nonconforming junk yards and automobile salvage yards shall meet the following requirements:
 - (1) The junk or automobile salvage yard shall be enclosed by a solid, light-tight, sightly wall or fence at least eight (8) feet high;
 - (2) The wall or fence shall screen the enclosed area from public view;
 - (3) The fence shall be maintained in a constant state of good repair; and
 - (4) No sign shall be placed on the fence (except as permitted by Part 12 of this Subtitle).
- (d) The requirements of Subsection (c), above, shall apply to all nonconforming junk yards and vehicle salvage yards, regardless of any prior nonconforming use status.
- (e) The fence (wall) requirements may be waived or modified by the District Council in accordance with the following procedures:
 - (1) Application.
 - (A) The owner or operator of the junk yard shall make a written request to the District Council to waive or modify the requirements. The application shall be filed with the Clerk of the Council.
 - (B) Along with the application, the owner or operator shall submit the following:
 - (i) A statement listing the names, and the business and residential addresses, of all individuals having at least a five percent (5%) financial interest in the subject property;
 - (ii) If any owner is a corporation, a statement listing the officers of the corporation, their business and residential addresses, and the date on which they assumed their respective offices. The statement shall also list the current Board of Directors, their business and residential addresses, and the dates of each Director's term. An owner that is a corporation listed on a national stock exchange shall be exempt from the requirement to provide residential addresses of its officers and directors;
 - (iii) If the owner is a corporation (except one listed on a national stock exchange), a statement containing the names and residential addresses of those individuals owning at least five percent (5%) of the shares of any class of corporate security (including stocks and serial maturity bonds);
 - (C) For the purposes of (i), (ii), and (iii), above, the term "owner" shall include not only the owner of record, but also any contract purchaser.
 - (2) Transmittal. The application and any accompanying material shall be forwarded by the Clerk of the Council to the Office of the Zoning Hearing Examiner.
 - (3) Zoning Hearing Examiner hearing procedures. The Zoning Hearing Examiner shall conduct a public hearing on the matter, in accordance with Part 3, Division 1, Subdivision 2, of this Subtitle.
 - (4) Notice of public hearing. The Zoning Hearing Examiner shall designate a date for the public hearing and shall notify the applicant of the date.
 - (5) District Council hearing (oral argument) procedures. The District Council shall decide upon the application, in accordance with the procedures for oral argument and Council hearings contained in Part 3, Division 1, Subdivision 3, of this Subtitle.
 - (6) Criteria for approval.
 - (A) The application may only be approved:
 - (i) For a fixed temporary period of time, which may be renewed; and

- (ii) If the purposes of this Section are fulfilled.
- (B) In place of the fence, the Council may permit any of the following:
 - (i) Screening by natural objects;
 - (ii) Plantings on sides not facing traveled roads;
 - (iii) A wire fence on sides where the adjacent properties are predominantly undeveloped; or
 - (iv) A reduction in the fence requirements when the property is, or abuts, properties zoned I-1 or I-2.

(CB-107-1984; CB-33-1985; CB-41-2002; CB-1-2004)

Sec. 27-248. - Adult book stores and/or Adult Video Stores.

- (a) In order for a certified nonconforming adult book store and/or adult video store to continue, the requirements of this Section shall be met (in addition to any other applicable requirements of this Division).
- (b) The purposes of this Section are:
 - (1) To protect children, who may be attracted to these establishments; and
 - (2) To prevent or control detrimental effects upon neighboring properties, and existing and proposed land uses in the general area.
- (c) All certified nonconforming adult book stores and/or adult video stores shall meet the following requirements:
 - (1) All windows, doors, and other apertures shall be blackened or obstructed so as to prevent anyone outside the establishment from viewing its interior;
 - (2) Advertising shall be limited to one (1) business sign, as provided for in Section 27-615;
 - (3) The proprietor, owner, or personnel of the establishment shall prohibit access to the premises by any person who is under eighteen (18) years old.
- (d) All adult book stores and/or adult video stores have to obtain a use and occupancy permit as set forth in Section 27-904. In order to provide for a reasonable standard of amortization and to prevent an unreasonable loss, all certified nonconforming adult books stores and/or adult video stores may continue in operation until January 1, 2011, in accordance with the provisions of this Subtitle.

(CB-53-1996; CB-28-2009; CB-17-2010)

Sec. 27-248.01. - Eating or drinking establishments.

- (a) In addition to being certified as a nonconforming use, an eating or drinking establishment permitting live entertainment or patron dancing, with hours of operation that extend beyond 11:00 P.M., and with parking abutting land used for residential purposes, except hotel lounges, may only continue subject to the requirements of this Section and to any other applicable requirements of this Division.
- (b) The purpose of this Section is to prevent and control detrimental effects upon neighboring properties.
- (c) All certified nonconforming eating or drinking establishments described in Subsection (a), above, shall meet the following requirements:
 - (1) A sight-tight fence or wall, at least six (6) feet in height, shall be located along the perimeter of all abutting residential property; and
 - (2) The property shall be maintained in accordance with all applicable provisions of the County Code.

(CB-89-1993)

Sec. 27-249. - Massage Establishments.

- (a) In order for a certified nonconforming massage establishment to continue, the requirements of this Section shall be met (in addition to any other applicable requirements of this Division).
- (b) The purposes of this Section are:
 - (1) To protect children, who may be attracted to these establishments; and
 - (2) To prevent or control detrimental effects upon neighboring properties, and existing and proposed land uses in the general area.
- (c) All certified nonconforming massage establishments shall meet the following requirements:
 - (1) All windows, doors, and other apertures shall be blackened or obstructed so as to prevent anyone outside the establishment from viewing its interior;
 - (2) Advertising shall be limited to one (1) business sign, as provided for in Section 27-615;
 - (3) The proprietor, owner, or personnel of the establishment shall prohibit access to the premises by any person who is under eighteen (18) years old.
- (d) In order to provide for a reasonable standard of amortization and to prevent an unreasonable loss, all certified nonconforming massage establishments may continue in operation until January 1, 1987, if properly licensed and in accordance with the provisions of this Subtitle. On or after that date, a massage establishment may only continue if a Special Exception for a massage establishment is approved in accordance with Part 4 of this Subtitle.

Sec. 27-250. - Mobile homes and trailer camps (mobile home parks).

- (a) In order for a nonconforming mobile home dwelling or trailer camp (mobile home park) to continue, the requirements of this Section shall be met (in addition to any other applicable requirements of this Division).
- (b) **Mobile home dwellings.**
 - (1) A nonconforming mobile home used as a dwelling may continue, if the dwelling was legally in existence on November 24, 1975.
 - (2) A building permit may be issued for a mobile home to be used as a dwelling provided that:
 - (A) The application for the permit was on file with the Department of Permitting, Inspections, and Enforcement on November 23, 1975; and
 - (B) All requirements applicable to the erection of a mobile home as of that date have been met.
 - (3) A mobile home dwelling erected pursuant to the above permit shall be deemed a certified nonconforming use provided that:
 - (A) Construction begins within six (6) months after the permit is issued; and
 - (B) Construction proceeds to completion in accordance with the permit.
- (c) **Trailer camps (mobile home parks).**
 - (1) A trailer camp (mobile home park) legally in existence on November 24, 1975, shall be considered a nonconforming use.
 - (2) A trailer camp shall be deemed a certified nonconforming use if a Special Exception for the camp was approved by the District Council prior to November 24, 1975.
 - (3) In the case of a trailer camp identified in paragraph (2), above, building permits may be issued for all structures shown on the site plan. In addition, building permits for buildings to be used for storage of maintenance equipment and supplies not shown on the site plan may be issued without the approval of

a Special Exception to alter, enlarge, or extend a nonconforming use. These storage buildings shall be subject to the requirements applicable to main buildings in the zone in which the camp is located.

(CB-29-2014)

Sec. 27-250.01. - Pawnshops.

- (a) In order for a certified nonconforming pawnshop to continue, the requirements of this Section shall be met (in addition to any other applicable requirements of this Division).
- (b) The purposes of this Section are:
 - (1) To preserve, conserve, and facilitate the revitalization of historic and older communities;
 - (2) To control detrimental effects upon neighboring properties and existing and proposed land uses in the general area; and
 - (3) To provide appropriate siting of pawnshops to mitigate adverse effects on nearby residential and commercial areas.
- (c) All certified nonconforming pawnshops shall meet the following requirements:
 - (1) The proprietor, owner, or personnel of the pawnshop establishment shall not transact business with any person who is under eighteen (18) years old;
 - (2) No parking of motor vehicles pledged as collateral shall be permitted on the subject property.
- (d) In the event that a certified nonconforming pawnshop is relocated to another location, the certification shall cease.

(CB-28-1997)

Sec. 27-251. - Model studios.

- (a) In order for a certified nonconforming model studio to continue, the requirements of this Section shall be met (in addition to any other applicable requirements of this Division).
- (b) The purpose of this Section is to prevent or control detrimental effects upon neighboring properties, and existing and proposed land uses in the general area.
- (c) All certified nonconforming model studios shall meet the following requirements:
 - (1) Outdoor displays or advertising shall be limited to one (1) business sign, as provided for in Section 27-615; and
 - (2) The proprietor, owner, or personnel of the establishment shall prohibit access to the premises by any person who is not yet eighteen (18) years old.
- (d) In order to provide for a reasonable standard of amortization and to prevent an unreasonable loss, all certified nonconforming model studios may continue in operation until January 1, 1985, if properly licensed and in accordance with the provisions of this Subtitle. On or after that date, a model studio may continue only if a Special Exception for a model studio is approved in accordance with Part 4 of this Subtitle.

SUBDIVISION 3. - NONCONFORMING STRUCTURES — SPECIAL PROCEDURES.

Sec. 27-251.01. - Nonconforming Apartment Buildings.

- (a) The following procedures shall control and shall supersede all other zoning requirements for the legalization

of the structures, site plans, and use of apartment buildings located in the R-18 Zone, constructed pursuant to a validly issued building permit prior to 1970, on land subdivided after November 1967, on a minimum of twenty-five (25) acres of land, comprised of not more than fifty-six (56) buildings, with not more than six hundred (600) dwelling units, and with an approved Special Exception for an increase in bedroom percentages for a multifamily dwelling.

- (1) The applicant shall file the request with the Planning Board and shall submit the following:
 - (A) An as-built site plan of the subject property;
 - (B) A site plan depicting all proposed modifications to the as-built site plan; and
 - (C) A statement of justification supporting the applicant's request for a waiver by the District Council of specific provisions of the Zoning Ordinance, including, but not limited to, any required variances, departures, or waivers.
- (2) The Technical Staff shall review the applicant's request and shall submit specific recommendations to the District Council for either the denial or approval of each of the requested waivers after making the following findings:
 - (A) That the waiver is essential to the revitalization or redevelopment of a deteriorated or obsolescent multifamily project; and
 - (B) That the project serves a public need and is a benefit to the citizens and the property in the surrounding neighborhood.
- (3) Within thirty (30) days after receipt of the Staff's recommendations, the District Council shall conduct a public hearing on the request. The property shall be posted at least ten (10) calendar days prior to the hearing. The hearing shall also be advertised for two (2) consecutive weeks prior thereto in the County newspapers of record. The District Council, after making the above required findings, may grant any of the waivers requested, thus legalizing a portion or all of a particular structure or use on the subject property. Approval of such a waiver shall not confer certification of nonconforming use status upon the subject property.

(CB-125-1988)

Editor's note— After November 4, 1988, the provisions of Section 27-251.01 are abrogated and of no further force and effect without additional action by the District Council; however, applications filed on or before the close of business on November 4, 1988, shall be processed in accordance with the provisions of this Section.

(CB-125-1988)

PARKING



PART 11. - OFF-STREET PARKING AND LOADING.

DIVISION 1. - GENERAL.

Sec. 27-549. - Applicability.

- (a) This Part applies only to those parking lots and loading areas which are associated with and serve specific uses. They include the parking and loading spaces required by the parking and loading schedules (Sections 27-568 and 27-582), and any parking and loading spaces serving the same use in addition to those required.
- (b) For the purpose of this Part, the term "parking lot" includes "parking garage."

Sec. 27-550. - Purposes.

- (a) The purposes of this Part are:
 - (1) To require (in connection with each building constructed and each new use established) off-street automobile parking lots and loading areas sufficient to serve the parking and loading needs of all persons associated with the buildings and uses;
 - (2) To aid in relieving traffic congestion on streets by reducing the use of public streets for parking and loading and reducing the number of access points;
 - (3) To protect the residential character of residential areas; and
 - (4) To provide parking and loading areas which are convenient and increase the amenities in the Regional District.

Sec. 27-551. - Permitted use of parking lots and loading areas.

- (a) In general.
 - (1) Parking lots are for the sole purpose of accommodating the passenger vehicles of persons associated with the use which requires the parking lot. Parking lots shall not be used for loading purposes. The loading spaces are required for the purpose of accommodating vehicles delivering and removing merchandise or other material.
 - (2) Except as provided in this Section, these parking and loading areas and their access driveways shall not be used for:
 - (A) The sale, display, or storage of automobiles or other merchandise;
 - (B) Parking of vehicles accessory to the use;
 - (C) Performing services (including services to vehicles); or
 - (D) Any other purpose, except as permitted in this Part.
- (b) Cessation of available parking lot or loading area.
 - (1) At any time that a parking lot or loading area (or part thereof) shall cease to be available for its purpose, the use and occupancy permit for the use for which it is required shall be revoked until such time as the requirements of this Part are complied with.
- (c) Automobile service.
 - (1) A parking garage which is wholly enclosed, may include the incidental service of automobiles, provided:
 - (A) The service shall be limited to supplying gasoline, oil, water, tire pressure, and washing;
 - (B) Only automobiles parking in the garage may be served; and
 - (C) No signs visible from the exterior of the structure shall indicate the presence of the service facilities.
 - (2) This use is not allowed in all zones. (See the Table of Uses to determine if the use is allowed in the zone, and whether a Special Exception is required to be approved for the use.)

(d) Carnivals, circuses, and fairs.

(1) Carnivals, circuses, fairs, or similar temporary uses shall be permitted on a parking lot, provided the use shall not continue for more than seventeen (17) consecutive days, and a temporary permit has been obtained, in accordance with Sections 27-260 and 27-261(k).

(e) Parking for one-family dwellings.

(1) Parking spaces provided solely for, and on the same lot with, one-family dwellings may be located one behind the other. The front space may be used as access to the rear space.

(f) Temporary uses.

(1) The following temporary uses may be allowed in a parking lot, in accordance with Section 27-260:

(A) Sales and display of seasonal decorations, provided the requirements of Section 27-261(c) are met;

(B) Temporary shelter for commercial displays, sales, and services, provided the requirements of Section 27-261(d) are met; and

(C) Firewood displays and sales, provided the requirements of Section 27-261(h) are met.

DIVISION 2. - PARKING FACILITIES.

SUBDIVISION 1. - SITE PLAN.

Sec. 27-552. - General requirements.

- (a) Each application for a building or use and occupancy permit (for a use for which parking spaces are required) shall include a drawing (site plan) showing the proposed layout of all improvements on the lot. The drawing shall indicate conformance with all of the design standards required in Subdivision 2, below, and with the provisions of the Landscape Manual.
- (b) No building or use and occupancy permit shall be issued for any use for which parking spaces are required unless the site plan has been approved by the Planning Board (or its designee).

(CB-1-1989)

Sec. 27-553. - Guidelines for approval.

- (a) The following guidelines apply to evaluation of the site plan:
- (1) The plan should comply with the purposes of this Part and Subtitle, and the General Plan;
 - (2) The amenity and convenience of the parking lot should be enhanced by landscaping, screening, and similar means which conform to the requirements set forth in the Landscape Manual;
 - (3) The parking lot should be compatible with the surrounding area; and
 - (4) The parking lot should conform to the design guidelines set forth in Section 27-274 of Part 3, Division 9, of this Subtitle.

(CB-20-1990)

SUBDIVISION 2. - DESIGN STANDARDS.

Sec. 27-554. - Surfacing.

All parking lots shall be surfaced in such a manner as to be dust free.

Sec. 27-555. - Location.

Except as specified elsewhere in this Subtitle, a surface parking lot may be located in any yard.

Sec. 27-556. - Separation from streets and walks.

Parking spaces shall be guarded by curbs or other protective devices (where necessary), which are arranged so that parked cars cannot project into streets or walkways. A curb cut shall be provided for wheelchair access, in accordance with Section 27-566(f).

Sec. 27-557. - Drainage.

All parking lots shall be drained so as to prevent damage to other properties and streets.

Sec. 27-558. - Parking space sizes. (See Figure 58.)

(a) The size of parking spaces shall be as follows:

TYPE OF SPACE	MINIMUM SIZE (IN FEET)
Standard car spaces:	
Parallel	22 by 8
Nonparallel	19 by 9 1/2
Compact car spaces:	
Parallel	19 by 7
Nonparallel	16 1/2 by 8
Spaces for boat ramps (to accommodate length of, and maneuvering space for, both car and boat)	40 by 12

(b) The size of handicapped parking spaces shall comply with Section 4.6 of the American National Standards for buildings and facilities in ANSI A117.1-1986.

(CB-28-1985; CB-130-1989)

Sec. 27-559. - Compact car spaces.

(a) Up to one-third (1/3) of the required number of parking spaces in any parking lot may be compact car spaces. This limitation shall not apply to an arena (stadium). In lieu thereof, the District Council shall determine the maximum number of compact spaces allowed during the approval of any Specific Design Plan for an arena (stadium). Any parking spaces provided in any lot, in excess of the number required, may also be compact car spaces.

(b) All compact car spaces shall be marked as such.

(c) When a site plan is not required by Section 27-552 or 27-575, the owner of an existing parking lot may convert existing spaces to compact car spaces and so notify the Planning Board and the Department of Permitting, Inspections, and Enforcement. The notification shall identify the location of the parking lot, the use served by the lot, the number of spaces that exist before conversion, and the number of standard and compact car spaces existing after conversion. These spaces do not have to conform with the design standards of this Subdivision or the Landscape Manual, except for the number, size, and location of the spaces, until such time as a site plan is required by Section 27-552 or 27-575, or the approval of a Landscape Plan, Site Plan, Specific Design Plan, or any other type of site plan is sought for the subject property.

(CB-50-1984; CB-33-1985; CB-1-1989; CB-53-1995; CB-29-2014)

Sec. 27-560. - Interior driveway widths. (See Figure 59.)

(a) Driveways between rows of parking spaces shall have the minimum widths indicated in the following table:

ANGLE OF PARKING	WIDTH OF DRIVEWAY (IN FEET); ONE-WAY TRAFFIC	WIDTH OF DRIVEWAY (IN FEET); TWO-WAY TRAFFIC
90 degrees	22	22
60 degrees	18	22
45 degrees	13	22
30 degrees	12	22
Parallel	11	22

(b) Interior driveways in areas where no parking is permitted shall be at least ten (10) feet wide for each lane of traffic.

Sec. 27-561. - Marking.

(a) Each parking space (except those provided for, and on the same lot with, one-family dwellings) shall be marked by a permanent, durable, contrasting material.

(b) Signs or arrows shall indicate the directions of traffic movement on driveways.

Sec. 27-562. - Lighting.

Adequate lighting shall be provided if the parking lot is to be used at night. The lighting shall be arranged so as not to reflect or glare on land used for residential purposes.

Sec. 27-563. - Connection to street.

Every parking lot shall be connected to a street by means of a driveway. This driveway (except those provided for, and on the same lot with, one-family dwellings), shall be at least eleven (11) feet wide for each lane, exclusive of curb return and gutters. In the case of a corner lot, no driveway shall be located less than twenty (20) feet from the existing or proposed ultimate point of curvature of the curb or the edge of the pavement of an uncurbed section (whichever forms the greater distance to the point of curvature of the fillet of the driveway apron). (See Figure 60, Part 2.)

Sec. 27-564. - Landscaping, screening, and buffering.

Landscaping, screening, and buffering of all parking lots shall be provided pursuant to the provisions of the Landscape Manual.

(CB-1-1989)

Sec. 27-565. - Speed bumps.

- (a) For the purposes of this Section "speed bumps" are mounds or depressions in the pavement that are designed to restrain motor vehicle speed.
- (b) Speed bumps (constructed as part of a driveway, parking lot, or private street) shall be marked with permanent, yellow diagonal stripes.
- (c) There shall be a warning sign posted at each entrance to a development or parking area having speed bumps.

Sec. 27-566. - Parking facilities for the physically handicapped.

- (a) Applicability.
 - (1) The requirements of this Section shall apply to all parking lots (except those provided for, and on the same lot with, one-family detached and semi-detached dwellings, and two-family detached dwellings).
- (b) Required number of spaces.
 - (1) The following number of parking spaces shall be reserved for the physically handicapped:

TOTAL REQUIRED PARKING SPACES IN LOT	REQUIRED MINIMUM NUMBER
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20, plus 1 for each 100 over 1,000

(c) Requirements for handicap parking spaces pertaining to the location, surfaces, curb ramps, and other dimensions shall comply with Sections 4.3, 4.5, 4.6, 4.7 and 4.8 of the American National Standards for buildings and facilities in ANSI A117.1-1986.

(CB-33-1985; CB-149-1987; CB-38-1988; CB-130-1989)

Sec. 27-567. - Reserved.

SUBDIVISION 3. - MINIMUM REQUIREMENTS.

Sec. 27-568. - Schedule (number) of spaces required, generally.

(a) In all zones (except the M-X-T Zone), the minimum number of required off-street parking spaces for each type of use shall be as listed in the following schedule. In the schedule, each "employee" means each employee on the largest shift.

TYPE OF USE	NUMBER OF SPACES	UNIT OF MEASUREMENT
(1) RESIDENTIAL:		
Congregate living facility for elderly/physically handicapped	1.0	4 residents
Conversion of one-family detached dwelling (to include additional dwelling units)	1.0	Dwelling unit
Dwelling unit within a building containing commercial or industrial uses (CB-28-1985)	2.0	For each dwelling unit
Group residential facility	1.0	4 residents
Multifamily dwelling:		
(A) Housing for the elderly or physically handicapped	0.66	Dwelling unit
(B) If wholly within a one mile radius of a metro station	1.33 +0.33	Dwelling unit Bedroom in excess of one per unit
(C) Containing at least 90% one bedroom units	1.5 +0.5	Dwelling unit Bedroom in excess of one per unit

(D) All others (CB-26-1989)	2.0 +0.5	Dwelling unit Bedroom in excess of one per unit
One-family detached dwellings:		
(A) Cluster Development	1.5	Dwelling unit
(B) Mobile Home	2.0	Dwelling unit
(C) All others	2.0	Dwelling unit
Three-family dwelling	2.0	Dwelling unit
Townhouse or other one-family attached dwelling	2.04	Dwelling unit
Two-family dwelling	2.0	Dwelling unit
(2) LODGING:		
Bed-and-Breakfast Inn (CB-39-2009)	1.0	Guest Room not to exceed eight (8)
Country inn:		
(A) Lodging	1.0	Guest Room
(B) Food service	+1.0	3 seats
(C) Accessory retail sales areas and exhibits	+2.0	1,000 sq. ft. of GFA
Dormitory	1.0	2 residents
Fraternity or sorority house	1.0	2 residents
Hotel (not including restaurant or other accessory use requirements)	1.0	2 guest rooms
Motel	1.0	Guest room
Rooming house, boardinghouse, or other renting of guest rooms in a dwelling	1.0	Guest room
Tourist cabin camp	1.0 +1.0	Cabin Employee

(3) INSTITUTIONAL/EDUCATIONAL:		
Adult day care center	1.0	3 occupants (including operators)
Assisted Living Facility (CB-72-1996)	1.0 1.0	3 residents 4 seats in main auditorium
Church or similar place of worship	1.0 1.0	4 seats in main auditorium 4 seats in other rooms occupied at same time as main auditorium
Day care center for children (CB-23-1988)	1.0	8 children
Day care center for children within an existing multifamily development in excess of one hundred (100) units (CB-24-1999)	0.0	(None required)
Family day care	0.0	(None required)
Hospital	1.5	Bed
Mental Health and Behavioral Services Program based on the total number of children (CB-30-2016)	1.0	8 children
Nursing home	1.0	3 beds
Private school:		
(A) Which offers instruction at levels below 10th grade (including nursery school and kindergarten) (CB-23-1988)	1.0	6 students
(B) 10th grade and above (including adult education)	1.0	3 students
Small group child care center (CB-131-1993)	2.0	Center, if on-street parking is not permitted in front of the center at all times
(4) RECREATIONAL/ENTERTAINMENT/SOCIAL/CULTURAL:		

Adult Entertainment (CB-46-2010)	1.0	80 sq. ft. of GFA
Amusement Center or Recreational Establishment of a Commercial Nature (CB-90-2018)	1.0 +1.0	Per four (4) patrons allowed in the facility at any one time Per Employee
Amusement park		Determined as a part of the Special Exception
Athletic field	1.0	4 seats (of spectator seating)
Beach (open to public) (CB-28-1985)	1.0	4 persons legal occupancy
Billiard or pool parlor	4.0 +1.0	Table Employee
Boat ramp (open to public) (CB-28-1985)	15.0	Each ramp
Bowling alley, archery/batting/shooting range	5.0 +1.0	Lane or target 2 employees
Campground:		
(A) For trailers	1.0	Site (sufficient space for 1 trailer and 1 automobile on each campsite)
(B) For tents	1.0	Site (within reasonable walking distance of campsite)
Club, private		Determined by uses comprising the club (such as eating or drinking establishment, office, auditorium, recreational area)
Commercial recreational attractions		Determined as a part of the Special Exception

Community building		Determined by uses comprising the community building (such as office, auditorium, eating or drinking establishment, recreational area)
Fishing pier (open to public) (CB-28-1985)	1.0	50 sq. ft. of gross pier surface area
Go-cart track	1.0 +1.0	Carts available Employee
Golf course	8.0 +1.0	Hole Employee Plus 50% of spaces normally required for accessory uses such as eating or drinking establishment, pro shop, driving range)
Golf driving range	1.0 +1.0	Tee Employee
Golf, miniature	2.0 +1.0	Hole Employee
Marina	1.0	Boat slip
Museum, art gallery, aquarium, cultural center, library, or similar facility	2.5	1,000 sq. ft. of GFA
Other commercial recreation	1.0	80 sq. ft. of GFA or patron service area
Performance Arts Rehearsal Studio - The area of the building used exclusively for accessory storage need not be included for the purposes of parking; only the area used for the rehearsal space used shall be included for the purposes of calculating parking. (CB-79-2017)	1.0	500 sq. ft. of GFA
Picnic area	1.0	Table

Racetrack		Determined as a part of the Special Exception
Riding stable	1.0	2 stalls
Skating rink or facility (CB-89-1994)	1.0	4 persons legal occupancy
Spa, community (other than incidental to a multifamily development)	1.0	7 persons permitted to occupy spas
Spa, public	1.0 +1.0	2 persons permitted to occupy spa; 250 sq. ft. of GFA of lobby and office space
Swimming pool, commercial	1.0	4 persons legal occupancy
Swimming pool, community (other than incidental to a multifamily development)	1.0	7 persons legal occupancy
Tennis, racquetball	4.0 +1.0	Court Employee Plus 50% of spaces normally required for accessory uses (such as eating or drinking establishment, pro shop, exercise area)
Theater, auditorium, or stadium	1.0	4 seats
(5) COMMERCIAL TRADE (GENERALLY RETAIL)/SERVICES:		
(A) Normal Parking Generation Group	1.0	150 sq. ft. of the first 3,000 sq. ft. GFA
(This group consists of retail sales and service establishments that generate an average parking demand, and include all such uses that are not listed below.)	+1.0	200 sq. ft. of GFA above the first 3,000 sq. ft.
(B) Low Parking Generation Group	1.0	500 sq. ft. of GFA

(This group consists of: furniture stores; carpeting and floor covering stores; retail upholstery shops; sporting goods, which may include marine equipment and supplies; vehicle, trailer, mobile home, and boat sales (indoor); office supply and business machine sales; similar uses which, because of their large areas of display space, generate relatively small demands for parking space.)	1.0	500 sq. ft. of GFA
(C) Shopping Centers (such as integrated shopping centers, malls, and plazas):		
(i) 25,000 to under 400,000 sq. ft. of GLA:		
(aa) All uses, except as provided below	1.0	250 sq. ft. of GLA (excluding theaters)
(bb) Office, Medical Practitioner's (medical clinic):		
(I) If in excess of 20% of GLA or 50,000 sq. ft. of GLA, whichever is smaller	1.0	200 sq. ft. of GLA
(II) If not in excess	1.0	250 sq. ft. GLA
(cc) Office, all others:		
(I) If in excess of 20% of GLA or 50,000 sq. ft. of GLA, whichever is smaller	1.0	250 sq. ft. of the first 2,000 sq. ft.
	+1.0	400 sq. ft. of GLA above the first 2,000 sq. ft.
(II) If not in excess	1.0	250 sq. ft. of GLA
(dd) Theaters	1.0	4 seats
(j) 400,000 sq. ft. or more of GLA:		
(aa) All uses, except as provided below	1.0	200 sq. ft. of GLA (excluding theaters)
(bb) Office, Medical Practitioners (medical clinic)	1.0	200 sq. ft. of GLA
(cc) Office, all others:		

(I) If in excess of 20% of GLA or 50,000 sq. ft. of GLA, whichever is smaller	1.0	250 sq. ft. of the first 2,000 sq. ft. of GLA
	+1.0	400 sq. ft. of GLA above the first 2,000 sq. ft.
(II) If not in excess	1.0	200 sq. ft. of GLA
(dd) Theaters	1.0	4 seats
(ii) 750,000 sq. ft. or more gross leasable area (GLA) if erected prior to 1970 and having at least 2 anchor tenants, each with a GLA of at least 100,000 sq. ft.:*		
(aa) Retail	1.0	250 sq. ft. of GLA
(bb) All other uses (CB-3-1986; CB-10-1987; CB-39-1989) *Editor's Note: CB-39-1989 provided that paragraph (C)(iii) shall be of no force and effect after April 15, 1991.		As specified in paragraph (C)(ii), above
(D) Miscellaneous:		
Airport		Determined as a part of the Special Exception, but not less than 50 spaces
Animal hospital, veterinarian:		
(i) Kennel area	1.0	500 sq. ft. of GFA
(ii) All other floor area (CB-149-1987)	+1.0	200 sq. ft. of GFA
Animal Training	1.0 +1.0	Animal Employee
Boat or trailer service or repair (CB-28-1985)	1.0	Employee
Boat, trailer, or mobile home sales or rental lot (also see Low Parking Generation, above, for indoor)	1.0	2,500 sq. ft. of gross outdoor display area

Bus station or terminal		Determined by the Planning Board (or designee) on a case by case basis, based on location, projected passengers, and accessory uses (such as eating or drinking establishment, newsstand)
Car wash	1.0	500 sq. ft. of GFA
Catering Establishment with food prep only (CB-56-2011)	1.0	500 sq. ft. of GFA
Catering with Seating (CB-56-2011)	1.0	4 seats
Eating or Drinking Establishment (including drive-through service or carryout) (CB-19-2010; CB-56-2011)	1.0 +1.0	3 seats 50 sq. ft. of GFA (excluding any area used exclusively for storage or patron seating, and any exterior patron service area)
Eating or drinking establishment (not including drive through service) (CB-89-1993; CB-19-2010)	1.0	3 seats
Eating or drinking establishment, permitting music of any kind and patron dancing, with hours of operation that extend beyond 12:00 A.M. excluding adult entertainment. (CB-89-1993; CB-56-2011)	1.0	3 seats or 3 persons legal occupancy, whichever is greater
Funeral parlor	1.0	4 persons legal occupancy in rooms used for viewing and funeral services
Gas station or vehicle repair and service station:		
(i) Not self-serve	3.0	Service bay or similar service area
(ii) Self-serve	1.0	Each employee

Nursery or Garden Center	1.0 +1.0	150 sq. ft. of GFA 1,000 sq. ft. of gross outdoor sales and display area (including greenhouse)
Pawnshop (CB-22-2010)	1.0	150 sq. ft. of the first 3,000 sq. ft. GFA
	+1	200 sq. ft. of GFA above the first 3,000 sq. ft.
Pawnshop with motor vehicles pledged as collateral (CB-22-2010)	+1	For each motor vehicle pledged
Private Automobile and Other Motor Vehicle Auctions (CB-59-2010)	1.0	1,000 square feet of gross outdoor display area
Public utility uses (other than offices and transmission or distribution lines)	1.0	Employee (unless modified by the Council in approving a Special Exception)
Taxicab dispatching	1.0	Employee
Vehicle sales lot (also see Low Parking Generation, above, for indoor)	1.0	1,000 sq. ft. of gross outdoor display area
Voluntary fire, ambulance, or rescue station	1.0	Dispatcher or other office personnel
	+2.0	Emergency vehicle
	+1.0	4 persons legal occupancy in hall or auditorium
(6) OFFICES:		
Bank, savings and loan association, or other savings or lending institution:		
(A) Automatic teller machine only	0.0	(None)
(B) Unrestricted (CB-28-1985; CB-38-1988)	1.0	250 sq. ft. of the first 2,000 sq. ft. of GFA

	+1.0	400 sq. ft. of GFA above the first 2,000 sq. ft
Medical practitioners' office/medical clinic:		
(A) In an office building or office building complex	1.0	200 sq. ft. of GFA
(B) In a one-family dwelling	1.0	100 sq. ft. of GFA
(C) In a dwelling other than a one-family dwelling	1.0	200 sq. ft. of GFA
Office building or office building complex (except medical practitioners' offices) (CB-38-1988)	1.0	250 sq. ft. of the first 2,000 sq. ft. of GFA
	+1.0	400 sq. ft. above the first 2,000 sq. ft. of GFA
(7) INDUSTRIAL/MANUFACTURING/STORAGE:		
Consolidated storage (CB-45-1999)	1.0	50 units having direct access only from within a building
	+4.0	1,000 sq. ft. of GFA of office space
	+2.0	Resident manager
Industrial plant	2.0	1,000 sq. ft. of GFA
Junk yard or auto salvage yard (CB-126-1984; CB-133-1984; CB-33-1985)	1.0	1,000 sq. ft. of gross storage area of the first 10,000 sq. ft.
	+1.0	10,000 sq. ft. of gross storage area above the first 10,000 sq. ft.
Warehouse unit (except consolidated storage) (CB-45-1999)	3.0	First 1,500 sq. ft. (or fraction) of GFA
	+1.0	Additional 1,500 sq. ft. of GFA, up to 100,000 sq. ft.
	+0.20	Additional 1,000 sq. ft. of GFA above the first 100,000 sq. ft.
Wholesale establishment	3.0	First 1,500 sq. ft. (or fraction of GFA)

	+1.0	Additional 1,500 sq. ft. of GFA
--	------	---------------------------------

(b) The number of parking spaces required by Section 27-568 (a) may be reduced by up to a maximum of fifteen (15) percent for the purpose of fulfilling the Parking Lot Interior Planting Requirement of Section 4.3c (2)(a) of the Landscape Manual in association with the following:

- (1) Any permit for construction, alteration or use and occupancy applied for on a site within the Developed Tier, Corridor Node, or Center where existing impervious area exceeds forty (40) percent of the net lot area of the site, or
- (2) Any permit for construction, alteration or use and occupancy applied for on a site within the Developing Tier where existing impervious area exceeds eighty (80) percent of the net lot area of the site.

(CB-67-2010)

Sec. 27-569. - Fractional totals.

When the number of spaces calculated in accordance with this Subdivision results in a number containing a fraction, the required number of spaces shall be the next higher whole number.

Sec. 27-570. - Multiple uses.

Except in the M-X-T Zone, where two (2) or more uses are located in the same building or on the same lot, the total number of spaces required by each use shall be provided.

Sec. 27-571. - Uses not listed.

For uses not specifically listed, the requirement of the most nearly similar use shall be applied.

Sec. 27-572. - Joint use of parking lot.

- (a) Except in the M-X-T Zone, which is governed by Section 27-574, the off-street parking requirements for two (2) or more uses may be satisfied by providing a joint parking lot. The normal parking space requirement for each use participating in a joint lot may be reduced by up to twenty percent (20%), provided:
 - (1) The normal requirement for each use is not more than twenty (20) spaces; and
 - (2) The total of these reductions does not exceed forty (40) spaces.
- (b) The uses participating may be located in one (1) or more buildings.
- (c) This Section does not apply to integrated shopping centers having a gross leasable area of twenty-five thousand (25,000) or more square feet, office buildings, office building complexes, or medical practitioners' offices.

Sec. 27-573. - Off-site parking lot.

- (a) Except in the M-X-T Zone, which is governed by Section 27-574, the parking lot may be provided on a lot other than that lot on which the principal use is located, provided:
 - (1) The entire parking lot is within five hundred (500) feet of the nearest boundary of the record lot on which the use is located; and
 - (2) A legal arrangement assures the permanent availability of the parking lot.
- (b) A Special Exception (Part 4) is required in all Residential Zones to permit a parking lot in connection with a use in an

adjacent Commercial, Industrial, or Mixed Use Zone, or a Special Exception use in an adjacent Residential Zone.

Sec. 27-574. - Number of spaces required in the M-X-T Zone and in a Metro Planned Community.

- (a) The number of parking spaces required in the M-X-T Zone and in a Metro Planned Community are to be calculated by the applicant and submitted for Planning Board approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.
- (b) The number of off-street parking spaces required for development in the M-X-T Zone and in a Metro Planned Community shall be calculated using the following procedures:
 - (1) Determine the number of parking spaces required for each use proposed, based on the requirements of Section 27-568. These parking spaces are to be considered as the greatest number of spaces which are occupied in any one (1) hour and are to be known as the peak parking demand for each use. At less than this peak, the number of spaces being occupied is assumed to be directly proportionate to the number occupied during the peak (i.e., at eighty percent (80%) of the peak demand, eighty percent (80%) of the peak parking demand spaces are being occupied).
 - (2) For each hour of the day the number of parking spaces to be occupied by each use shall be calculated. These numbers are known as the hourly fluctuation pattern. For each use, at least one (1) hour shall represent the peak parking demand, and the remaining hours will represent a percentage of the peak. There may be more than one (1) hour at the peak level.
 - (3) The total number of parking spaces required for all uses proposed in the M-X-T Zone and in a Metro Planned Community shall be the greatest number of spaces in any one (1) hour for the combined total of all uses proposed, based on the calculations in paragraphs (1) and (2), above. This total is known as the base requirement.
 - (4) The base requirement may be reduced in the following manner:
 - (A) Conservatively determine the number of trips which are multipurpose. A multipurpose trip is one where a person parks his car and uses a number of facilities (i.e.; an office, eating or drinking establishment, and store) without moving the car. The number of spaces required for a multi-purpose trip shall be the greatest number of parking spaces required by Section 27-568 for any one (1) use within the multipurpose trip. The base requirement may be reduced by the number of parking spaces for the other uses involved in the multipurpose trip.
 - (B) Determine the number of parking spaces which will not be needed because of the provision of some form of mass transit, such as rapid rail, bus, forced carpool, van pool, and developer provided services. The base requirement may be reduced by this number.
 - (5) In addition to the foregoing calculations, the Planning Board shall take the following into consideration:
 - (A) The number of off-street parking spaces which are to be held as exclusively reserved spaces for any period of time during the day. These parking spaces may not be made available for other uses during the time they are reserved; and
 - (B) The location of parking spaces relative to the uses they serve. If the shared parking spaces are so remote that the walking distance is unacceptable for some uses, the effectiveness of shared parking will be reduced. The Planning Board may require a number of parking spaces (in addition to the base requirement) to be reserved for any specific use that is in need of spaces in the immediate vicinity of that use.
- (c) Notwithstanding the provisions of Section 27-573(a), required off-street parking spaces may be provided on a lot other than the lot on which the mixed use development is located, provided:
 - (1) The other lot is used in accordance with the requirements of the zone in which it is located; and

- (2) The Planning Board determines that the other lot is convenient to the mixed use development, taking into account the lot, the uses to be served, the safety of persons using it and any other considerations.

(CB-35-1998)

DIVISION 3. - LOADING FACILITIES.

SUBDIVISION 1. - SITE PLAN.

Sec. 27-575. - General requirements.

- (a) Each application for a building or use and occupancy permit (for a use for which off-street loading spaces are required) shall include a drawing (site plan) showing, in addition to other improvements, the proposed layout of the loading area. The drawing shall indicate conformance with the design standards required in Subdivision 2, below, and with the provisions of the Landscape Manual.
- (b) No building or use and occupancy permit shall be issued for any use for which a loading area is required, unless the site plan has been approved by the Planning Board (or its designee).

(CB-1-1989)

Sec. 27-576. - Guidelines for approval.

- (a) The following guidelines apply to evaluation of the site plan:
 - (1) The plan complies with the purposes of this Part and Subtitle, and the General Plan;
 - (2) All service vehicles parked for the purposes of loading or unloading are removed from streets;
 - (3) Vehicular and pedestrian traffic on streets is not obstructed; and
 - (4) The amenities of the site are enhanced by concealing the loading area.

SUBDIVISION 2. - DESIGN STANDARDS.

Sec. 27-577. - Surfacing.

All loading areas shall be surfaced in such a manner as to be dust-free.

Sec. 27-578. - Loading space sizes. (See Figure 62.)

- (a) Each loading space shall have the following minimum dimensions (excluding driveways, entrances, and exits):

	LENGTH	WIDTH	HEIGHT (IF COVERED OR OBSTRUCTED)
Industrial, wholesale, and storage uses	45 feet	12 feet	12 feet if use served has 3,000 square feet or less GFA; 15 feet if use served has more than 3,000 square feet GFA

All other uses	33 feet	12 feet	12 feet if use served has 3,000 square feet or less GFA; 15 feet if use served has more than 3,000 square feet GFA
----------------	---------	---------	---

- (b) Doorway entrances to interior loading spaces shall be at least twelve (12) feet wide and twelve (12) feet high if the use served has 3,000 square feet or less GFA and fifteen (15) feet high if the use served has more than 3,000 square feet GFA.

(CB-69-1987)

Sec. 27-579. - Location.

- (a) Except as otherwise provided in this Subtitle, a surface loading area may be located in any yard.
- (b) No portion of an exterior loading space, and no vehicular entrances to any loading space (including driveways and doorways), shall be located within fifty (50) feet of any Residential Zone (or land proposed to be used for residential purposes on an approved Basic Plan for a Comprehensive Design Zone, approved Official Plan for an R-P-C Zone, or any approved Conceptual or Detailed Site Plan). (See Figure 63.)
- (c) In any Industrial Zone, where a lot has frontage on more than one (1) street, loading shall be permitted in only one (1) yard adjoining a street.
(CB-33-1985; CB-38-1988)
- (d) Notwithstanding the provisions of Subsection (a) above, in the case of land located within the municipal limits of the City of New Carrollton, zoned R-55 and C-S-C, which is part of the same parcel, and adjacent to an existing integrated shopping mall, exterior loading spaces and vehicular entrances to loading spaces (including driveways and doorways) shall be located at least thirty (30) feet from the lot line of adjoining land in a Residential Zone.
(CB-88-1999)

Sec. 27-580. - Screening.

Screening of loading areas shall be provided pursuant to the provisions of the Landscape Manual.

(CB-62-1990)

Sec. 27-581. - Connection to street.

Every loading space shall be connected to a street by means of a driveway. The driveway shall be at least twenty-two (22) feet wide, exclusive of curb returns and gutters. In the case of a corner lot, no such driveway shall be located less than twenty (20) feet from the existing or proposed ultimate point of curvature of the curb or the edge of the pavement of an uncurbed section of the street, whichever forms the greater distance to the point of curvature of the fillet of the driveway apron. (See Figure 60, Part 2.)

SUBDIVISION 3. - MINIMUM REQUIREMENTS.

Sec. 27-582. - Schedule (number) of spaces required, generally.

- (a) In all zones (except the M-X-T Zone), the minimum number of required off-street loading spaces for each type of use shall be as listed in the following schedule:

TYPE OF USE	NUMBER OF SPACES	UNIT OF MEASUREMENT
Consolidated storage, per building ¹ (CB-32-1988; CB-108-1988; CB-45-1999)	2.0	Up to 10,000 sq. ft. of GFA
	+1.0	Each additional 40,000 sq. ft. of GFA (or fraction)
Hospital or other institution	None	Less than 10,000 sq. ft. of GFA
	1.0	10,000 to 100,000 sq. ft. of GFA
	+1.0	Each additional 100,000 sq. ft. of GFA (or fraction)
Hotel or motel	None	Less than 10,000 sq. ft. of GFA
	1.0	10,000 to 100,000 sq. ft. of GFA
	+1.0	Each additional 100,000 sq. ft. of GFA (or fraction)
Industry or manufacturing	None	Less than 2,000 sq. ft. of GFA
	1.0	2,000 to 25,000 sq. ft. of GFA
	+1.0	Each additional 40,000 sq. ft. GFA (or fraction)
Multifamily dwelling	None	Less than 100 dwelling units
	1.0	100 to 300 dwelling units
	+1.0	Each additional 200 dwelling units (or fraction)
Office building or office building complex (including banks) (CB-38-1988)	None	Less than 10,000 sq. ft. of GFA
	1.0	10,000 to 100,000 sq. ft. of GFA

	+1.0	Each additional 100,000 sq. ft. of GFA (or fraction)
Retail sales and service (per store)	None	Less than 2,000 sq. ft. of GFA
	1.0	2,000 to 10,000 sq. ft. of GFA
	+1.0	10,000 to 100,000 sq. ft. of GFA
	+1.0	Each additional 100,000 sq. ft. of GFA (or fraction)
Shopping Centers (integrated shopping centers, malls, and plazas) having at least 25,000 sq. ft. of GLA	3.0	Less than 100,000 sq. ft. of GLA
	+1.0	Each additional 100,000 sq. ft. of GLA (or fraction)
Theater, auditorium, bowling, or other recreational establishment	None	Less than 10,000 sq. ft. of GFA
	1.0	10,000 to 100,000 sq. ft. of GFA
	+1.0	Each additional 100,000 sq. ft. of GFA (or fraction)
Undertaking establishment or funeral parlor (CB-38-1988)	None	Less than 3,000 sq. ft. of GFA
	1.0	3,000 to 5,000 sq. ft. of GFA (or fraction)
	+1.0	Each additional 10,000 sq. ft. of GFA (or fraction)
Wholesale or warehouse unit (except consolidated storage) (CB-32-1988; CB-45-1999)	None	Less than 1,500 sq. ft. of GFA
	1.0	1,500 to 10,000 sq. ft. of GFA

	+1.0	Each additional 40,000 sq. ft. of GFA (or fraction)
--	------	---

1	For consolidated storage units having direct access to areas outside the building, there shall be provided driveways and areas between buildings for vehicular access, loading, and unloading. Sufficient width shall be provided to permit a moving vehicle to safely and efficiently pass a vehicle parked adjacent to an individual consolidated storage unit. In no case shall a width of more than twenty-five (25) feet be required. (CB-32-1988; CB-38-1988; CB-108-1988; CB-45-1999)
---	--

Sec. 27-583. - Number of spaces required in M-X-T Zone.

- (a) The number of off-street loading spaces required in the M-X-T Zone are to be calculated by the applicant and submitted to the Planning Board for approval at the time of Detailed Site Plan approval. Prior to approval, the applicant shall submit the methodology, assumptions, and data used in performing the calculations.
- (b) The number of off-street loading spaces required shall be calculated using the following procedures:
 - (1) Determine the number of loading spaces normally required under Section 27-582.
 - (2) Determine the number of loading spaces that may be readily shared by two (2) or more uses, taking into account the location of the spaces, the uses they will serve, and the number of hours and when during the day the spaces will be occupied.
 - (3) The number of loading spaces normally required (paragraph (1)) may be reduced by the number of spaces determined to be unnecessary through the use of shared loading spaces (paragraph (2)).

DIVISION 4. - EXCLUSIONS, WAIVERS, AND DEPARTURES.

Sec. 27-584. - Exclusion of previously existing uses.

- (a) The following shall not be required to comply with the provisions of this Part:
 - (1) Any legally existing use that complies with the previous requirements for parking and loading areas (in effect at the time the use began). If the use is a certified nonconforming use, the parking lot or loading area used with it shall not be reduced, except in accordance with this Part;
 - (2) Any legally existing use for which any of the parking or loading requirements had previously been waived or reduced by the District Council or the Board of Zoning Appeals, not including departures granted under Section 27-588; and
 - (3) Any future use occupying the same premises as either of the above, provided there is no expansion or change of use that would require a greater number of parking or loading spaces (per Sections 27-568 and 27-582) than the number of spaces legally existing under the prior regulations. If the use began prior to the establishment of parking or loading regulations for that use, the phrase "number of spaces legally existing

under the prior regulations" shall mean the current regulations of this Part (for the prior legally existing use). In both cases, where additional spaces are created, only the area occupied by the additional spaces shall be required to conform to the Design Standards.

- (4) Any legally existing use in the Town of Upper Marlboro constructed before April 24, 1961; except that any proposal to increase the GFA (Gross Floor Area) or increase the interior floor area used for human occupancy must provide parking for the new floor area in accordance with current parking ratios pursuant to Part 11. Any existing on-site parking may not be used to fulfill the parking requirement for newly created GFA or additional interior space.

(CB-3-1985; CB-77-2004)

Sec. 27-585. - Waivers in designated areas.

(a) Parking Authority/Parking Districts.

- (1) Any of the requirements of this Part may be waived by the District Council for any land within a Parking District (defined in Subtitle 2, Division 27, of this Code) upon written request by the Prince George's County Parking Authority. The Parking Authority shall reasonably show that the parking needs can be met and that the overall purposes of this Part will still be fulfilled.
- (2) Prior to the District Council making a decision, the Zoning Hearing Examiner shall:
 - (A) Obtain and review the comments of the Prince George's County Parking Authority and the Planning Board; and
 - (B) Conduct a public hearing in accordance with Section 27-129.
- (3) After the close of the hearing record, the Zoning Hearing Examiner shall file a written recommendation with the District Council. Any person of record may appeal the recommendation of the Zoning Hearing Examiner within fifteen (15) days of the filing of the Zoning Hearing Examiner's decision with the District Council. If appealed, all persons of record may testify before the District Council. Persons arguing shall adhere to the District Council's Rules of Procedures, and argument shall be limited to thirty (30) minutes for each side, and to the record of the hearing.
- (4) The District Council's action shall be embodied in a resolution which shall specify the geographical limits affected by the waiver.

(b) Other areas.

- (1) The District Council may exclude any area in the County from the requirements of this Part (for all, or certain specified, uses) upon finding that:
 - (A) Other parking or loading facilities are available in the vicinity which provide a satisfactory, permanent alternative; and
 - (B) Either:
 - (i) Providing parking lots or loading spaces is impractical because of the lack of sufficient vacant land located within a reasonable distance; or
 - (ii) In a residential neighborhood, lot sizes are generally too small to permit the parking of vehicles or loading spaces in accordance with this Part.
- (2) Prior to the District Council making a decision, the Zoning Hearing Examiner shall:
 - (A) Obtain and review the recommendation of the Planning Board; and
 - (B) Conduct a public hearing in accordance with Section 27-129.
- (3) After the close of the hearing record, the Zoning Hearing Examiner shall file a written recommendation with the District Council. Any person of record may appeal the recommendation of the Zoning Hearing Examiner

within fifteen (15) days of the filing of the Zoning Hearing Examiner's decision with the District Council. If appealed, all persons of record may testify before the District Council. Persons arguing shall adhere to the District Council's Rules of Procedures, and argument shall be limited to thirty (30) minutes for each side, and to the record of the hearing.

- (4) The District Council's action shall be embodied in a resolution which shall specify the geographical limits of the area excluded from the parking requirements. The resolution shall also indicate whether the exclusion is applicable to all uses or if it is only applicable to certain specified uses.
- (c) **U-L-I Optional Parking Plan.**
- (1) In the U-L-I Zone, the Planning Board may approve an Optional Parking Plan which may reduce the minimum parking and loading schedules and design standards required by Part 11 upon a determination that:
 - (A) Providing parking lots and loading spaces in strict compliance with Part 11 is impractical because of the lack of sufficient vacant land located within a reasonable distance; and
 - (B) A combination of shared off-street parking agreements, public parking lots and controlled on-street parking (subject to appropriate authorization from State, County, or municipal government) will be adequate to serve the designated area; and
 - (C) Modified parking and loading design standards are necessary to maximize the use of off-street locations and to allow on-street parking and loading alternatives.
 - (2) Prior to making its decision, the Planning Board shall obtain and review the recommendation of any municipality within which the site is located and conduct a public hearing.
 - (3) The Planning Board's action shall be embodied in a resolution and shall specify the geographical limits of the area included in the Parking Plan and whether any properties are to be specifically excluded from the Plan.
 - (4) The Planning Board may only approve an Optional Parking Plan contrary to the recommendation of a municipality containing any portion of the subject land within its boundaries upon the affirmative vote of four-fifths (4/5) of the members of the full Board.
 - (5) The Planning Board's decision may be appealed to the District Council upon petition of any person of record. The petition shall be filed with the Clerk of the Council within thirty (30) calendar days after the date of the notice of the Planning Board's decision. The District Council may vote to review the Planning Board's decision on its own motion within thirty (30) days after the date of the notice.
 - (6) Prior to making its decision, the District Council shall obtain and review the recommendation of any municipality within which the site is located and conduct a public hearing.
 - (7) The District Council may only approve an Optional Parking Plan contrary to the recommendation of a municipality containing any portion of the subject land within its boundaries upon the affirmative vote of two-thirds (2/3) of the members of the full Council.
 - (8) Only those businesses which choose to participate in an Optional Parking Plan will be included in the Plan. Any other businesses will be subject to all applicable provisions of Part 11.

(CB-1-1994; CB-74-1994; CB-1-2004)

Editor's note— CR-34-1986 extended the waiver of certain off-street parking and loading requirements until July 1, 1990.

Sec. 27-586. - Reduced requirements for churches.

- (a) For a church, the total number of parking spaces required may be reduced by not more than thirty percent (30%), provided:
 - (1) The lot upon which the church is located is within five hundred (500) feet of any existing parking lot, including a public, private, or commercial lot;

- (2) The church has written permission to use the existing parking lot; and
- (3) The existing parking lot has sufficient spaces available during the time of regular church services to provide the total number of spaces required.

Sec. 27-587. - Departures from Design Standards.

(a) Authorization.

- (1) In order to accomplish the purposes of this Part, the Design Standards (Division 2, Subdivision 2; and Division 3, Subdivision 2) shall normally be complied with. A departure from these Design Standards may be permitted by the Planning Board or Planning Director, or by a municipality if this authority has been delegated by the District Council to a Municipal Corporation or through the establishment of a Revitalization Overlay District.
- (2) The Planning Board is authorized to approve departures from Design Standards in this Part, under procedures and requirements in Part 3, Division 5.
- (3) The Planning Director is authorized to approve administratively, without public hearing, limited departures from Design Standards, for a maximum of ten percent (10%) of standard requirements. The Director shall follow procedures and make the findings required in Part 3, Division 5.

(CB-3-1985; CB-1-1989; CB-116-1993; CB-33-1998; CB-42-2002)

Sec. 27-588. - Departures from the number of parking and loading spaces required.

(a) Authorization.

- (1) In order to accomplish the purposes of this Part, the numbers of off-street parking and loading spaces required by Sections 27-568 and 27-582 shall generally be provided. A departure from these minimum numbers of spaces may be permitted by the Planning Board or Planning Director, in accordance with this Section, or by a municipality if this authority has been delegated by the District Council to a Municipal Corporation or through the establishment of a Revitalization Overlay District.

(b) Procedures.

(1) **Application.**

- (A) All requests for a departure shall be in the form of an application filed with the Planning Board. The Planning Board shall determine the contents of the application and shall provide the application form.
- (B) The application form shall be accompanied by the following:
 - (i) Three (3) copies of a site plan and other graphic illustrations which are considered necessary to clearly indicate what is being proposed;
 - (ii) Three (3) copies of a written statement by the applicant addressing the requirements of paragraph (8), below. The applicant shall be responsible for providing all information that is necessary for the Planning Board to make its decision under paragraph (8);
 - (iii) A list containing the names and addresses of each municipality if any part of the property in the application is located within the municipal boundaries or is located within one (1) mile of the municipality, and a set of preaddressed envelopes or mailing labels.

(2) **Fees.**

- (A) Upon filing the application, the applicant shall pay to the Planning Board a filing fee to help defray the costs related to processing the application. The filing fee shall be determined by the Planning Board; except that a fee for a departure for a church or other place of worship (operated as a permitted use in a building originally constructed as a one-family detached dwelling) shall not exceed One Hundred dollars (\$100.00). A reduction in the fee may be permitted by the Planning Board when it finds that payment will cause undue hardship upon the applicant.

- (B) In addition to the filing fee, a sign posting fee shall also be paid by the applicant to the Planning Board at the time the application is filed. The fee shall be determined by the Planning Board. No part of the fee shall be refunded or waived, unless the Planning Board determines that one (1) of the following applies:
 - (i) The fee was paid by mistake, and the applicant has requested (in writing) a refund; or
 - (ii) The application is withdrawn prior to posting the signs. In this case the entire sign posting fee shall be refunded.

(3) Hearing.

- (A) Prior to making a decision on the departure, the Planning Board shall hold a public hearing on the matter. The Planning Board shall determine the procedures under which the hearing will be held.

(4) Technical Staff Report.

- (A) The Technical Staff shall analyze the request, and shall forward its comments and recommendations to the Planning Board. These comments and recommendations shall be available for public examination at least seven (7) calendar days prior to the public hearing.

(5) Record.

- (A) The record shall consist of:
 - (i) The application form and accompanying data;
 - (ii) Comments and recommendations of the Technical Staff;
 - (iii) All correspondence relative to the application;
 - (iv) All testimony at the public hearing; and
 - (v) Other items which the Planning Board deems necessary.

(6) Planning Board decision.

- (A) After the close of the record, the Planning Board shall take action on the request. The decision of the Planning Board shall be based on the record, and shall be embodied in a resolution adopted at a regularly scheduled public meeting.
- (B) The Planning Board shall give written notice of its decision to all persons of record and the District Council.

(7) Required findings.

- (A) In order for the Planning Board to grant the departure, it shall make the following findings:
 - (i) The purposes of this Part (Section 27-550) will be served by the applicant's request;
 - (ii) The departure is the minimum necessary, given the specific circumstances of the request;
 - (iii) The departure is necessary in order to alleviate circumstances which are special to the subject use, given its nature at this location, or alleviate circumstances which are prevalent in older areas of the County which were predominantly developed prior to November 29, 1949;
 - (iv) All methods for calculating the number of spaces required (Division 2, Subdivision 3, and Division 3, Subdivision 3, of this Part) have either been used or found to be impractical; and
 - (v) Parking and loading needs of adjacent residential areas will not be infringed upon if the departure is granted.
- (B) In making its findings, the Planning Board shall give consideration to the following:
 - (i) The parking and loading conditions within the general vicinity of the subject property, including numbers and locations of available on- and off-street spaces within five hundred (500) feet of the subject property;
 - (ii) The recommendations of an Area Master Plan, or County or local revitalization plan, regarding the

- subject property and its general vicinity;
 - (iii) The recommendations of a municipality (within which the property lies) regarding the departure; and
 - (iv) Public parking facilities which are proposed in the County's Capital Improvement Program within the general vicinity of the property.
- (C) In making its findings, the Planning Board may give consideration to the following:
- (i) Public transportation available in the area;
 - (ii) Any alternative design solutions to off-street facilities which might yield additional spaces;
 - (iii) The specific nature of the use (including hours of operation if it is a business) and the nature and hours of operation of other (business) uses within five hundred (500) feet of the subject property;
 - (iv) In the R-30, R-30C, R-18, R-18C, R-10A, R-10, and R-H Zones, where development of multifamily dwellings is proposed, whether the applicant proposes and demonstrates that the percentage of dwelling units accessible to the physically handicapped and aged will be increased over the minimum number of units required by Subtitle 4 of the Prince George's County Code.

(8) Appeal.

- (A) The Planning Board's decision may be appealed to the District Council upon petition of any person of record. The petition shall be filed with the Clerk of the Council within thirty (30) calendar days after the date of the notice of the Planning Board's decision. The District Council may vote to review the Planning Board's decision on its own motion within thirty (30) days after the date of the notice.
- (B) The Clerk of the Council shall notify the Planning Board of any appeal or review decision. Within seven (7) calendar days after receiving this notice, the Planning Board shall transmit to the District Council a copy of the file on the proposed departure from Design Standards, all written evidence and materials submitted for consideration by the Planning Board, a transcript of the public hearing on the proposed departure, and any additional information or explanatory material deemed appropriate.
- (C) The District Council shall schedule a public hearing on the appeal or review. The hearing shall be held in accordance with Section 27-132 (District Council hearing procedures). Testimony at the hearing shall be limited to the facts and information contained within the record made at the hearing before the Planning Board. In addition, the Council may take judicial notice of any evidence contained in the record of any earlier phase of the approval process relating to all or a portion of the same property, including the approval of a preliminary plat of subdivision.
- (D) After the close of the Council's hearing, the Council shall affirm, reverse, or modify the decision of the Planning Board, or return the proposed departure to the Planning Board to take further testimony or reconsider its decision.
- (E) The Council may only approve a departure from the minimum number of off-street parking and loading spaces required contrary to the recommendation of a municipality containing the subject land within its boundaries, upon an affirmative vote of two-thirds (2/3) of the members of the full Council.
- (F) The Council shall give its decision in writing, stating the reasons for its action. Copies of the decision shall be sent to all persons of record and the Planning Board.

(9) Applicability of the departure.

- (A) An approved departure shall apply only to the use specified in the application.
- (c) Limited departures from the number of parking and loading spaces required.
- (1) The Planning Director is authorized to approve administratively, without public hearing, limited departures from the number of parking and loading spaces required.
 - (2) Limited departures may be approved for a maximum of ten percent (10%) of standard requirements, not to

exceed one hundred (100) parking spaces or one (1) loading space.

- (3) Before approving a limited departure, the Director shall make the findings required in (b)(8) above and all others the Planning Board would be required to make, if it reviewed the application.
 - (4) The Director is not authorized to waive requirements in this Subtitle, grant variances, or modify conditions, considerations, or other requirements imposed by the Planning Board or District Council in any case.
 - (5) The applicant's property shall be posted within ten (10) days of the Director's acceptance of filing of the application. Posting shall be in accordance with Part 3, Division 1. On and after the first day of posting, the application may not be amended.
 - (6) If a written request for public hearing is not submitted within the posted time period, then the Director may act on the application. The Director's approval concludes all proceedings.
 - (7) If the Director denies the application or a timely hearing request is submitted, then the application shall be treated as re-filed on the date of that event. The applicant, Director, and Technical Staff shall then follow the procedures for Planning Board review in (b) above.
- (d) Departures not permitted.

A departure from the number of spaces required for the physically handicapped (Section 27-566) shall not be granted unless an exception from the requirements for the handicapped in applicable building codes has been obtained from the State and County agencies responsible for administering those codes. If the exception is granted, this Section may be applied to Section 27-566.

(CB-3-1985; CB-38-1988; CB-152-1989; CB-95-1991; CB-97-1993; CB-116-1993; CB-99-1996; CB-14-1998; CB-15-1998; CB-33-1998; CB-42-2002; CB-12-2003; CB-1-2004)

DEFINITIONS



DIVISION 1. - DEFINITIONS.

Sec. 27-107. - Applicability of definitions.

The definitions contained in this Division shall apply to this entire Subtitle, and to the wording of any conditions placed on any final decision made in accordance with this Subtitle, such as conditions placed on the approval of zoning cases.

Sec. 27-107.01. - Definitions.

(a)

Terms in the Zoning Ordinance are defined as follows:

(1)

Abutting: Touching and sharing a common point or line. Also "Adjoining" and "Contiguous."

(2)

Accessory Building: See "Building, Accessory."

(3)

Accessory Use: See "Use, Accessory."

(3.1)

Acupuncture: A medical practice or procedure that treats illness by the insertion of needles at specified sites of the body. The use may include treatment for humans or animals. The acupuncture of animals by a licensed acupuncturist requires certification from the Maryland University of Integrative Health.

(CB-72-2014)

(4)

Adjacent: Nearby, but not necessarily "Abutting," "Adjoining," or "Contiguous."

(5)

Adjoining: See "Abutting."

(6)

Adult Book Store and/or Adult Video Store: Any commercial establishment, which does not have a use and occupancy permit to operate as a movie theatre or nonprofit free-lending library, that either:

(A)

Has ten percent (10%) or more of its stock on the retail floor space of the premises to which the public is admitted, or has ten percent (10%) or more of its stock on display in the display space, in books, periodicals, photographs, drawings, sculpture, motion pictures, films, video cassettes, compact discs, digital video discs, digital video recorders or other visual representations which depict sadomasochistic abuse, sexual conduct, or sexual excitement as defined by [Section 27-902](#) of the County Code; or

(B)

Has on the premises one (1) or more mechanical devices for viewing such materials.

(CB-88-1997; CB-28-2009)

(7)

Adult Day Care Center: An establishment in which a program is operated that is designed to provide care and activities (during the daytime) for five (5) or more adults (unrelated to the operator by blood, adoption, or marriage) who are members of a service population that, because of advanced age, or emotional, mental, physical, familial, or social conditions, need assistance in daytime activities. The term shall not include a "Nursing or Care Home," "Congregate Living Facility," "School, Private," "Eleemosynary or Philanthropic Institution," or "Group Residential Facility," or any "Sheltered Workshop" licensed as such by the United States Department of Labor.

(CB-90-1985)

(7.1)

Adult Entertainment: Adult Entertainment means any exhibition, performance or dance of any type conducted in a premise where such exhibition, performance or dance involves a person who:

(A)

Is unclothed or in such attire, costume or clothing as to expose to view any portion of the breast below the top of the areola or any portion of the pubic region, anus, buttocks, vulva or genitals with the intent to sexually arouse or excite another person; or

(CB-56-2011)

(B)

Touches, caresses or fondles the breasts, buttocks, anus, genitals or pubic region of another person, or permits the touching, caressing or fondling of his/her own breasts, buttocks, anus, genitals or pubic region by another person, with the intent to sexually arouse or excite another person.

(CB-46-2010)

(7.2)

Adult Rehabilitation Center: An establishment, owned and operated by a bona fide nonprofit organization within the County, that provides on-site support for a service population, and also provides facilities for the refurbishing and resale of donated goods to the public by the resident service population. The term shall not include a "Group Residential Facility," "Congregate Living Facility," or "Adult Day Care Center."

(CB-108-1987; CB-46-2010)

(8)

Advertising Structure: See "Sign."

(9)

Agriculture: The business, science and art of cultivating and managing the soil, composting (to include the composting of regionally generated sewer sludge pursuant to a permit issued by the state), growing, harvesting, and selling crops, livestock and the products of forestry (including the production of mulch), horticulture, floriculture, viticulture, hydroponics, animal husbandry, i.e., breeding, raising, or managing livestock, including

horses, poultry, fish, game, and fur-bearing animals, dairying, beekeeping and similar activities. Agriculture includes processing on the farm of an agricultural product in the course of preparing the product for market, which may cause a change in the natural form or state of the product. Agriculture includes equine activities and equine facilities. Equine activities includes teaching equestrian skills, participating in equestrian events, competitions, exhibitions or other displays of equestrian skills, and caring for, breeding, boarding, dealing, selling, renting, riding or training equines. Equine facilities include barns, stables, rings, paddocks or accessory buildings or structures used for equine activities. The term "Agriculture" shall not include the commercial feeding of garbage or offal to animals, the slaughtering of livestock for marketing (except otherwise permitted by law) or the disposal of sludge except for fertilization of crops, horticultural products, or floricultural products in connection with an active agricultural operation or home gardening.

(CB-92-2010; CB-80-2016; CB-16-2017)

(9.1)

Agritourism: A commercial enterprise that is intended to attract tourists and provide supplemental income for the owner of a working farm that qualifies for agricultural use assessment pursuant to § 8-209 of the Tax-Property Article of the Annotated Code of Maryland (as amended). The commercial enterprise shall be offered to the public or invited groups and shall be related to agriculture or natural resources and incidental to the primary operation on the site. Agritourism uses include, but are not limited to: "Equine Activities", fishing, hunting, wildlife study, corn mazes, harvest festivals, barn dances, hayrides, roadside stands, farmer's markets, u-pick or pick-your-own operations, rent-a-tree operations, farm tours, wine tasting, educational classes related to agricultural products or skills. Agritourism may include picnics, equine facilities, and party facilities, corporate retreats and weddings; however, no lodging or overnight stay shall be provided for these uses. Agritourism includes farm or ranch stays subject to the same rules as a Bed-and-Breakfast Inn as defined in this Subtitle. Accessory recreational activities may be provided for guests.

(CB-39-2009; CB-92-2010)

(10)

Airfield, Airpark, Airport: A place where aircraft may take off or land, discharge or receive cargo or passengers, be repaired or serviced, take on fuel, or be stored, including "Accessory Uses" which are commonly associated with these facilities. These terms refer to any public use, general aviation airport licensed by the Maryland Aviation Administration, but not to airports with military or air carrier traffic.

(CB-51-2002)

(11)

Airstrip: A place where aircraft may only take off or land, and discharge or receive cargo or passengers.

(12)

Alley: A public way which is less than thirty (30) feet wide, and which is designated as an "Alley" on a "Record Plat" or dedicated as such in a deed.

(12.1)

Alley, Private: A vehicular passageway designed to provide secondary or service access, generally to the rear of a lot, which is owned and maintained by a private entity.

(CB-53-1991)

(13)

Amusement Arcade: A commercial establishment which provides, as the principal "Use," amusement devices or games of skill or chance, such as pinball and video games. This term shall not include:

(A)

"Recreational or Entertainment Establishments of a Commercial Nature" ; or

(B)

Establishments where amusement devices and games are "Accessory Uses" which either do not involve more than fifteen percent (15%) of the "Gross Floor Area" of the establishment or involve not more than two (2) devices or games, whichever results in the greater number of games.

(13.1)

Amusement Center: A commercially operated indoor facility providing a variety of amusement devices primarily including, but not limited to, play equipment, television games, electromechanical games, small kiddie rides, and other similar devices, and which may include food service.

(CB-35-1994)

(14)

Animal Boarding Place: A commercial establishment where domestic animals are temporarily boarded.

(14.1)

Antenna: Any structure or device used to collect or radiate electromagnetic waves, including both directional antennas (such as panels, microwave dishes, satellite dishes) and omnidirectional antennas (such as whips), but not including satellite earth stations larger than one meter in diameter.

(CB-123-1994; CB-65-2000)

(15)

Apartment Building: See "Dwelling, Multifamily."

(16)

Apartment, Efficiency: A "Dwelling Unit" comprised of one (1) main room (enclosed floor space) used for living, dining, and sleeping purposes; one (1) kitchen; one (1) bathroom; and accessory enclosed floor spaces, such as closets and pantries.

(17)

Apartment Hotel: Any "Building" containing both "Guest Rooms" and "Dwelling Units." There shall be not more than one (1) "Guest Room" for each "Dwelling Unit." The "Guest Rooms" shall not be a part of any "Dwelling Unit."

(18)

Apartment House: See "Dwelling, Multifamily."

(19)

Area Master Plan: See "Master Plan."

(20)

Arena (Stadium): A large open or enclosed place used for sporting games or major events, that is partly or completely surrounded by tiers of permanent seating for spectators.

(20.1)

Artist: A person engaged, as a career and not a hobby or pastime, in painting, drawing or sketching, printmaking, sculpture, pottery-making or ceramics, photography or filmmaking, music or dance composition or performance, acting or dramatic performance, drama or film production or direction, writing, or the teaching of any such activity.

(CB-12-2001)

(20.2)

Artists' Residential Studios: A mixed-use community for artists, one or more adjoining structures with working and living space restricted to artists, and housing eight or more artist units. The community may have artist units on any floor and certain nonresidential uses on the first floor, but the nonresidential uses may not occupy more than 25% of the total gross floor area of the structures. All structures and common areas must be owned or controlled by a nonprofit corporation or association which restricts artist unit use and occupancy to artists and their families and which is responsible for maintenance of the structures and their continued use as artists' residential studios.

(CB-12-2001)

(20.3)

Assisted Living Facility: A residential facility with living and sleeping facilities for more than twenty (20) elderly or physically handicapped residents within which sheltered care services are provided, which may include, but need not be limited to, meal preparation, laundry services, housekeeping, personal observation and direction in the activities of daily living, transportation for routine social and medical appointments, and the availability of a responsible adult for companionship or nonclinical counseling. The term shall not include an "Adult Day Care Center," "Congregate Living Facility," "Hospital," "Nursing or Care Home," "Family," or "Group Residential Facility" as defined elsewhere in this Subtitle. An "Assisted Living Facility" shall comply with any licensing and other regulatory requirements.

(CB-72-1996; CB-78-1996; CB-12-2001)

(21)

Attic: The part of a "Building" which is immediately below, and wholly or partly within, the roof framing. (See Figure 1.)

(21.1)

Auditorium: A room or building used for the gathering of people seated as an audience; open to the general public, with or without an admission charge, and used primarily for public speaking, theatrical production; excluding any form of patron dancing or adult entertainment.

(CB-46-2010)

(21.1.1)

Automobile Detailing, Waterless: The comprehensive cleaning, polishing, and waxing of a motor vehicle, both inside and out, through a specialized method involving the application of spray cleaning solution specifically

designed for removal of debris and enhancing surface protection without the use of water.

(CB-71-2014)

(21.2)

Aviation Policy Area (APA): A defined land area adjacent to an airport, where regulations in Part [10B](#) modify zoning standards and requirements.

(CB-51-2002; CB-46-2010)

(22)

Basement: The portion of a "Building" below the first floor joists (other than a "Crawl Space"), having more than one-half (1/2) of its clear ceiling height below the building grade on all sides; a "Cellar." (See Figure 1)

(22.1)

Bed-And-Breakfast Inn: Any owner-occupied, one-family detached residential dwelling in which rooms are rented to paying guests on an overnight basis or no longer than two (2) weeks in any one visit. A "Country Inn," "Hotel," "Motel," "Fraternity or Sorority House," "Dormitory," "Tourist Home," "Rooming House or Boarding House" shall not be considered a "Bed-and-Breakfast Inn."

(CB-39-2009)

(23)

Bedroom: Any habitable room or enclosed floor space, other than one (1) living room (used for the common social activities of the occupants) for each "Dwelling Unit"; areas arranged for eating, dining, or cooking purposes; and accessory floor spaces, such as foyers, hallways, closets, pantries, and bathrooms. The term includes any habitable room which could be used for sleeping purposes, irrespective of its being assigned a different name, such as a "study," "den," "family room," or "recreation room."

(24)

Bedroom Percentages: The percentage of "Dwelling Units" in a "Multifamily Dwelling" or project which are "Efficiency Apartments" or contain a given number of "Bedrooms."

(25)

Billboard: See "Sign, Outdoor Advertising."

(26)

Block: Property abutting one (1) side of a "Street" and lying between any two (2) of the following: the nearest intersecting "Streets," railroad rights-of-way, unsubdivided properties, rivers, live streams, or any other barriers to the continuity of development. (See Figure 2.)

(27)

Board: Unless otherwise specified, the "Planning Board."

(28)

Boardinghouse: A "Dwelling Unit" in which (for compensation) lodging and meals are furnished by the inhabitants to four (4) or more, but not exceeding nine (9), guests. The "Dwelling Unit" shall contain not more

than five (5) "Guest Rooms." A Boardinghouse shall not be considered a "Bed-and-Breakfast Inn."

(CB-39-2009)

(28.1)

Buffer: A combination of physical space and vertical elements, such as plants, berms, fences, or walls, established or preserved to mitigate disparities between land uses or to protect aquatic, wetland, shoreline, or other sensitive natural features from man-made disturbances. As a development limitation in the Chesapeake Bay Critical Area Overlay Zones, primary and secondary buffers have distinct definitions set forth in the "Conservation Manual." The primary and secondary buffers, combined, constitute the "Buffer" in the Chesapeake Bay Critical Area Overlay Zones. Buffers have distinct applications as landscaping elements set forth in the Landscape Manual.

(CB-72-1987; CB-1-1989; CB-57-1989)

(28.2)

Buffer yard: One of several specific combinations of minimum building setbacks, landscaped yard widths, and plant material requirements, as set forth in the Landscape Manual.

(CB-1-1989)

(29)

Building:

(A)

A "Structure" having a roof and used for the shelter, support, or enclosure of persons, animals, or property. Any part of a "Building" is considered a separate "Building" when:

(i)

It is entirely separated from all other parts by a wall extending from the lowest floor to the roof; and

(ii)

It has no door or other opening directly to the other parts.

(B)

No vehicle originally designed as a means of conveyance shall be considered a "Building," regardless of whether wheels or other devices to facilitate movement have been removed (except where otherwise specified in this Subtitle).

(C)

Any "Mobile Home" or "Trailer" designed for human occupancy and situated in a Commercial or Industrial Zone shall be considered a "Building" if it is used for business purposes.

(CB-23-1988)

(30)

Building, Accessory: A "Building" subordinate to, and located on the same lot with, a "Main Building," and used for an accessory use. The following are not "Accessory Buildings":

(A)

A "Private Parking Garage" connected to a "Main Building" (of which it is considered a part) by a common wall;

(B)

"Trailers"; and

(C)

"Mobile Homes," except where a "Mobile Home" is a "Dwelling" that conforms to [Section 27-424.01\(a\)\(4\)](#) and (b), and is allowed in the Residential Zone in which it is located as the "Main Building" on the lot, where the "Mobile Home" is located in the O-S or R-A Zone, was formerly a legally erected "Dwelling" on the same lot, and conforms to the requirements of [Section 27-424.04](#); or where the "Mobile Home" is located on a lot at least twenty-five (25) acres in size in the O-S or R-A Zone, was previously used for agricultural storage purposes, meets all current setback requirements for mobile homes, and conforms to the requirements of [Section 27-424.04](#).

(CB-36-1994)

(31)

Building Code: The Building Code of Prince George's County. (See Subtitle 4 of the County Code.)

(32)

Building Coverage: The percentage of a "Lot" covered by "Buildings." (See Figure 3.)

(33)

Building Envelope: The area of a "Lot" within which "Buildings" and "Structures" may be constructed (except walls or fences located outside of the "Building Envelope"). (See Figure 4.)

(34)

Building, Height of: See "Height of Building."

(35)

Building Line: A line beyond which no part of a "Main Building" (including a covered porch, vestibule, or other similar projection) or "Structure" (not including ground level paved surfaces, unless specifically noted) shall extend. The "Building Line" determines an area within which "Main Buildings" and other "Structures" may be placed. A "Building Line" is the same as a required "Setback." The area between the "Building Line" and the "Street Line" or "Lot Line" is the required "Yard." (Also called a "Building Restriction Line." See "Setback," "Yard," and Figure 5.)

(36)

Building, Main: A "Building" in which is conducted the principal "Use" of the "Lot" on which it is located.

(37)

Building Supply Store: An establishment which engages in the retail sale of building materials, excluding the bulk sale of sand, gravel, portland cement, or concrete.

(38)

Bulk Retailing: The sale of merchandise in large quantities, such as in unbroken cases or oversized containers, directly to ultimate consumers.

(38.1)

Business Advancement and Food Access Infill: A development which combines a food or beverage store not exceeding 40,000 square feet of gross floor area; a consolidated storage facility; may include an eating or drinking establishment, or any other use that is permitted by right, or by special exception, in the C-S-C (Commercial Shopping Center) Zone is permitted; and shall not include a Department or Variety Store, where:

(A)

the proposed development is part of a revitalization project in accordance with [Section 27-445.15](#) of this Subtitle; and

(B)

the development meets the criteria of Division 5, Part 5 of this Subtitle.

(CB-62-2015; CB-83-2018)

(39)

Camping Trailer: A vehicle originally sold to the consumer for recreational, travel, or vacation purposes, which is self-propelled or capable of being towed, and which provides facilities for temporary camping or sleeping. "Camping Trailer" includes a unit designed to be carried by an open pickup truck. The term "Camping Trailer" also includes "travel trailer," "camper," "recreational vehicle," "motor home," "truck camper," and similar vehicles.

(40)

Canopy: A roof-like cover extending over an outdoor improvement (such as a sidewalk, a gasoline pump island, or the vehicular surface abutting a "drive-in" service window) for the sole purpose of sheltering persons from sun or precipitation. A "Canopy" is either freestanding, or attached to and projecting from the wall of a building. A "Canopy" is supported only by columns or the wall of a "Building," and is unenclosed on all sides (except in the case of a projecting canopy where it abuts the "Building" wall). A "Canopy" shall not be considered a "Building." A "carport" or covering over a porch, patio, deck, terrace, or stairway shall not be considered a "Canopy," but shall be considered a portion of the "Main Building" to which it is attached or, if freestanding, an "Accessory Building." Where an "Accessory Building" is attached to a "Canopy," a "carport," or a covering which is attached to the "Main Building," that building shall not be considered a portion of the "Main Building"; however, that building is subject to the setback requirements of the "Main Building."

(CB-49-1988)

(40.1)

Car-Sharing: A system of vehicular rental organized to provide designated short-term use of a vehicle between certain access points in exchange for a specific fee.

(CB-51-2011)

(41)

Car Wash: Facilities for the commercial washing of motor vehicles, regardless of whether mechanical devices are used. Does not include Waterless Automobile Detailing.

(CB-71-2014)

(42)

Care Home: See "Nursing or Care Home."

(42.1)

Catering Establishment: An establishment that specializes in the preparation of food or beverages for social occasions; such as weddings, banquets, parties, or other gatherings; with or without banquet facilities for these private prearranged occasions that are not open to impromptu attendance by the general public; excluding adult entertainment.

(CB-46-2010)

(43)

Cellar: See "Basement."

(44)

Cemetery: A place used for the permanent interment of dead human bodies (or their cremated remains) or pet animal bodies. A memorial garden located on the premises of a "Church," where only the ashes of deceased persons may be scattered or placed, is not a "Cemetery."

(45)

Certified Nonconforming Use: A "Nonconforming Use" for which a use and occupancy permit identifying the "Use" as nonconforming has been issued.

(45.1)

Certifying Physician: A physician, as specified within Section 14-101(i) of the Health Occupations Article, Annotated Code of Maryland, who is registered with the Natalie M. LaPrade Medical Cannabis Commission.

(CB-5-2016)

(46)

Chancery: The administrative offices and tribunal of a "Church" (not otherwise permitted as an "Accessory Use") which are solely related in scope and function to the "Church."

(46.1)

Check Cashing Business: An establishment which accepts or cashes, for compensation, a payment instrument regardless of the date of the payment instrument. This use does not include activities undertaken by: (i) any bank, trust company, savings bank, savings and loan association, or credit union chartered under the laws of this state, another state, or the United States as long as that institution has a branch that accepts deposits in this state; or (ii) any subsidiary or affiliate of an institution described in part (i) above (generally those exempt under Section 12-103 of the Maryland Financial Institutions Code Annotated (as amended from time to time)). Additionally, this use does not include a business: (i) for which a fee of up to 1.5% of the face amount of the

payment instrument is charged per payment instrument, and are incidental to the retail sales of goods or services by the person that is providing the check cashing services; (ii) in which a customer presents a payment instrument for the exact amount of a purchase; or (iii) involving foreign currency exchange services or the cashing of a payment instrument drawn on a financial institution other than a federal, state, or other state financial institution.

(CB-23-2009)

(46.2)

Chesapeake Bay Critical Area: All waters of and lands under the Chesapeake Bay and its tributaries to the head of tide as indicated on the State wetlands maps, all State and private wetlands designated under the Annotated Code of Maryland, Natural Resources Article, Title 16 of the Environmental Article; and all land and water areas within one thousand (1,000) feet beyond the landward boundaries of State or private wetlands and heads of tides designated under the Annotated Code of Maryland, Natural Resources Article, Title 16 of the Environmental Article, as indicated on approved Chesapeake Bay Critical Area Overlay Zoning Map Amendments.

(CB-72-1987; CB-57-1989; CB-76-2010)

(46.3)

Chesapeake Bay Critical Area Buffer: As defined in [Sec. 5B-106\(a\)](#).

(CB-76-2010)

(47)

Church: A "Building," "Structure," or area of land, which is primarily used for conducting organized religious services and "Accessory Uses" customarily associated with the "Use."

(47.1)

Civic association: Any organization registered with the Commission to represent the residents of a designated neighborhood or other geographical area of the County.

(CB-12-2003)

(47.2)

Civic Use Area: Land area within a "Village Proper" in the V-M and V-L Zones, so designated in the village plan, upon which structures may be erected for community use, enjoyment, and benefit.

(CB-53-1991)

(47.3)

Class 3 Fill: Temporary use of land for the spreading or depositing of Class 3 fill materials, including without limitation soils difficult to compact or with other than optimum moisture content; rock and similar irreducible materials, without limit as to size, provided no detectable voids are formed into which overlying soils may later be washed; and topsoil, intermittently layered with nonorganic soil. On properties with Class 3 fill uses, at least twelve (12) inches of soil shall cover all rock or irreducible materials with any linear measurement greater than eight (8) inches. Class 3 fill materials deposited in a fill or disposal area shall be free of pollutants which may constitute a potential public health hazard, reduce surface or groundwater quality, or cause damage to property or drainage systems. Incidental fill operations associated with the development of subdivisions and other preliminary work of a developing site shall not be considered a Class 3 fill operation.

(CB-8-2003; CB-87-2003)

(48)

Clinic, Medical: An establishment where outpatients are accepted for special study and treatment by a group of (three (3) or more) medical practitioners practicing medicine together.

(49)

Club or Lodge, Private: An establishment providing facilities for entertainment or recreation for only bona fide members and guests, and not operated for profit, excluding adult entertainment.

(CB-46-2010)

(49.1)

College or university, private: A type of private school offering a program of instruction for students after secondary school. The college or university must be approved by the Maryland Higher Education Commission and accredited by a national association of colleges and universities, and it must offer one or more programs leading to associate, baccalaureate, or higher degrees.

(CB-94-2000)

(49.2)

Commercial Fuel Depot: An unattended, automated fuel dispensing facility that dispenses fuel to businesses, organizations, and municipalities that maintain a fleet of vehicles. This use does not include any retail sale of gasoline to the general public and does not include any store sales, vehicle service or vending operations.

(CB-68-2006)

(49.3)

Commercial recreational development: A contiguous assemblage of land leased from a public agency before January 1, 1974, containing no less than sixty (60) acres at the time of said lease and to be developed with an array of commercial, including parking lots for commercial purposes, residential, lodging, recreational, entertainment, retail, social, cultural, or similar uses, and which development and/or use shall conform to the terms of that lease as modified or amended.

(CB-35-2000; CB-94-2000; CB-68-2006)

(50)

Commission: Unless otherwise specified, the Maryland-National Capital Park and Planning Commission.

(51)

Common Area: Land or facilities which are located within, or related to, a development, and which are designed for use by the residents (and guests) of, or workers in, the entire development or a designated part of the development. "Common Area" does not include land or facilities which are individually owned or dedicated to public use. "Common Area" remains in the ownership of a homeowners', condominium, or similar association.

(52)

Community Building: A "Building" which is primarily available to the public for cultural, educational, recreational, or civic purposes, and not operated for profit.

(52.1)

Community Piers and Noncommercial Boat Docking Facilities: Piers and boat docking facilities that are community-owned, and operated for the benefit of the residents of a riparian subdivision which is the subject of a "Record Plat."

(CB-72-1987)

(52.2)

Concrete recycling facility: A facility that processes concrete demolition material by crushing to remove reinforcing metals, if any, and to reduce the size of concrete material to a commercially usable size.

(CB-78-2004)

(53)

Condominium: Property subject to the "condominium regime" established under the Maryland Condominium Act, being Title II of the Real Property Article of the Annotated Code of Maryland.

(54)

Congregate Living Facility: A residential facility for four (4) to twenty (20) elderly or physically handicapped residents, within which sheltered care services are provided, which may include, but need not be limited to, living and sleeping facilities, meal preparation, laundry services, housekeeping, personal observation and direction in the activities of daily living, transportation for routine social and medical appointments, and the availability of a responsible adult for companionship or nonclinical counseling. The term shall not include an "Adult Day Care Center," "Hospital," "Nursing or Care Home," "Family," or "Group Residential Facility," as defined elsewhere in this Subtitle. A Congregate Living Facility shall comply with the licensing and other regulatory requirements of Subtitle 12, Division 7, of this Code.

(CB-90-1985)

(54.1)

Conservation Agreement: A formal agreement recorded in the land records which commits a grading or building permit applicant to the execution of various approved elements of a "Conservation Plan," including a stormwater management concept plan, an erosion and sedimentation concept plan, a vegetation management plan, and other plans which may be required by the Department of Permitting, Inspections, and Enforcement or the Prince George's County Planning Board.

(CB-72-1987; CB-76-2010; CB-29-2014)

(54.2)

Conservation Plan: A plan, developed in accordance with Subtitle 5B, which demonstrates how a project has been designed to meet the specific Chesapeake Bay Critical Area criteria.

(CB-72-1987; CB-76-2010)

(54.3)

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.

(CB-32-2008)

(54.4)

Consolidated Storage: A "Building" divided into two (2) or more individual units of 500 square feet or less, each of which is leased to an individual solely for dead storage and not for use in connection with the operation of a business.

(CB-45-1999; CB-76-2010)

(55)

Contiguous: See "Abutting."

(56)

Corridor Cities and New Town Centers: Single, well-designed, architecturally unified centers which are a focus for areawide cultural and economic activity, as described in an "Area Master Plan."

(57)

Council: The Prince George's County Council, sitting as the District Council for the Prince George's County portion of the Maryland-Washington Regional District.

(58)

Country Inn: A "Building" having historical, architectural, or cultural significance, or the appearance of it, within which is provided (for compensation) lodging or food service for transient guests in a historical, scenic, or pastoral atmosphere. A "Boardinghouse," "Drive-In Restaurant," "Fast-Food Restaurant," "Dormitory," "Rooming House," or "Fraternity or Sorority House" shall not be considered a "Country Inn." A Country Inn shall not be considered a "Bed-and-Breakfast Inn."

(CB-39-3009)

(59)

County: Prince George's County, Maryland.

(60)

Court: An "Open Space" (other than a "Yard") located on the same "Lot" with, and bounded on two (2) or more sides by, the walls of a "Building." A "Court" shall be open and unobstructed to the sky, except for landscaping and permitted "Accessory Uses" and accessory structures. (See Figure 6.)

(61)

Court, Inner: Any "Court" except an "Outer Court." The width of an "Inner Court" is the minimum distance between opposite sides, measured perpendicular to its longest side. The length of an "Inner Court" is the maximum distance measured parallel to its longest side. (See Figure 6.)

(62)

Court, Outer: A "Court" open on at least one (1) side for at least seventy-five percent (75%) of its width, and open to a "Yard" on the "Lot," or to a "Street," "Alley," or other public way. The depth of an "Outer Court" is the maximum distance from the "Yard," "Street," "Alley," or other public way to the face of the opposite "Building" or wall. The width of an "Outer Court" is the minimum horizontal distance measured perpendicular to its depth. (See Figure 6.)

(63)

Crawl Space: A space (excluding an "Attic") between the ceiling of one "Story" and the floor of the next "Story," or below the floor of the first "Story," which is not more than four and one-half (4½) feet high, and usually contains pipes, ducts, wiring, and lighting fixtures. It shall not be considered a "Story."

(64)

Day: The period of time between midnight and the following midnight. A "Day" is a calendar day, unless otherwise specified.

(65)

Day Care Center for Children: An establishment in which a program is operated that is designed to provide care and activities for nine (9) or more children not located in a dwelling unit, or thirteen (13) or more children in a dwelling unit, on a regular schedule (more than once a week). This term shall not include "Family Day Care," "Recreational Program, Before- and After-School," "School, Private," or "Small Group Child Care Center."

(CB-23-1988; CB-131-1993)

(66)

Density: The number of "Dwelling Units" per acre of "Net Lot Area." In the R-C-O Zone, the gross tract acreage is used to calculate density except as noted in [Sec. 5B-113\(f\)](#).

(CB-72-1987; CB-76-2010)

(66.1)

Development: Any activity that materially affects the condition or use of dry land, land under water, or any structure.

(CB-57-1989)

(66.2)

Development Review District: A contiguous area no less than 1,000 acres in size created by legislative act of the County Council under Subtitle 24, Division 9 of this Code.

(CB-133-1986; CB-57-1989)

(66.3)

Development Review District Commission: A body of persons appointed under Subtitle 24, Division 9 of this Code to represent the interests of a development review district in the review of subdivision applications and which is to be made a party of record in all zoning and subdivision matters for which parties of record are identified, which involve property within the development review district before the Zoning Hearing Examiner, the Planning Board or the District Council.

(CB-133-1986; CB-57-1989)

(66.4)

Distribution Facility:

(A)

A facility to or from which a wholesaler or retailer ships merchandise, materials, or supplies for storage or distribution by that wholesaler or retailer to the sales outlets or service operations it supports; or

(B)

A business whose functions are similar to those of the United States Postal Service, that is exclusively devoted to the receiving, sorting, sending, and delivery of letters, parcels, and other postal express matter.

(CB-90-1992)

(67)

District: That portion of the Maryland-Washington Regional District in Prince George's County, Maryland.

(68)

District Council: The Prince George's County Council, sitting as the District Council for the Prince George's County portion of the Maryland-Washington Regional District.

(69)

Dormitory: An "Accessory Building" used for lodging purposes in connection with a school or other institution, or as a farm tenant dwelling. A Dormitory shall not be considered a "Bed-and-Breakfast Inn."

(CB-134-1985; CB-39-2009)

(70)

Driveway: A private roadway located on a "Lot," providing access for motor vehicles to a parking space, garage, or other "Structure," or from the "Lot" to a "Street." (See Figure 7.)

(71)

Drug Store: A retail store where the primary "Use" is the filling of medical prescriptions and the sale of medical supplies and nonprescription medicines. Nonmedical products, such as cards, candy, and cosmetics, may be sold as an "Accessory Use."

(72)

Dwelling: A "Building" used for living facilities for one (1) or more "Families."

(73)

Dwelling, Attached: A "Dwelling" which is attached by means of a solid, common wall to one (1) or more other "Dwellings."

(74)

Dwelling, Farm Tenant: A one-family detached dwelling or dormitory (but not a multifamily dwelling) which is:

(A)

Not the principal residence of the property owner;

(B)

An "Accessory Building";

(C)

Located on land used exclusively for "Agriculture";

(D)

Owned by the same person who owns the agricultural land; and

(E)

Occupied by a tenant who derives a majority of his total income from working the agricultural land.

(CB-134-1985)

(74.1)

Dwelling, Metropolitan, One-Family Attached: One "Building" containing four (4) or more "Dwelling Units" which:

(A)

Are used as "One-Family Dwellings";

(B)

Are located side by side on abutting "Lots"; and

(C)

Are entirely separated from each other by a solid wall extending from the lowest floor to the roof.

(CB-33-2005)

(75)

Dwelling, Multifamily: A "Building" (other than a "Three-Family Dwelling") containing three (3) or more "Dwelling Units"; an "Apartment House" or "Apartment Building." "Multifamily Dwelling" does not include a "Fraternity or Sorority House." A "Dwelling" for which a Special Exception was granted in accordance with [Section 27-382](#), "Multifamily Dwelling; Bedroom Percentages Increase," prior to August 26, 1983, shall be considered a "Multifamily Dwelling," irrespective of whether the individual "Dwelling Units" are entirely separated from each other by solid, common walls. (See Figure 9.)

(76)

Dwelling, One-Family: A "Building" containing only one (1) "Dwelling Unit," which may be detached from, or attached to, another "One-Family Dwelling." A "One-Family Detached Dwelling" is also referred to as a "Single-Family Dwelling." (See Figure 8.)

(76.1)

Dwelling, Quadruple-Attached: One (1) of four (4) attached "Buildings" which:

(A)

Are used as a "One-Family Dwelling";

(B)

Are located side by side on abutting "Lots";

(C)

Are separated from each other by a solid wall extending from the lowest floor to the roof;

(D)

Have exterior walls in common with the adjoining "Building"; and

(E)

Are separated from any other "Building" by space on all other sides.

(CB-83-1997)

(77)

Dwelling, Semidetached: One of two (2) attached "Buildings" which are:

(A)

Used as "One-Family Dwellings";

(B)

Located side by side on adjoining "Lots";

(C)

Separated from each other by a solid wall extending from the lowest floor to the roof; and

(D)

Entirely separated from any other "Building" by space on all other sides. (See Figure 10.)

(77.1)

Dwelling, Storefront: A dwelling unit located above the ground floor in the "Storefront Area" of the Village Zones.

(CB-53-1991)

(78)

Dwelling, Three-Family: A "Building" containing three (3) "Dwelling Units," with two (2) of the "Dwelling Units" arranged side by side and situated either above or below the third "Dwelling Unit." (See Figure 11.)

(79)

Dwelling, Triple-Attached: One (1) of three (3) attached "Buildings" which:

(A)

Are used as "One-Family Dwellings";

(B)

Are located side by side on abutting "Lots";

(C)

Are separated from each other by a solid wall extending from the lowest floor to the roof;

(D)

Have exterior walls in common with the adjoining "Building"; and

(E)

Are separated from any other "Building" by space on all other sides. (See Figure 12.)

(80)

Dwelling, Two-Family: Either:

(A)

A "Building" containing two (2) "Dwelling Units," arranged one above the other; or

(B)

Two (2) attached buildings arranged side by side on one (1) "Lot," each containing one (1) "Dwelling Unit," separated from each other by a solid wall extending from the lowest floor to the roof. (See Figure 13.)

(81)

Dwelling Unit: A "Building" (or part of a "Building") used as a complete and independent living facility for only one (1) "Family," which includes permanent provisions for living, sleeping, eating, cooking, and sanitation. (Abbreviated as "d.u.")

(81.1)

Eating or Drinking Establishment: An establishment that provides food or beverages for consumption on or off premise, which may be developed freestanding, on a pad site or attached to another building, or located within another building or located within a group of buildings, which may include a drive-through service, carryout, outdoor eating, music of any kind, patron dancing, or entertainment, excluding adult entertainment uses.

(CB-46-2010; CB-56-2011; CB-92-2015)

(81.2)

Electronic Cigarette Shop: A retail store where the primary "Use" is the retail sale of, for off-site consumption, electronic cigarettes, or any electronic device that can be used to deliver nicotine or other substance to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe, any cartridge or other component of the device, or any related electronic cigarette product.

(CB-92-2015)

(81.3)

Electronic Recycling Facility: An establishment in which obsolete or outdated computers, televisions, cell phones, printers, PDA's, medical equipment (not including x-ray machines or other potentially radioactive devices) and other electronic devices used in offices and homes, which have been previously separated from the solid waste stream, are collected and sorted, processed and sold for reuse or packaged for distribution to other facilities where the materials will be further recycled, used as raw materials or will otherwise be returned to the market place. Processing means the preparation of materials by such means as disassembling, refurbishing, baling, briquetting, compacting, grinding, crushing, shredding and separation into commodity grade materials. The use shall not include the treatment, speculative accumulation or recycling of, cathode ray tubes, hazardous materials, or radioactive Universal Waste as defined by 40 CFR Part 273, as amended from time to time, which shall be shipped off-site to a certified facility for further recycling. In addition the use shall not include smelting, biological or chemical treatment of the component parts recovered from the electronic devices.

(CB-91-2012)

(82)

Eleemosynary or Philanthropic Institution: Any facility operated by a private, nonprofit organization offering religious, social, physical, recreational, emergency, or benevolent services, and which is not already specifically allowed in the various zones. The organization shall not carry on a business on the premises. The term shall not include an "Adult Day Care Center," "Congregate Living Facility," or "Group Residential Facility."

(CB-90-1985)

(83)

Employee's Recreational Facility: Any recreational facility provided in connection with a business for the exclusive use of the employees of the business and their guests.

(84)

Enlargement or Extension: Alterations which increase the usable area of a "Building," "Structure," or other improvement, or "Use" (including the addition of any new "Structure" or other improvement). Modifications such as the addition of cupolas, windows, or "Canopies," which do not increase the usable square footage of a "Building" or "Structure," or which do not expand the occupied usable land area of the "Lot," shall not be considered an "Enlargement or Extension."

(84.1)

Entrance Feature: Any combination of gateway elements (such as signs, walls, flagpoles, gazebos, landforms, fountains, and landscaping) located at the entrance to a residential subdivision.

(CB-109-1989)

(84.2)

Equine Activities: includes teaching equestrian skills, participating in equestrian events, competitions, exhibitions or other displays of equestrian skills, and caring for, breeding, boarding, dealing, selling, renting, riding, or training equines. The term shall not include "Animal Boarding Place".

(CB-92-2010)

(84.3)

Equine Facility: includes barns, stables, rings, paddocks or accessory buildings or structures used for Equine Activities.

(CB-92-2010)

(85)

Family:

(A)

An individual maintaining a household in a "Dwelling Unit"; or

(B)

Two (2) or more individuals related by blood, adoption, or marriage (including a "Foster Home" relationship other than a "Group Residential Facility") who maintain a common household in a "Dwelling Unit"; or

(C)

Not more than five (5) individuals (excluding servants), all or a part of whom are unrelated to one another by blood, adoption, or marriage, and who maintain a common household in a "Dwelling Unit."

(86)

Family Day Care: Child care provided for up to eight (8) children in a "Family Day Care Home" which is registered by the Department of Human Resources in accordance with the provisions of Subtitle 5 of the Family Law Article of the Annotated Code of Maryland, or a "Family Day Care Home" which, by State law or regulation, is specifically exempt from registration.

(CB-131-1993)

(87)

FAR: See "Floor Area Ratio."

(87.1)

Farmer's Market: A collection of vendors located on private or publicly owned property or property owned by a not-for-profit organization, in accordance with the written permission of the property owner, for the sale of agricultural and horticultural products grown by the vendor or for the sale of baked, canned, or preserved foods prepared by the vendor. Operations generally meeting this definition, but which are open fewer than four (4) days per year, shall be construed as a "garage sale" for which no permit shall be required.

(CB-63-1998; CB-73-2012)

(87.2)

Farm Winery: An agricultural processing facility located on a farm with a producing vineyard, orchard, or similar growing area and with facilities for fermenting and bottling wine on the premises where the owner manufactures wine and/or pomace brandy from fresh fruits or other agricultural products as allowable by state law. A Farm Winery includes crushing, fermenting and refermenting, bottling, blending, bulk and bottle storage, aging, shipping, receiving, laboratory equipment and maintenance facilities, administrative office functions and related agricultural tourism activities.

(CB-36-2009)

(88)

Final Plat: The final detailed drawing (to scale) of a tract of land, depicting the proposed division of the tract into "Lots," "Blocks," "Streets," "Alleys," or other areas within a proposed "Subdivision." (See Subtitle 24 for further information regarding "Subdivisions.")

(88.1)

Fisheries Activities: Commercial operations and structures for the packaging, canning, freezing, or processing of fish, mollusks, or crustaceans, which may include related activities such as wholesale, retail sales, storage structures, and loading docks.

(CB-72-1987)

(89)

Flag Lot: A flag-shaped "Lot," created under the "Optional Residential Design Approach" provisions of Subtitle 24, which has a "Street" frontage smaller than that otherwise required for the zone in which it is located. (See Figure 17.)

(89.1)

Flea Market: A collection of vendors using stalls, booths, or tables on property owned by a public agency or a not-for-profit organization, in accordance with the written permission of the property owner, for the sale of merchandise, collectibles, crafts, antiques, and other items, excluding automobiles, automobile parts, and nonportable household appliances. No sales shall occur from a vehicle. Operations generally meeting this definition, but which are open fewer than four (4) days a year, shall be construed as a "garage sale" for which no permit shall be required.

(CB-63-1998)

(89.2)

Flex Space: An office, contractor's office, manufacturing, assembly, or warehouse located within a structure no greater than one (1) story above grade, and which typically includes roll-up overhead doors on the rear and office at the front of the units.

(CB-28-2012)

(90)

Floodplain, One Hundred (100) Year: That area of land which would be covered by a flood that has a one percent (1%) chance of being equalled or exceeded in any year, and conforms to the requirements of [Section 27-124.01](#).

(CB-28-2010)

(91)

Floor Area Ratio: The ratio of the "Gross Floor Area" of all "Buildings" or "Structures" on a "Lot" to the area of that "Lot." (Abbreviated as "FAR".) (See Figure 14.)

(91.1)

Food or Beverage Store: A use providing the retail sales of food, beverages, and sundries primarily for home consumption, and may include food or beverage preparation. Does not include a Department or Variety Store that provides incidental sales of candy, gum and similar non-refrigerated items at a check-out counter, or in a standard vending machine.

(CB-5-1999; CB-19-2005)

(91.2)

Forest Stand Delineation: A detailed accounting of woody vegetation, prepared in plan and document form, as required by Division 2 of Subtitle 25, and as explained in the publication, The Woodland and Wildlife Habitat Conservation Technical Manual.

(CB-75-1989; CB-107-1992; CB-5-1999; CB-28-2010)

(92)

Fortunetelling: Any attempt to tell fortunes or predict the future (for pay or voluntary contributions) by means of occult or psychic powers, faculties, or forces; necromancy, palmistry, psychology, psychic psychometry, spirits, medium-ship, seership, prophecy, cards, talismans, sorcery, charms, potions, magnetism, tea leaves, magic, numerology, mechanical devices, handwriting analyses, phrenology, character readings, or any other similar means. "Fortunetelling" shall not be considered a "Home Occupation," "Church," or other place of worship.

(93)

Foster Home: A "Dwelling Unit" in which a person performs the duties of a parent to the child of another by rearing the child and acting as his guardian.

(94)

Fraternity or Sorority House: A "Building" used for lodging by individuals who are members or affiliates of a fraternity or sorority while attending an educational institution. It may include facilities for dining for the employees and guests of the facility. A "Fraternity or Sorority House" is not a "Boardinghouse," "Rooming House," "Dormitory," "Eleemosynary or Philanthropic Institution," "Group Residential Facility," or "Dwelling." A Fraternity or Sorority House shall not be considered a Bed-and-Breakfast Inn".

(CB-39-2009)

(95)

Front Wall: Except as otherwise specified, the wall of a "Building" facing the "Front Yard."

(96)

Functional Master Plan: The current approved plan for one of the various elements of the "General Plan," such as transportation, schools, libraries, hospitals, health centers, parks and other open spaces, police stations, fire stations, utilities, or historic preservation.

(97)

Funeral Home (Funeral Parlor):

(A)

A "Building" used for human funeral services. A funeral home may contain facilities for:

(i)

Embalming and other services used in the preparation of the dead for burial;

(ii)

The display of the deceased;

(iii)

The performance of ceremonies in connection with a funeral;

(iv)

The performance of autopsies and similar surgical procedures;

(v)

The sale and storage of caskets, funeral urns, and other related funeral supplies; and

(vi)

The storage of funeral vehicles.

(B)

A "Funeral Home" does not include facilities for cremation.

(98)

Garage: See "Parking Garage."

(99)

Gas Station (Automobile Filling Station):

(A)

A "Building" or "Lot" having pumps and storage tanks, where the primary "Use" is the retail sale of motor vehicle fuels. No storage or parking space shall be offered for rent. Vehicle-related services may be offered incidental to the primary "Use," such as:

(i)

Sales and servicing of spark plugs, batteries, and distributors and distributor parts; tune-ups;

(ii)

Tire servicing and repair, but not recapping or regrooving;

(iii)

Replacement of mufflers and tail pipes, water hoses, fan belts, brake fluid, light bulbs, fuses, floor mats, windshield wipers and wiper blades, grease retainers, wheel bearings, mirrors, and the like;

(iv)

Washing and polishing, and sale of automotive washing and polishing materials;

(v)

Greasing, lubrication, and radiator flushing;

(vi)

Minor servicing and repair of carburetors, fuel, oil and water pumps and lines, and minor engine adjustments not involving removal of the head or crank case or racing the engine;

(vii)

Emergency wiring repairs;

(viii)

Adjusting and repairing brakes;

(ix)

Provision of road maps and other information to travelers.

(B)

Services allowed at a "Gas Station" shall not include major chassis or body work; repair of transmissions or differentials; machine shop work; straightening of body parts; or painting, welding, or other work involving noise, glare, fumes, smoke, or other characteristics to an extent greater than normally found in "Gas Stations."

(100)

General Plan: The current approved plan for the physical development of the Maryland-Washington Regional District or for that portion of the "District" in Prince George's County.

(101)

Golf Course: An area of land laid out for playing golf. Accessory recreational facilities, such as driving ranges, putting greens, a country club, concessions for serving food and refreshments to members and guests, "Swimming Pools," tennis and other racquet courts, horse shoe pits, picnic areas, and accessory facilities directly related to golf, may be included.

(101.1)

Golf Course Conference/Hotel Complex: A contiguous land assemblage, no less than two hundred (200) acres, planned to be developed with a Golf Course together with an array of lodging, conference facilities, commercial, recreational, entertainment, social, cultural and/or similar uses which are interrelated to the Golf Course and accessory facilities.

(CB-45-2002)

(102)

Grade, Average Building: Average elevation of finished, adjacent ground level at the center of all walls of the "Building." (See Figure 69)

(103)

Green Area: An area of land associated with, and located on the same parcel of land as, a "Building" for which it serves to provide light and air, or scenic, recreational, or similar purposes. "Green Area" shall generally be available for use by the occupants of the "Building," but may include a limited amount of space to enhance the amenity of the development by providing landscaping features, screening for the benefit of people in neighboring areas, or a general appearance of openness. "Green area" may include lawns, decorative plantings, sculptures, wooded areas, landscaped areas covering structures that are not more than twelve (12) feet above ground level, sidewalks and walkways, furniture, active and passive recreational areas, and water surfaces that comprise not more than ten percent (10%) of the total "Green Area." It shall not include "Parking Lots" or other vehicular surfaces, or "Accessory Buildings," except as otherwise provided.

(104)

Gross Commercial or Industrial Intensity: The average "Floor Area Ratio" of all commercial or industrial land within a tract that comprises a single Comprehensive Design Zone development. It includes land devoted to both public and private facilities, but does not include "Street" rights-of-way which exist at the time of application and abut the perimeter of the tract. The average "Floor Area Ratio" is the total "Gross Floor Area" of the commercial/industrial development divided by the "Gross Tract Area."

(105)

Gross Floor Area: The total number of square feet of floor area in a "Building," excluding those portions of a "Basement" used exclusively for storage or other areas used exclusively for the mechanical elements of a "Building," and uncovered steps and porches, but including the total floor area of "Accessory Buildings" on the same "Lot." All horizontal measurements shall be made between the exterior faces of walls, columns, foundations, or other means of support or enclosure. It includes walkways or plazas within "Wholly Enclosed" shopping malls but does not include covered walkways or plazas in other shopping centers, or other areas covered solely by "Canopies." (Abbreviated as "GFA.")

(CB-6-2011)

(106)

Gross Leasable Area: The total floor area designed for owner or tenant occupancy and exclusive use (including "Basements" and "Attics"). It is expressed in square feet, measured from the center lines of joint partitions and exteriors of outside walls. (Abbreviated as "GLA".)

(107)

Gross Residential Density: The average density per acre for all residential land within a tract that comprises a single Comprehensive Design Zone development. It includes land devoted to both public and private facilities, but does not include "Street" rights-of-way which exist at the time of application and abut the perimeter of the tract.

(108)

Gross Tract Area (or Acreage): The total area of a tract of land, including all land area which is to be conveyed for "Public Facilities."

(109)

Group Residential Facility:

(A)

A "Dwelling Unit" or "Foster Home," operated by a responsible individual or organization, which has a program designed to provide a supportive living arrangement for five (5) or more individuals (unrelated to the operator by blood, adoption, or marriage) who are members of a service population that, because of age or emotional, mental, physical, familial, or social conditions, needs supervision.

(B)

This term includes, facilities for developmentally disabled persons, drug dependent persons, alcoholic persons, juveniles, or persons whose welfare and adjustment within the community are dependent on support from the community.

(C)

The term does not include:

(i)

A "Hospital" or "Nursing or Care Home";

(ii)

A "Congregate Living Facility"; or

(iii)

An "Adult Day Care Center."

(D)

A "Group Residential Facility" for the "mentally handicapped" for up to eight (8) residents shall be considered a "One-family Detached Dwelling."

(E)

When a "Group Residential Facility" is limited to serving a "mentally handicapped" population, this term shall include any individual with a primary disability as a result of mental retardation, mental illness, or mental disorder which impairs the person's cognitive ability to live independently (excluding addictive disorders resulting from substance abuse).

(CB-90-1985; CB-82-1986; CB-29-2012)

(110)

Guest House: A detached "Accessory Building" used to house the transient guests of the occupants of the main "Dwelling." The "Guest House" shall not be separately rented, leased, or sold.

(111)

Guest Room: A room or suite of rooms in which living and sleeping accommodations are provided for one (1) or more paying visitors. "Guest Rooms" shall have no provisions for cooking, except in the case of "Guest Rooms" in a "Hotel" or "Motel," where "Guest Rooms" may contain a "kitchenette." Rooms in school "Dormitories" and "Fraternity or Sorority Houses" are not "Guest Rooms."

(111.1)

Habitat Protection Area: An area that is designated for protection according to Subtitle 5B of the Prince George's County Code.

(CB-76-2010)

(112)

Half-Story: A space under a sloping roof where the line of intersection of the roof and wall is not more than three (3) feet above the floor level. The "Gross Floor Area" with head room of five (5) feet or less shall equal at least forty percent (40%) of the "Gross Floor Area" of the "Story" directly beneath. (See Figure 15)

(112.1)

Hamlet: A design component of the V-L and V-M Zones that is separated from the primary Village, with the same basic design characteristics as the primary village.

(CB-10-1992)

(112.2)

Health Impact Assessment Review: In this preliminary stage of implementing the health impact assessment review, it is defined as a tool that may include a combination of procedures, methods and tools by which a policy, program or project may be evaluated as to its potential effects on the health of a population, the distribution of those effects within the population, and provide a platform to make our communities healthier.

(CB-41-2011)

(113)

Height of Building:

(A)

The vertical distance between an approved "Street" grade at a point at the middle of the front of the "Building" to either:

(i)

The highest point of roof surface of a flat roof;

(ii)

The deck line of a mansard roof; or

(iii)

The average height between the eaves and ridge of a gable, hip, or gambrel roof. (See Figure 68)

(B)

If a "Building" is located on a terrace, the height above the "Street" grade may be increased by the height of the terrace but not over five (5) feet. If the "Building" is set back from the "Street Line" thirty-five (35) feet or more, the "Building Height" is measured from the average elevation of the finished ground surface along the side of

the "Building" facing the "Front of the Lot." On a "Through Lot," the side of the "Building" (facing the "Front of the Lot") which has the lowest elevation shall be used.

(114)

Height of Structure: The vertical distance between a point on the ground at the middle of the base of the "Structure" to the top of the "Structure." (See Figure 16)

(115)

Heliport: A facility designed to accommodate all phases of helicopter operations, with space for a terminal and the loading, unloading, service, and storage of helicopters, including "Accessory Uses" commonly associated with an "Airport" terminal.

(116)

Helistop: A facility designed to accommodate touchdown and liftoff of helicopters, for the purpose of picking up and discharging passengers or cargo. The area shall contain only one (1) tie down space, and any additional facilities which are required by law, ordinance, or regulation.

(116.1)

Highly Erodible Soils: Soils with an erodibility factor greater than 0.35 as determined by the Prince George's Soil Conservation District.

(CB-28-2010)

(117)

Historic Sites and Districts Plan: The Approved Historic Sites and Districts Plan for Prince George's County, Maryland.

(117.1)

Home Improvements: Modifications customarily made to dwellings for the purposes of enlargement, alteration, or the addition of a fireplace, porch, deck, carport, patio, shed, garage, driveway, or swimming pool.

(CB-16-1989)

(118)

Home Occupation: Any occupation or enterprise for gain or profit carried on in a dwelling unit and meeting the following criteria:

(A)

The business shall be located within the dwelling unit or a permitted accessory building associated with the dwelling unit, and shall involve an area that does not exceed thirty-three percent (33%) of the total square footage of the dwelling unit; and

(B)

It is incidental and secondary to the main residential use of the dwelling unit; the principal person conducting the business use shall be a full-time resident of the dwelling unit;

(C)

It does not change the residential character or external appearance of the dwelling unit, its associated structures, or its principal residential use, nor does it have any exterior evidence, other than a permitted sign, to indicate that the dwelling unit is used for any but residential purposes;

(D)

There shall be no outdoor display or storage of goods, equipment, or services associated with the business, and the business shall not involve significantly greater volumes or frequencies of deliveries or shipments, vehicular traffic, or pedestrian traffic than normally expected in a residential area;

(E)

There shall be no more than two (2) employees who do not reside in the dwelling unit;

(F)

Off-street parking requirements in Part 11 do not apply to home occupations;

(G)

Not more than two (2) vehicles associated with the home occupation or enterprise may be based at the subject property, nor parked on-site or off-site or on a public street within four hundred (400) yards from the property. Upon request by the Department of Permitting, Inspections, and Enforcement, each dwelling unit resident shall provide for inspection the Motor Vehicle Administration registrations for all vehicles owned or leased by the resident, titled in the business name, or listed as business personal property on the resident's or the business' income or property tax returns;

(H)

The business shall not result in adverse noise, vibration, odor, fumes, or electrical or communications interference (including visual or audible interference with radio or television reception) that can be detected by the normal senses off the premises.

(I)

The business is in conformance with all applicable licensing, permitting, and any other State or local regulatory requirements;

(J)

The following uses are permitted as a home occupation accessory to a dwelling unit, subject to restrictions in the definitions of those uses, and with additional restrictions as indicated:

(i)

Instruction that involves a single instructor and not more than five (5) students at any one time;

(ii)

General clerical work (such as typing, envelope or flyer preparation or mailing, bookkeeping, and the like), with no more than two (2) nonresident employees on the premises at any time;

(iii)

Retail businesses involving only door-to-door, home party, or mail-order sales, with temporary storage of merchandise permitted prior to delivery;

(iv)

The practice of electrolysis (the destruction of hair roots with an electric current);

(v)

The practice of taxidermy;

(vi)

Nail salons, beauty parlors and barber shops of two (2) chairs;

(vii)

Catering businesses limited to food preparation for off-premises delivery, with no more than one (1) nonresident employee and one (1) customer on the premises at any time. The business shall be on property of at least ten (10) contiguous acres and may be in the dwelling unit or in an accessory building subordinate to the dwelling in size and use;

(viii)

The creation, production, and storage within the dwelling unit and accessory buildings, for sale at another location, of tangible objects of art or craft items, works in progress, and supplies and materials; and

(ix)

The practice of acupuncture.

(K)

The following uses are not permitted as a home occupation accessory to a dwelling unit:

(i)

Fortunetelling;

(ii)

Nursing or care homes, family or adult day care centers, congregate living facilities, group residential facilities, hospitals, and the like;

(iii)

Tourist homes;

(iv)

Nail salons, beauty parlors, or barber shops of more than two (2) chairs;

(v)

Businesses, trades, offices, or enterprises which use more than two (2) commercial vehicles, alter the residential appearance of the dwelling, or adversely impact the residential character of the neighborhood; and

(vi)

Wholesale dealers' display, storage or repair of vehicles.

(CB-29-2014; CB-72-2014; CB-33-2017)

(118.1)

Home Occupation, Low-Impact: Any occupation or enterprise for gain or profit carried on in a dwelling unit that meets the above criteria of a home occupation as well as the following criteria:

(A)

No nonresident employees or customers conducting business on the premises at any time; and

(B)

No delivery trucks, additional parking other than that required for the dwelling, or signage is permitted.

(CB-31-1985; CB-106-1985; CB-30-1986; CB-96-1991; CB-24-1992; CB-78-2003; CB-11-2004)

(119)

Homes Association: An incorporated, nonprofit organization operating under recorded land agreements through which:

(A)

Each "Lot" or home owner in a planned development or other described land area is automatically a member; and

(B)

Each "Lot" or home owner is automatically subject to a charge for a proportionate share of the expenses for the organization's activities, such as for maintaining "Common Area."

(120)

Homes Association Recreational Use: Any facility intended for recreational activities, which is owned and maintained by a "Homes Association" for the sole use of association members and guests.

(121)

Hospital: An institution receiving inpatients and rendering medical care on a twenty-four (24) hours per day basis. The term includes general hospitals, sanitariums, sanatoriums, and institutions in which service is limited to special fields, such as cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin, cancer, mental, tuberculosis, chronic disease, and obstetrics. The facilities may also include outpatient care, ambulatory care, offices of medical practitioners, adult day care, respite care, medical day care and day care for sick children, gift shops, restaurants, and other accessory uses. The term shall not include an "Adult Day Care Center," "Congregate Living Facility," "Group Residential Facility," or "Nursing or Care Home."

(CB-90-1985; CB-57-1986)

(122)

Hotel: A "Building" which contains six (6) or more "Guest Rooms," none of which have entrances from outside the "Building," and where (for compensation) temporary lodging is provided. A "Motel," "Fraternity or Sorority House," "Dormitory," "Tourist Home," "Rooming House," or "Boardinghouse" shall not be considered a "Hotel." A Hotel shall not be considered a "Bed-and-Breakfast Inn."

(CB-39-2009)

(122.1)

Hydraulic fracturing: A drilling technique that expands existing fractures or creates new fractures in rock by injecting fluids, often a mixture of water and chemicals, sand, or other substances, and often under pressure, into or underneath the surface of the rock or purposes that include well drilling and the exploration or production of natural gas. Hydraulic fracturing includes fracking, hydrofracking, and hydrofracturing, and further includes the storage, treatment, transfer, production materials, support activities, and the disposal of flow back fluids that return to the surface after a hydraulic fracture is completed, wastewater, or drill cuttings generated by hydraulic fracturing activities in the County, for purposes of preventing detrimental economic, environmental, and health effects of the use for the protection of the public safety, health, and welfare of the citizens and residents of the County.

(CB-3-2016)

(122.2)

Impervious Surfaces: Impervious surfaces consist of areas which are not water permeable as a result of pavement, buildings, or compaction of soils during construction.

(CB-76-2010; CB-3-2016)

(122.3)

Impervious Surface Ratio: The ratio between that portion of a site covered with impervious surfaces and the area of the entire site. For the purpose of regulation, this ratio is expressed as the percentage of a site which may be impervious.

(CB-72-1987; CB-76-2010; CB-3-2016)

(122.4)

Informational mailing: The mailing, with the information required in Part 3, Division 1, which an applicant sends to municipalities, civic associations, and adjoining property owners before filing an application.

(CB-12-2003; CB-76-2010; CB-3-2016)

(123)

Inks, Paste: Water-based inks which are not intended for application on gravure or flexographic presses, which are used for letter press or lithographic type processes (either direct or offset), and which have:

(A)

Flash points of the various ink components and the ink mixture of one hundred forty degrees Fahrenheit (140° F) (TAG closed tester ASTM D56) or greater;

(B)

A viscosity (as printed) higher than one thousand (1,000) centipoises; and

(C)

Components consisting of oily pigments, resins, drying oils, (linseed oil, mineral oil, and the like), other types of solvent liquids, and plasticizers.

(124)

Junk Yard: Any land or "Building" used for the sale, storage, or collection of abandoned, dismantled, discarded, demolished, or worn out scrap materials, other than materials from motor vehicles, "Trailers," and "Mobile Homes." The term does not include "Vehicle Salvage Yards" and "Recycling Plants." Any land or "Building" used for the collection, storage, and shipping of recyclable paper, but no other scrap material, is not a "Junk Yard."

(125)

Kennel: An establishment where a person engages in boarding, breeding, buying, grooming, letting for hire, training (for a fee), or selling dogs or cats, for which a license is required pursuant to Subtitle 3 of the County Code.

(126)

Laboratory: A place where scientific services are provided, including testing, research, or analysis of a medical, chemical, physical, mechanical, electrical, or electronic nature, or calibrating instruments. A "Laboratory" also includes the custom fabrication of teeth or eyeglasses.

(126.1)

Landscape Manual: The document that promulgates the standards and criteria for developing landscaped, buffered, and screened areas in Prince George's County, and which is adopted by the District Council and revised and amended from time to time by the District Council.

(CB-1-1989)

(127)

Laundromat: An establishment where coin-operated automatic washing machines, clothes dryers, or dry-cleaning machines are provided for use by the general public.

(128)

Loading Area or Space: A space to be occupied by a vehicle, to or from which equipment and materials are transferred to or from any type of "Structure," and located on the same "Lot" as the "Structure," either:

(A)

Contiguous to any loading dock, bay, berth, or opening; or

(B)

Within one hundred (100) feet of the "Structure" it serves.

(129)

Lot: A designated area of land to be used, developed, or built upon as a unit (in accordance with this Subtitle), and having the minimum contiguous area required for a "Lot" in the applicable zone and frontage on a public "Street," or private road, right-of-way, or easement approved in accordance with Subtitle 24. A "Lot" shall be made up of one (1) or more entire "Record Lots."

(130)

Lot Area: See "Net Lot Area."

(131)

Lot, Corner: A "Lot" abutting two (2) or more "Streets" at their intersection, where the interior angle of intersection does not exceed one hundred thirty-five degrees (135°). (See Figure 17)

(132)

Lot Coverage: The percentage of a "Lot" which is covered by "Buildings" (including covered porches) and areas for vehicular access and parking of vehicles.

(132.1)

Lot Coverage in the Chesapeake Bay Critical Area: The percentage of the gross area of a lot or parcel that is existing or proposed to be (1) occupied by a structure, accessory structure, parking area, driveway, walkway, impermeable deck or stairway, or roadway; or (2) covered with, gravel, stone, shell, impermeable decking, pavers, permeable pavement, or any manmade material. Lot coverage in the Critical Area does not include (1) a fence or wall that is less than one-foot in width that has not been constructed with a footer; (2) a walkway in the Primary or Secondary Buffer, including a stairway that provides direct access to a community or private pier; (3) a wood mulch pathway, or (4) a deck with gaps to allow water to pass freely. The percentage of the gross area of a lot or parcel as defined in [Section 5B-106\(a\)](#).

(CB-76-2010)

(133)

Lot, Depth of: Average horizontal distance between the "Front Street Line" and "Rear Lot Line" or between parallel "Front Street Lines" of a "Through Lot." (See Figure 18)

(134)

Lot, Front of:

(A)

"Interior Lot." The "Lot Line" which abuts a "Street."

(B)

"Through Lot." The "Lot Lines" which abut "Streets."

(C)

"Corner Lot." The "Shortest Lot Line" that abuts a "Street." If the "Lot Lines" abutting "Streets" are of equal length, the "Lot" fronts on the "Street" having the longest frontages within the same "Block." (See Figure 19)

(135)

Lot Frontage (Width), Minimum, at Front "Building Line": The minimum permitted width of a "Lot," measured along the front "Building Line." (See Figure 20)

(136)

Lot Frontage (Width), Minimum, at "Front Street Line": The minimum permitted width of a "Lot," measured along the "Front Street Line." (See Figure 20)

(137)

Lot, Interior: Any "Lot" other than a "Corner Lot." (See Figure 17)

(138)

Lot Lines: Lines bounding a "Lot." (See Figure 21)

(139)

Lot Line, Front: The line running along the "Front of the Lot" and separating it from the "Street." In this Subtitle, the "Front Lot Line" is also called the "Front Street Line." In a "Through Lot," all lines abutting the "Streets" are "Front Street Lines." (See Figure 21)

(140)

Lot Line, Rear: The "Lot Line" generally opposite or parallel to the "Front Street Line," except in a "Through Lot" which has no "Rear Lot Line." If a "Rear Lot Line" is less than ten (10) feet long or the "Lot" comes to a point at the rear, the "Rear Lot Line" is a line at least ten (10) feet long (lying wholly within the "Lot"), parallel to the "Front Street Line" or, if the "Front Street Line" is curved, parallel to the chord of the arc of the "Front Street Line." (See Figure 21)

(141)

Lot Line, Side: Any "Lot Line" other than a "Front Street Line" or a "Rear Lot Line." A "Side Lot Line" separating the "Lot" from a "Street" is a "Side Street Line." In the absence of a "Front Street Line," all "Lot Lines" are "Side Lot Lines." (See Figure 21)

(142)

Lot, Record: An area of land designated as a separate parcel of land on a "Record Plat," or on a legally recorded deed (to land for which no "Subdivision" plat is required pursuant to the provisions of Subtitle 24) filed among the Land Records of Prince George's County, Maryland.

(CB-115-1989)

(143)

Lot Size Averaging: A procedure whereby the "Subdivision" of land yields "Net Lot Areas" which vary within a subdivided tract, but maintains the density normally permitted.

(144)

Lot, Through: Either an "Interior Lot" fronting on two (2) or more "Streets," or a "Corner Lot" fronting on three (3) or more "Streets." (See Figure 17)

(145)

Major Metro Activity Center: An area of high intensity, mixed use development which includes a major transit station and stations for other modes of travel, as described in "Area Master Plans."

(145.1)

MARC Planned Community: A minimum area of ten (10) acres included in a single preliminary plan of subdivision, any portion of which adjoins an existing MARC rail station site and which is planned to be developed with commercial, industrial, office, residential, retail or similar uses which are interrelated by a common architectural and design theme. A MARC Planned Community may include a former MARC rail station that has been upgraded to a Metro rail station.

(CB-21-2006)

(146)

Marina: A waterfront facility which, for a fee, provides for the berthing, mooring, or water storage of boats. The use may include such facilities as major and minor boat repair; boat docks, piers, and slips; boat fueling; dry land boat maintenance and storage; pump-out stations; fishing piers; beaches; erosion control devices; boat ramps, lifts, and launching facilities; boat sales, including parts; restaurant; ships store; sale of ice; car and boat trailer parking; laundromat; locker rooms; cabanas; bathhouse; public showers; outdoor playing courts; and picnic areas.

(CB-72-1987)

(147)

Massage Establishment: Any establishment having a fixed place of business where massages are administered for pay, including massage parlors, exercise clubs, spas, health clubs, sauna baths, and steam baths. This term shall not include:

(A)

A "Hospital," "Nursing or Care Home," or "Medical Clinic";

(B)

The office of a physician, surgeon, chiropractor, osteopath, podiatrist, or physical or massage therapist duly licensed or certified by the State of Maryland;

(C)

A barber shop or beauty salon in which massages are administered only to the scalp, face, neck, or shoulders;

(D)

A volunteer fire department or volunteer rescue squad;

(E)

A nonprofit organization operating an educational, cultural, recreational, or athletic facility;

(F)

A facility for the welfare of the residents of the area; or

(G)

An establishment providing instruction in, and facilities for, controlled exercise, weight lifting, calisthenics, and general physical fitness, which occupies at least five thousand (5,000) square feet, of which not more than five percent (5%) is used for massages; and whose gross income from massages is less than fifteen percent (15%) of the total gross business income derived from physical fitness sales contracts at each business location.

(CB-44-2000)

(147.1)

Massage Therapist (Certified): An individual who is certified by the State of Maryland Board of Chiropractic Examiners to practice massage therapy.

(CB-44-2000)

(148)

Master Plan: The current approved local "plan" for the physical development of a particular planning area or combination of planning areas as set forth in "Part 13 of the Zoning Ordinance." (Also called an "Area Master Plan.")

(CB-35-2011)

(148.1)

Medical Cannabis: Any product containing usable cannabis or usable medical cannabis finished product.

(CB-5-2016)

(148.2)

Medical Cannabis Finished Product: A product containing a medical cannabis concentrate or a medical cannabis-infused product packaged and labeled for release to a qualifying patient.

(CB-5-2016)

(148.3)

Medical Cannabis Grower: An entity licensed under Subtitle 33 of the Health - General Article, Annotated Code of Maryland, that cultivates, manufactures, packages, processes, or distributes medical cannabis to licensed processors, licensed dispensaries, or registered independent testing laboratories.

(CB-5-2016)

(148.4)

Medical Cannabis Processor: An entity licensed under Subtitle 33 of the Health - General Article, Annotated Code of Maryland, that transforms medical cannabis into another product or extract, and packages and labels medical cannabis.

(CB-5-2016)

(148.5)

Medical Cannabis Dispensary: An entity licensed under Subtitle 33 of the Health - General Article, Annotated Code of Maryland, that acquires, possesses, repackages, processes, transfers, transports, sells, distributes, or dispenses products containing usable medical cannabis, related supplies, or related products, including tinctures, aerosols, oils, or ointments; or educational materials for use by a qualifying patient or caregiver.

(CB-5-2016)

(148.6)

Medical Day Care: The provision of medical day care services in an ambulatory care setting to medically handicapped adults who do not require 24-hour inpatient care, but, due to their degree of impairment, are not capable of full-time independent living. A medically handicapped adult means a chronically ill or disabled

person eligible for day care services, whose illness or disability may not require 24-hour inpatient care, but which, in the absence of medical day care service, may precipitate admission to, or prolong a stay in, a hospital, nursing facility, or other long-term care facility. A medical day care facility must be licensed by the State Department of Health and Mental Hygiene and is required to furnish the following: Nursing services, diet modifications, rehabilitative services, social services, medical consultation and other special services.

(CB-57-1986; CB-5-2016)

(148.7)

Medical Facility: A facility, office, or clinic where patients are examined or treated by physicians, including hospitals and outpatient facilities, urgent care centers, physical therapy offices, and dentists, but does not include drug or alcohol treatment facilities, methadone treatment facilities, or massage therapy establishments.

(CB-5-2016)

(149)

Medical Practitioner: A licensed physician, surgeon, dentist, osteopath, chiropractor, optometrist, podiatrist, psychiatrist, psychologist, or a person in a similar profession.

(150)

Menu Board: A message board with changeable copy, solely used to inform passengers of specific food offered in a "Drive-in Restaurant" or a "Fast-Food Restaurant" with a drive-thru window. It includes an amplification system to allow passengers to order food while seated in their cars. A "Menu Board" is not a "Sign."

(150.1)

Merchandise Logistics Center: A facility located within a Regional Urban Community, where goods or products are received and may be sorted, packed and stored for the purpose of distribution to parcel carriers or delivery directly to a customer, and which may include ancillary, and related functions such as indoor or outdoor loading and unloading, light maintenance and refueling of fleet vehicles, employee break room(s), ancillary retail sales and customer service areas, pick and pack areas, printing, packaging, and assembling or making products on demand and ancillary and related uses.

(CB-18-2019)

(150.2)

Methadone Treatment Center: An establishment licensed by the Federal Government and certified by the State of Maryland from which methadone, prescribed for the treatment of heroin addiction, is dispensed. This term shall not include "Drug Store," "Medical Clinic," the "Office" of a "Medical Practitioner," or "Public Building and Use."

(CB-103-1993; CB-18-2019)

(150.3)

Metro Planned Community: A contiguous land assemblage, no less than one hundred fifty (150) acres, abutting an existing mass transit rail station site operated by the Washington Metropolitan Area Transit Authority and including land placed in preservation by the State of Maryland, and planned to be developed with an array of commercial, lodging, recreational, residential, entertainment, retail, social, cultural, or similar uses which are interrelated by one or more themes.

(CB-35-1998; CB-47-2000; CB-18-2019)

(151)

Mixed Retirement Development: A residential community for retirement aged persons developed under a uniform scheme of development, containing a mix of attached, detached, or multifamily dwelling units, nursing or care homes, or assisted living facilities. Each community shall be developed with not less than two (2) types of dwelling units.

(CB-78-1996; CB-45-1999)

(151.1)

Mixed-Use Planned Community: A contiguous land assemblage of two hundred fifty (250) or more acres in the E-I-A or M-X-T Zone at the intersection of two State highways classified as expressways or freeways, land which meets the criteria in Part 3, Division 2, for classification in the M-X-T Zone and which is developed or to be developed as follows: mixing residential, employment, commercial retail, commercial office, hotel or lodging, civic buildings, parks, or recreational uses; creating a self-sustaining neighborhood with a balanced mix of residential, commercial, public, institutional, and recreational uses; providing uses which are physically and functionally coordinated, with a network of streets and sidewalks forming an integrated circulation system; giving priority in use placement and site design to public spaces, civic uses, recreational uses, and institutional buildings; and exhibiting throughout a high quality of architecture, site design and landscaping, and placement of different uses. If on January 1, 2002, any part of the property covered by an approved E-I-A Basic Plan is partially or fully built on or developed under the Basic Plan regime, then no part of the property may be approved as a Mixed-Use Planned Community.

(CB-13-2002)

(152)

Mobile Home:

(A)

A one-unit portable structure which is:

(i)

Designed for conveyance upon streets;

(ii)

Constructed upon a chassis for towing to the point of use;

(iii)

Originally equipped to provide complete, permanent, year-round living facilities for one (1) family, including a kitchen, flush toilet, bath or shower, and sleeping area; and

(iv)

Designed and constructed for connection to utilities and sanitary facilities.

(B)

The term does not include "Camping Trailer," "Modular Home," or "Trailer." A "Mobile Home" shall not be considered a "One-Family Detached Dwelling."

(153)

Mobile Home Community: A residential development designed to accommodate "Mobile Homes," together with various other facilities for the benefit and enjoyment of residents of the community. The term does not include a "Recreational Campground."

(154)

Mobile Home Lot: A "Record Lot" within a "Mobile Home Community" intended to accommodate one (1) "Mobile Home." Each "Lot" shall be improved with at least one (1) "Mobile Home Stand," patio, off-street parking area, and individual sidewalk.

(155)

Mobile Home Stand: A portion of a "Mobile Home Lot" which is improved to provide adequate support for the placement of one (1) "Mobile Home," including any enclosed extensions or structural additions.

(156)

Model Studio: Any premises where a customer, for a fee, is permitted to photograph, sketch, observe, view, paint, draw, sculpt or otherwise depict, or direct the poses of, a live human figure model in the nude or seminude. This term shall not be construed to include a theatre, an accredited school, or any similar type of cultural or educational use. For the purposes of this Subtitle, "Nude" or "Seminude" means exposure of genitals, vulva, anus, pubic hair, or cleft of the buttocks; or the exposure of any device which is intended to simulate the genitals, vulva, anus, pubic hair, or cleft of the buttocks; or the exposure of any portion of the female breast at or below the areola.

(156.1)

Modular Classroom: A compensatory education modular classroom which is used exclusively for the purpose of providing educational services to private school students pursuant to Title 1 of the Elementary and Secondary Education Act of 1965, 20 U.S.C., Section 2701 et seq. (Title 1).

(CB-106-1989)

(157)

Modular Home:

(A)

A detached "Structure" which is:

(i)

Comprised of two (2) or more portable building subassemblies;

(ii)

Originally equipped to provide complete, permanent, year-round living facilities for one (1) "Family," including a kitchen, flush toilet, bath or shower, and sleeping area; and

(iii)

Designed and constructed for connection to utilities and sanitary facilities.

(B)

A "Modular Home" shall be considered a "One-Family Detached Dwelling."

(157.1)

Monopole: A single, self-supporting pole-type structure, tapering from base to top and supporting a fixture designed to hold one (1) or more antennas. For the purpose of this Subtitle, a monopole shall not be deemed to be a transmission tower.

(CB-123-1994)

(158)

Motel:

(A)

A "Building" or group of "Buildings" which:

(i)

Is not over two (2) "Stories" high;

(ii)

Contains six (6) or more "Guest Rooms" in each "Building";

(iii)

Has separate outside entrances for each "Guest Room"; and

(iv)

Is to be used primarily for motor vehicle transients.

(B)

The term includes auto court and motor lodge but does not include "Tourist Cabin Camp," "Hotel," or "Tourist Home." A Motel shall not be considered a "Bed-and-Breakfast Inn."

(CB-39-2009)

(158.1)

Motor Freight: Goods transported by truck for compensation by common carrier companies, as distinguished from other "Trucking Operations."

(CB-90-1992)

(158.1.1)

Moving and Storage Operation: A business established primarily for the storage of furniture, furnishings, equipment, used household goods and personal effects, files and records, and other personal property owned by others, and for uses incidental thereto, including computerized management of containerized storage, and delivery and removal of such personal property by truck.

(CB-70-2004)

(158.2)

Multifamily Dwelling Management Company: Business offices and accessory uses, such as storage of office supplies, maintenance vehicles, and maintenance equipment, used solely in connection with the rental of dwelling units in, and the operation, service, and maintenance of, two (2) or more multifamily dwelling projects.

(CB-81-1985; CB-90-1992)

(159)

Multifamily Project: Two (2) or more "Multifamily Dwellings" originally planned and developed under a uniform scheme of development, and served by common and immediate off-street parking and loading facilities.

(159.1)

Multifamily Retirement Community: A residential community for retirement aged persons developed under a uniform scheme of development, and which includes, either upon the same parcel or an adjacent parcel, medical offices, an assisted living facility, adult day care center, and/or other facilities designed for senior citizens.

(CB-85-2003)

(160)

Municipality: An incorporated city or town.

(160.1)

Natural Resource Inventory: A plan and supporting documentation or letter as defined in [Section 24-101](#).

(CB-28-2010; CB-34-2011)

(161)

Net Lot Area:

(A)

The total contiguous area included within the "Lot Lines" of a "Lot," excluding:

(i)

"Alleys," "Streets," and other public ways; and

(ii)

Land lying within a "One Hundred (100) Year Floodplain," except as follows. In the R-A, O-S, V-M, and V-L Zones, any part of the "Lot" exceeding forty thousand (40,000) contiguous square feet may be within the "One Hundred (100) Year Floodplain." In the R-E Zone, any area of the "Lot" in excess of twenty thousand (20,000) contiguous square feet may be within the "One Hundred (100) Year Floodplain," provided that the "Lot" is served by a public water and sewerage system and is in water and sewer service area category one (1), two (2), or three (3) at the time the "Final Plat" of "Subdivision" is approved.

(B)

Unless otherwise specified, "Lot Area" means "Net Lot Area."

(C)

In a conservation subdivision developed in conformance with [Section 24-152](#) the net lot area is the contiguous lot area located outside of the 100-year floodplain, and regulated environmental features as defined by [Section 24-101](#).

(CB-53-1991; CB-6-2006; CB-28-2010)

(162)

Net Tract Area (Net Acreage), Cluster Development:

(A)

The "Net Tract Area" is the "Gross Tract Area" minus all land which:

(i)

Lies within a "One Hundred (100) Year Floodplain";

(ii)

Has an average slope greater than twenty-five percent (25%); and

(iii)

Has been conveyed to a public agency by means of a purchase agreement (as opposed to dedication or donation) for "Public Facilities" such as parks, schools, or public institutions.

(B)

The term applies only to tracts subdivided under the "cluster development" provisions of the County Code.

(163)

Net Tract Area (Net Acreage), Conventional Development:

(A)

The "Net Tract Area" is the "Gross Tract Area" minus all land which:

(i)

Lies within a "One Hundred (100) Year Floodplain"; and

(ii)

Has been dedicated, donated, or otherwise conveyed out of the tract.

(B)

In the R-T Zone, and in the R-30, R-30C, R-18, and R-18C Zones when developed in conformance with the requirements of the R-T Zone, local internal public and private "Streets" shall be included in the "Net Tract Area" of the development.

(C)

The term shall not apply to tracts subdivided under the "cluster development" provisions of the County Code.

(D)

Unless otherwise specified, "Tract Area" means "Net Tract Area."

(164)

Newspapers of Record: Three (3) County newspapers, designated as such by the County Council, in accordance with the requirements of the Charter of Prince George's County, Maryland.

(165)

Nonconforming Building or Structure: Any "Building" or "Structure" which is not in conformance with a requirement of the Zone in which it is located (as it applies to the "Building" or "Structure"), provided that:

(A)

The requirement was adopted after the "Building" or "Structure" was lawfully erected; or

(B)

The "Building" or "Structure" was erected after the requirement was adopted and the District Council has validated a building, use and occupancy, or sign permit issued for it in error.

(C)

Any building used exclusively for residential purposes, containing not more than three (3) dwelling units, and which was constructed prior to November 29, 1949, shall not be deemed a nonconforming building or structure.

(CB-104-1995)

(166)

Nonconforming Use:

(A)

The "Use" of any "Building," "Structure," or land which is not in conformance with a requirement of the Zone in which it is located (as it specifically applies to the "Use"), provided that:

(i)

The requirement was adopted after the "Use" was lawfully established; or

(ii)

The "Use" was established after the requirement was adopted and the District Council has validated a building, use and occupancy, or sign permit issued for it in error.

(B)

The term shall include any "Building," "Structure," or land used in connection with a "Nonconforming Use," regardless of whether the "Building," "Structure," or land conforms to the physical requirements of the Zone in which it is located.

(166.1)

Nontidal Wetland: A wetland as defined in [Section 24-101](#).

(CB-28-2010)

(167)

Nursery and Garden Center: "Buildings," "Structures," or an area of land used for the display and sale of nursery stock or garden supplies. A temporary "Wayside Stand" is not a "Nursery and Garden Center."

(CB-35-1989)

(168)

Nursing or Care Home: A nursing home is a licensed institution which provides comprehensive medical and nursing services for chronically ill, disabled, or convalescent patients who require supervised care on a twenty-four (24) hour basis. Services are rendered by or under the supervision of a registered nurse. The term includes facilities providing subacute level nursing care and restorative care. A care home is a licensed facility which provides care to four or more individuals who, because of advanced age or physical or mental disability, require intermittent assistance in performing the activities of daily living, which may include the supervision and/or administration of medication, in a protective environment. A care home does not admit or retain residents in need of more than intermittent nursing care. The terms shall not include an "Adult Day Care Center," "Congregate Living Facility," "Group Residential Facility," or "Hospital."

(CB-90-1985; CB-59-1996)

(169)

Office: A place where the primary "Use" is conducting the affairs of a business, profession, service, nonprofit organization, or government, including administration, record keeping, clerical work, and similar business functions. An "Office" shall not involve manufacturing, fabrication, production, processing, assembling, cleaning, testing, repair, or storage of materials, goods, or products; or the sale or delivery of any materials, goods, or products which are physically located on the premises. Office supplies used in the "Office" may be stored as an "Accessory Use."

(CB-88-1993)

(170)

Office Building Complex: Two (2) or more office "Buildings" originally planned and developed under a uniform scheme of development, and served by common and immediate off-street parking facilities.

(171)

Open Space: Areas of land not covered by "Structures," "Driveways," or "Parking Lots." "Open Space" may include such things as decorative fencing, fountains, sculptures, statues, lawn furniture, gazebos, screening, lawn or natural terrain, picnic areas (including covered pavilions), lakes, streams, and ponds.

(171.1)

Opportunity Housing: "Dwellings" constructed by a not-for-profit housing organization pursuant to Subtitle 13, Division 8, of this Code, provided that the number of dwellings shall not exceed eight (8) dwelling units per acre in a side by side configuration or twelve (12) dwelling units per acre in a piggyback configuration, unless the zone in which such dwelling units are constructed provides for greater density.

(CB-66-1991)

(172)

Owner: The "Person" in whom legal or equitable title rests. "Owner" means any part owner, joint owner, owner of a community or partnership interest, life tenant, tenant in common, tenant by the entirety, or joint tenant. Where the signature of an "Owner" is required, the term "Owner" includes anyone having clear written authority to act on behalf of the actual "Owner."

(173)

Parking Garage: A "Building" (other than a motor vehicle sales room) used for parking private motor vehicles. A "Parking Garage" shall not be used for the storage of dismantled or wrecked vehicles, motor vehicle parts, or junk. A "Parking Garage" shall not be considered an "Accessory Building" unless it is used for parking vehicles in accordance with Part 11.

(174)

Parking Garage, Private: A "Parking Garage" used for housing private "Passenger Vehicles" and such "Commercial Vehicles" as are allowed to be parked in the zone in which such garage is located. Not over fifty percent (50%) of the garage shall be used for vehicles not owned by the occupants of the premises. The garage shall be either an "Accessory Building" or part of a "Main Building."

(CB-129-1989)

(175)

Parking Garage, Public: A "Parking Garage" used for the housing of six (6) or more motor vehicles, where any service or repair facilities are incidental. The garage shall not be considered an "Accessory Building."

(176)

Parking Lot: An area of land (other than a "Vehicle Sales Lot") used for parking private "Passenger Vehicles." A "Parking Lot" shall not be used for the storage of dismantled or wrecked vehicles, motor vehicle parts, or junk. ("Parking Lots" used in accordance with Part 11 prior to March 1, 1985, were called "Automobile Parking Compounds.")

(177)

Passenger Debarkation Area: An area used for the loading and unloading of "Passenger Vehicles," which:

(A)

Is connected to a public "Street" by a "Driveway" having separate ingress and egress lanes;

(B)

Is of sufficient size to accommodate turnaround movements of "Passenger Vehicles" (except where traffic is limited to one-way); and

(C)

Is not part of a "Parking Lot."

(177.1)

Pawnshop: A business at which a person lends money on the deposit or pledge of tangible personal property or purchases tangible personal property on the condition of reselling the same to the seller at a stipulated price.

(CB-28-1997)

(177.2)

Performance Arts Center: A performance arts mixed-use community, one or more adjoining structures housing two or more of the following uses: theaters or performance space for dramatic, dance, or musical productions; museums or galleries for display or exhibition of any form of artwork; schools, training centers, or practice space for artists; and accessory office, storage, or workplace areas for any such uses. Accessory offices for the community may be located adjacent to the property with the main use, and any such accessory offices shall be considered, for permitting purposes, as a part of the performance arts center. A performance arts center must be located within two miles of artists' residential studios in existence or approved for construction, but this requirement does not apply to accessory offices. Performance arts center structures may also house other nonresidential uses, but the other uses may not occupy more than 25% of the gross floor area of the performance arts center. Individual units may be owned by artists or arts organizations or commercial retailers or service providers, but all structures and common areas must be owned or controlled by a nonprofit corporation or association which restricts use and occupancy of performance and exhibition space to artists and which is responsible for maintenance of the structures and their continued use as a performance arts center.

(CB-12-2001)

(177.3)

Performance Arts Rehearsal Studio: A space, reserved by appointment only, for practicing, rehearsing, and/or recording by performance arts uses, including musical productions and artists' preparation for display or exhibition of any form of artwork. May include accessory office, storage, or workplace areas for any such uses, but shall not include any admission to the general public, and does not house more than 40 occupants at any one time. The use must conform with applicable noise pollution requirements set forth in Subtitle 19 of this Code.

(CB-79-2017)

(178)

Person: Any individual or natural person, legal entity, joint stock company, partnership, voluntary association, society, club, firm, company, corporation, business or other trust, civic association, municipality, government organization or entity, or any other organization, whether or not legally incorporated.

(CB-12-2003)

(179)

Person of Record (Party of Record):

(A)

In any zoning case, a person or party of record includes:

(i)

The owner, applicant, and correspondent;

(ii)

Any municipality, civic association, or other person which requests, by writing or testimony, to become a person or party of record on or before the date the Zoning Hearing Examiner takes the case under advisement; and

(iii)

The Development Review District Commission if the property is located in a Development Review District.

(B)

In any Sectional Map Amendment (SMA) or other matter (under this Subtitle) not heard by the Zoning Hearing Examiner, a person or party of record includes the owner, applicant, and correspondent of a pending application; a municipality, civic association, or other person which, in writing or in testimony before the District Council, Planning Board, or other body, requests to be made a person or party of record, and the Development Review District Commission, if the property is located in a Development Review District, prior to the closing of the hearing record on the matter.

(CB-133-1986; CB-12-2003)

(180)

Pet Shop: An establishment which sells two (2) or more species of live animals as pets. The term does not include commercial establishments which sell these pets as an "Accessory Use."

(181)

Physically Handicapped Person: An individual who has a physical impairment which:

(A)

Is expected to be of long-continued and indefinite duration;

(B)

Substantially impedes the ability to move about and live independently; and

(C)

Is of such a nature that this ability could be improved by more suitable housing conditions, barrier-free design of "Buildings," and reserved, specially-designed parking facilities.

(181.1)

Pier, Private: A privately owned platform extending from a shore over water and supported by piles or pillars, used to secure, protect, and provide access to boats.

(CB-57-1989)

(181.2)

Planned Environmental Preservation Community: A high-quality residential community meeting the purposes and standards in Part 8, Division 5, of this Subtitle, where dwelling units are built in clustered, attached, or multifamily development, to enhance and preserve significant environmental features on and adjacent to the community property. The property must include at least fifty (50) acres of contiguous parcels in a Comprehensive Design Zone with a Basic Plan and Comprehensive Design Plan approved before January 1, 2001, and must lie adjacent to planned and zoned employment and office uses and one or more significant environmental features, such as designated scenic rivers or streams.

(CB-35-2003)

(181.3)

Planning Board: The Prince George's County Planning Board of the Maryland-National Capital Park and Planning Commission.

(CB-35-2003)

(182)

Playground: An area used for indoor or outdoor play or recreation, especially by children, which may contain recreational equipment such as seesaws, slides, and swings, regardless of whether it is in public or private ownership. A "Playground" may be a primary or an accessory use. Play areas located on a lot developed with a single-family dwelling and to which the public is not generally invited shall not be deemed a "Playground."

(CB-22-1999; CB-35-2003)

(183)

Porch, Open: A porch without a roof or other covering. (See Figure 22.)

(CB-35-2003)

(184)

Preliminary Plat (or Plan) of Subdivision: The preliminary detailed drawing (to scale) of a tract of land, depicting its proposed division into "Lots," "Blocks," "Streets," "Alleys," or other designated areas within a proposed "Subdivision."

(CB-35-2003)

(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.

(CB-4-2004)

(184.2)

Private Automobile and Other Motor Vehicle Auctions: An area used for the sale at auction on a recurring basis of motor vehicles, including but not limited to, cars, trucks, vans, trailers, motorcycles, motor homes, and buses. Private vehicle auctions are venues for the sale of vehicles between state-licensed dealers, wholesalers, and/or state-licensed dealers and the general public who are required to register as a bidder for the privilege of purchasing a vehicle. Auction sales may only be conducted by a state-licensed dealer or an auctioneer holding a valid state Trader's License. Private vehicle auctions include businesses conducting on-site auctions and businesses auctioning vehicles through Internet sites.

(CB-59-2010)

(184.2.01)

Private Limousine Service Dispatching Station: A facility operated by a limousine service, whereby limousines, as defined in [Section 20-102\(a\)\(8\)](#) of this Code, receive and are dispatched to calls for non-emergency transportation service, and at which the limousines return at the conclusion of agreed terms of the service, including on-site parking for the limousine vehicles.

(CB-87-2015)

(184.3)

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% gross tract area requirement for a conservation subdivision.

(CB-32-2008)

(185)

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

(CB-20-2000)

(186)

Public Facilities: Facilities and services, such as water, sewerage, transportation (streets and mass transit), schools, libraries, recreation, police protection, and fire and emergency service, that are publicly owned and maintained; privately owned and maintained streets and recreational facilities authorized pursuant to Subtitle 24 of this Code; and voluntary fire or rescue squad stations.

(186.1)

Public Facilities Financing and Implementation Program: A comprehensive program established by the County Council and intended to implement and facilitate General Plan, Master Plan, or Sector Plan recommendations regarding the construction and maintenance of public facilities not subject to public facilities surcharges, including water, sewerage, transportation (streets and mass transit), libraries, recreation, and privately owned and maintained streets and recreational facilities authorized pursuant to Subtitle 24 of this Code. Intended to include some or all proposed and future development in a specified area, this program should include provisions for financing strategies including, but not limited to, pro-rata contributions, sale leasebacks, funding "clubs," the Surplus Capacity Reimbursement Procedure provided in [Section 24-124](#) of the County Code, and other methods to ensure equity. Costs for the proposed and future development in a specified area established within a Public Facilities Financing and Implementation Program (PFFIP) include annual cost adjustments in a percentage equivalent to the percentage by which the Engineering News-Record (ENR) cost indices of local construction costs for the Washington Metropolitan area have changed. Cost adjustments for public facilities shall be based the final cost of said improvements authorized pursuant to Subtitle 24 of this Code. Techniques may include but are not limited to tax increment financing, special taxing districts, alternative construction financing, property tax reductions, tax credits, and/or Federal, State, or local programs. Public facilities surcharges for public safety and schools will be collected and distributed in accordance with applicable law. Fees collected in excess of required surcharges shall be included in any established Public Facilities Financing and Implementation Program for that area.

(CB-77-2006; CB-78-2006; CB-81-2012)

(187)

Public Utility: A privately owned facility which provides the public with electricity, natural gas, water or sewer service (as part of a community system), or wire-transmitted telecommunications service; or any privately-

owned railroad facility.

(CB-65-2000)

(187.1)

Qualifying Patient: An individual who: (a) lives in the State of Maryland, or during that time an individual is present in the State, is physically present in the State for the purpose of receiving medical care from a medical facility in the State; (b) has been provided with a written certification by a certifying physician in accordance with a bona fide physician-patient relationship; and (c) if the person is younger than eighteen (18) years old, has a caregiver.

(CB-5-2016)

(188)

Rear Wall: Except as otherwise specified, any wall of a "Building" facing the "Rear Yard."

(189)

Record Lot: See "Lot, Record."

(190)

Record Plat: An official plat of "Subdivision," as recorded in the Land Records of Prince George's County, Maryland.

(191)

Recreational Campground: An area of land designed to accommodate two (2) or more "Camping Trailers" or tents (but excluding "Mobile Homes"), together with supporting facilities and "Open Spaces." This term shall not include camping resorts and camping communities in which lots are sold; migrant labor camps; "Mobile Home Communities" or "Trailer Camps"; or "Camping Trailer" storage or sales lots on which unoccupied units are parked for inspection and sale or lease.

(192)

Recreational or Entertainment Establishment of a Commercial Nature: An establishment which provides entertainment, recreation, or amusement for profit, (which may include a Video Lottery Facility only in accordance with [Section 27-548.01.04](#) of this Subtitle). This term shall not include an "Amusement Arcade," "Reducing/Exercise Salon or Health Club," or a "Massage Establishment" but shall include any form of a "Rental Hall" or "Dance Hall" or "Banquet Hall" not sanctioned by another special exception or private club.

(CB-46-2010, CB-56-2011; CB-6-2014)

(193)

Recreational Program, Before- and After-School: Supervised recreation (not operated by a public agency) for children (three (3) to sixteen (16) years of age) during regularly scheduled periods not exceeding two (2) hours daily before school classes begin and four (4) hours daily after the normal school closing time, which is operated in a community-oriented facility, such as a "Church," service club, school, or civic association "Building."

(CB-75-1985; CB-23-1988; CB-13-2014)

(194)

Recycling Plant: Any establishment in which a finished product is broken down (excluding biological or chemical decomposition) with the intent of either making a new product or reusing the disassembled parts. Vehicle demolition, salvage, storage operations, electronic recycling facilities and concrete recycling facilities are not included.

(CB-78-2004; CB-91-2012)

(195)

Reducing/Exercise Salon or Health Club: An establishment providing programs for controlled exercise, weight lifting, calisthenics, and general physical fitness or weight reduction. This "Use" shall not be considered a "Massage Establishment" where it occupies at least five thousand (5,000) square feet of "Gross Floor Area," of which not more than five percent (5%) is used for massages, and where the gross income from massages is less than fifteen percent (15%) of the total gross business income derived from physical fitness sales contracts at each business location.

(196)

Reduction of Fish and Animal Products: Any process involving heat (including rendering, cooking, drying, dehydrating, acidulating, digesting, evaporating, or protein concentrating of animal matter), the end product of which is not intended for internal human consumption.

(197)

Regional District Act: Article 28 of the Annotated Code of Maryland.

(197.1)

Regional Urban Community: A contiguous land area of 500 or more acres in the M-X-T or R-M Zone within a General Plan designated center in the Developing Tier, and which is to be developed as follows: a mixed use, urban town center including retail, office, employment and residential uses with a defined core, edge and fringe as defined by the Sector Plan or a major employment use or center consistent with County economic development strategies; transit-and-pedestrian-oriented, with ample public spaces suitable for community events, adjacent to a planned or developed public park of 100 or more acres that includes a variety of recreational and cultural facilities for public use, such as amphitheaters, performance stages and plazas.

(CB-29-2008; CB-18-2019)

(197.2)

Regulated Environmental Features: Features as defined in [Section 24-101](#).

(CB-28-2010)

(197.3)

Regulated Stream: A stream as defined in [Section 24-101](#).

(CB-28-2010)

(198)

Remand De Novo: A remand of a "Zoning Case" back to the Planning Board for the purpose of processing the application over again as if it were a new one.

(198.1)

Residential Revitalization: The renovation or redevelopment of any form of existing multifamily or attached one-family dwelling units, or unimproved property on which multifamily dwelling units existed on January 1, 2011, but were subsequently razed as a result of condemnation proceedings initiated by the County, in a designated Revitalization Tax Credit District, where the renovation or redevelopment meets the standards and criteria in [Section 27-445.10](#).

(CB-58-2001; CB-13-2011)

(198.2)

Respite Care: Respite care means short-term care for disabled persons, given at a location other than an individual's residence, in order to relieve the family or care giver. Respite care for short-term care shall be regulated under COMAR 10.07.03 Domiciliary Care.

(CB-57-1986; CB-58-2001)

(199)

Reserved.

(200)

Reserved.

(201)

Resubdivision: A "Subdivision" which is a rearrangement of "Lot Lines" shown on a previously recorded plat or deed.

(202)

Retail: The sale of commodities or goods, usually in small quantities, directly to ultimate consumers. The term shall not include a "Pawnshop" as defined in this Subtitle.

(CB-28-1997)

(202.1)

Retail Tobacco Business: A retail store where the primary use is the retail sale of tobacco products and tobacco smoking accessories which may include on site consumption in accordance with [Section 19-131](#) of the County Code and the incidental sale of food and or beverage provided the gross floor area of the food and or beverage area does not exceed forty-nine percent (49%) of the gross floor area.

(CB-15-2017)

(203)

Riding Stable: An establishment where horses are boarded and cared for. Instruction in riding, jumping, and showing may be offered, and horses may be rented to the general public for riding.

(203.1)

Rock Crusher: A piece of machinery or equipment, either stationary or transportable, used to break up materials such as concrete and asphalt into stone.

(CB-15-1990)

(204)

Rooming House: A "Dwelling" in which (for compensation) lodging (excluding meals) is furnished by the inhabitants to four (4) or more, but not over nine (9), guests. The "Dwelling" shall contain not over five (5) "Guest Rooms." A Rooming House shall not be considered a "Bed-and-Breakfast Inn."

(CB-39-2009)

(204.1)

Routine Maintenance or Repairs: Activities that do not require a building permit, that are associated with regular (e.g., daily, weekly, monthly, etc.) or general upkeep of a building, parking lot or parking facility, signage or open space, equipment, machine, plant, or system against normal wear and tear that maintain the asset's functionality and preserve value.

(CB-2-2015)

(205)

Sanitary Landfill: A planned, systematic method of refuse disposal where waste material is placed in the earth in layers, compacted, and covered with earth or other approved covering material at the end of each day's operation, or any method of in-ground disposal of sludge other than for fertilization of crops, horticultural products, or floricultural products in connection with an active agricultural operation or home gardening. A "Sanitary Landfill" includes a "Rubble Fill" for construction and demolition materials.

(CB-57-1989)

(206)

School, Private: A private school or training institution which offers a program of college, professional, preparatory, high school, middle school, junior high school, elementary, kindergarten, or nursery school instruction; or any program of trade, technical, professional, or artistic instruction. A private school is not a "Home Occupation." The term does not include:

(A)

Any institution which is under the jurisdiction of the Prince George's County Board of Education; or

(B)

Any activity offering instruction which is carried on by a single teacher, tutor, or instructor having a total enrollment of less than six (6) students.

(CB-23-1988)

(206.1)

Seafood Market: A retail store where the sole "Use" is the sale of edible fish, shellfish, and related items. Accessory wholesaling may be permitted, provided it is limited to twenty-five percent (25%) of the gross floor area of the store.

(CB-49-1987; CB-93-1996; CB-94-2000)

(206.2)

Sector Plan: A comprehensive plan for the physical development of a portion of one or more planning areas, showing in detail such planning features as type, density and intensity of land uses, pedestrian traffic features, public facilities (parking structures, public open space, rapid transit station, community service provisions, and the like), and relationship of the various uses to transportation, services, and amenities within the area of the sector plan and, where appropriate, to other areas. The sector plan may include maps, graphics, and text and is designated as the sector plan for the area which it encompasses.

(CB-8-2000; CB-35-2011)

(207)

Setback: Except as provided for Special Exceptions (Section 27-328.1), the distance between a "Building" (including enclosed projections) or "Structure" (not including ground-level paved services, unless specifically noted) and the "Street Line" or "Lot Line." Required "Setbacks" determine an area within which a "Building" or "Structure" may be placed. (Also see "Building Line," "Yard," and Figure 5.)

(208)

Shopping Center, Integrated: A group of (three (3) or more) retail stores planned and developed under a uniform development scheme and served by common and immediate off-street parking and loading facilities.

(209)

Side Wall: Except as otherwise specified, any wall of a "Building" facing a "Side Yard."

(210)

Sign: Any letter, word, numeral, figure, design, projected image, picture, illustration, emblem, symbol, trademark, banner, pennant, or other device, which is used to announce, direct attention to, identify, advertise, or otherwise make anything known. Signs do not include the flag or emblem of any nation; county; state; city; religious, fraternal, or civic organization; decorations or works of art which in no way identify a product or business. (See Figure 23.)

(CB-59-1993)

(211)

Sign, Incidental: A "Sign" designating an "Accessory Use," such as a "Medical Practitioner's" office (in a "Dwelling"), "Home Occupation," or similar use, or exclusively advertising the sale of farm products grown or produced on the premises. (See Figure 24.)

(CB-59-1993)

(212)

Sign, On-site: "Sign" directing attention to a business, commodity, service, entertainment, event, or similar activity conducted on the premises upon which the "Sign" is located.

(CB-59-1993)

(213)

Sign, Outdoor Advertising (Billboard): A "Sign" (including "Bulletin", "Poster Panel", and "Digital Billboard") which directs attention to a business, commodity, service, entertainment, event, or other activity conducted, sold, or offered elsewhere than upon the property on which the "Sign" is located. The term also means a permanent "Sign" advertising the sale, lease, rental, or designation of real estate located elsewhere than on the property

upon which the "Sign" is located. A "Bulletin" is an "Outdoor Advertising Sign" having an area greater than three hundred (300) square feet. A "Poster Panel" is an "Outdoor Advertising Sign" which generally has panels of poster paper attached to it, and an area not greater than three hundred (300) square feet. (See Figure 25.) A Digital Billboard is an "Outdoor Advertising Sign" utilizing digital message technology, capable of changing the static message or copy on the sign electronically. A Digital Billboard may be internally or externally illuminated. Digital Billboards shall contain static messages only, and shall not have animation, movement, or the appearance or optical illusion of movement, of any part of the sign structure. Each static message shall not include flashing or the varying of light intensity.

(CB-23-1992; CB-59-1993; CB-84-2016)

(214)

Sign Projecting: A "Sign" which projects outward or downward from a "Building" or "Canopy" more than twelve (12) inches. (See Figure 26.)

(215)

Sign, Real Estate: A "Sign" which advertises the sale, lease, rental, or development of the property upon which it stands, or directs attention to the opening and location of a new "Subdivision," neighborhood, or Community.

(215.1)

Sign, Stadium Wayfinding: A "Sign" on the premises of an "Arena (Stadium)" which provides parking location identification and similar information for the "Arena (Stadium)". A "Stadium Wayfinding Sign" may also direct attention to a business, commodity, service, entertainment, event or other activity conducted, sold or offered elsewhere than upon the "Arena (Stadium)" property, notwithstanding the provisions of [Section 27-593](#) of this Subtitle.

(CB-54-2012)

(216)

Sign, Window: A "Sign" that is attached to, or painted on, a window so that it can be read from outdoors. (See Figure 27.)

(216.1)

Skating Facility: A facility, the use of which is primarily devoted to ice skating, and which is privately owned and operated. The facility may also be used as a site for competitive events and as a practice and training facility. Ancillary uses may include meeting rooms, training rooms, videotape rooms, a restaurant, a pro shop, a snack bar, and outdoor training fields.

(CB-89-1994)

(216.2)

Small Group Child Care Center: An establishment in which a program is operated in a dwelling unit, by a resident of the dwelling unit, that provides care and activities for between nine (9) and twelve (12) children on a regular schedule (more than once a week). This term shall not include "Day Care Center for Children," "Family Day Care," "Recreational Program, Before- and After-School," or "School, Private."

(CB-131-1993; CB-89-1994)

(217)

Sorority House: See "Fraternity or Sorority House."

(218)

Spa: A "Structure" (together with all associated "Buildings" and appurtenances), other than a baptismal font, bathtub, "Swimming Pool," or wading pool, which:

(A)

Is designed to contain water for immersion and soaking of the human body for relaxation or recreation;

(B)

Is structurally stable when empty or full of water; and

(C)

Is constructed of a smooth impervious material.

(219)

Spa, Community: A "Spa" which:

(A)

Is owned and operated by the members of a club, cooperative, or association;

(B)

Is not organized for profit;

(C)

Is operated in conjunction with, on the same "Lot" as, and as an integral part of, a "Community Swimming Pool"; and

(D)

Is restricted to use by either families of members and their guests, or, if operated in connection with a "Multifamily Dwelling" or "Attached Dwelling" development, to residents and their guests.

(220)

Spa, Private: A "Spa" which either:

(A)

Solely serves an individual "Dwelling Unit";

(B)

Is used within a "Hospital," "Nursing or Care Home," "Medical Clinic," or "Medical Practitioner's" office solely for therapeutic purposes on the advice of a "Medical Practitioner"; or

(C)

Is located in an institution such as a school, or in a sports "Arena (Stadium)," solely for use by athletes on an individual basis.

(221)

Spa, Public: Any "Spa" other than a "Community Spa" or "Private Spa."

(221.1)

Storefront Area: Land area within a "Village Proper" in the V-M and V-L Zones, so designated in the village plan, generally for commercial use and upon which commercial structures and "Storefront Dwellings" may be erected.

(CB-53-1991)

(222)

Stormwater Management Task Force: A task force composed of the heads of various Prince George's County agencies, including the Maryland-National Capital Park and Planning Commission, Department of Public Works and Transportation, Department of the Environment, Department of Permitting, Inspections, and Enforcement and Soil Conservation District, as well as the County's Chief Administrative Officer and the Council Administrator.

(CB-133-1986; CB-63-1987; CB-29-2014; CB-32-2014)

(223)

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

(224)

Story, Half: See "Half-Story."

(224.1)

Stream: See "Regulated Stream."

(CB-28-2010)

(225)

Street:

(A)

A "Street" is:

(i)

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

(ii)

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

(B)

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

(i)

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

(ii)

No subdivision plat is required prior to development of the lot which abuts the "Other Public Road."

(CB-32-1989; CB-38-1990; CB-25-1992; CB-57-2003)

(226)

Street, Center Line of:

(A)

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

(B)

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

(C)

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

(226.1)

Street Furniture: Elements of the streetscape, whether freestanding or fixed, generally associated with amenities for pedestrians, that occupy a place on the sidewalk, on a plaza, or in another type of pedestrian area. Street furniture includes, but is not limited to, benches and other forms of seating, planters, kiosks, signage, lighting fixtures, shelters, and waste disposal containers.

(CB-20-1990)

(227)

Street Line: A line separating the "Street" from abutting property. For the purpose of this definition a "Street" is whichever of the following two groups of vehicular ways indicates the greatest right-of-way width:

(A)

A public or dedicated right-of-way at least thirty (30) feet in width; or a private road right-of-way or easement along which development is authorized pursuant to Subtitle 24; or

(B)

A proposed "Street" right-of-way or widening shown on the applicable "General Plan" or "Master Plan," or "Functional Master Plan"; or in the current Capital Improvement Program or Maryland State Five (5) Year Highway Construction Program; or on a "Record Plat."

(228)

Structure: Anything constructed or built.

(229)

Subdivision: The division by plat or deed of a piece of property into two (2) or more "Lots," plots, sites, tracts, parcels, or other land divisions.

(230)

Surface Mining: The extraction of natural materials or deposits from the earth (such as sand, gravel, clay, rock, stone, earth, or topsoil).

(231)

Swimming Pool: A man-made enclosure used as a wading or swimming facility, and having a depth of at least three (3) feet (measured at its deepest point).

(232)

Swimming Pool, Commercial: A "Swimming Pool" or wading pool (including necessary incidental facilities) operated for profit or accessory to a commercial use.

(233)

Swimming Pool, Community:

(A)

A "Swimming Pool" or wading pool (including necessary incidental facilities) which is:

(i)

Owned and operated by members of a club, cooperative, or association, whether incorporated or unincorporated;

(ii)

Not organized for profit; and

(iii)

Restricted to use by members and their guests.

(B)

The term shall include a "Swimming Pool" maintained as an "Accessory Use" in connection with any "Multifamily Dwelling," "Townhouse," or other "Attached Dwelling" development exclusively for residents and their guests.

(234)

Swimming Pool, Private: A "Swimming Pool" or wading pool which is:

(A)

Owned and maintained by an individual for the sole use of his household and guests;

(B)

Located on a "Lot" as an "Accessory Use" to the owner's residence; and

(C)

Not operated for profit or in connection with any business operated for profit.

(234.1)

Table Games: As set forth in Section 9-1A-01(w-2), State Government Article, Annotated Code of Maryland, means:

(A)

roulette, baccarat, blackjack, craps, big six wheel, minibaccarat, poker, pai gow poker, and sic bo, or any variation and composites of such games; and

(B)

gaming tournaments in which players compete against one another in one or more of the games authorized under paragraph (A) of this subsection.

(CB-6-2014)

(234.2)

Tattoo Parlor: An establishment wherein designs, letters, figures, body piercing or other marks are placed upon the skin of any person, using ink or other substances that result in the permanent coloration or piercing of the skin by means of use of needles or other instruments designed to contact or puncture the skin.

(CB-10-2012; CB-6-2014)

(235)

Technical Staff: The staff of the Prince George's County Planning Board.

(235.1)

Telecommunications: A process that permits the passage of information from a sender to one (1) or more receivers in a usable form, such as printed copy, fixed or moving pictures, and visible or audible signals, by means of any electromagnetic system, such as electrical transmission by wire or radio. This includes such uses as telegraphy and telephone.

(CB-123-1994)

(236)

Theatre, Drive-In: An outdoor facility where motion pictures are shown to an audience parked in private "Passenger Vehicles."

(236.1)

Tobacco Shop: A retail store where the primary "Use" is the retail sale of, for off-site consumption, tobacco products, tobacco smoking accessories, and related tobacco items.

(CB-92-2015)

(237)

Tourist Cabin Camp: An area of land upon which are located one (1) or more cottages, cabins, or "Mobile Homes" used to accommodate transient guests. A "Mobile Home Community" or "Recreational Campground" is not a "Tourist Cabin Camp."

(238)

Tourist Cabin Plot: A section of ground within a "Tourist Cabin Camp" upon which is located a cottage, cabin, or "Mobile Home."

(239)

Tourist Home: A "Building" containing not over nine (9) "Guest Rooms" where (for compensation) lodging or meals are provided for transient guests. For purposes of this Subtitle, a "Tourist Home" is not a "Home Occupation," "Bed-and-Breakfast Inn," "Hotel," or "Fraternity or Sorority House."

(CB-39-2009; CB-10-2018)

Editor's note— Section 4 of CB-10-2018 (DR-3) provides that the provisions pertaining to Tourist Homes as Accessory Uses shall take effect on October 1, 2019.

(240)

Townhouse: One (1) of a group of three (3) or more attached "Buildings" arranged or designed as "One-Family Dwellings" which:

(A)

Are entirely separated from each other by walls extending from the lowest floor to the roof; and

(B)

Have separate entrances from the outside. (See Figure 28.)

The term shall not include a one-story "quadruple-attached dwelling" located in a Planned Retirement Community or Mixed Retirement Development.

(CB-83-1997)

(240.1)

Townhouse, Transit Village: One (1) of a group of four (4) or more attached "Buildings" arranged or designed as "One-Family Dwellings" which:

(A)

Are arranged side by side;

(B)

Are entirely separated from each other by walls extending from the lowest floor to the roof; and

(C)

Have separate entrances to each "Building" from the outside.

The term shall not include "Dwelling, Quadruple-Attached" as defined elsewhere in this Subtitle.

(CB-37-2006)

(241)

Trailer: Any vehicle designed to be towed by another vehicle and used for carrying objects or animals, or for human occupancy for business purposes).

(242)

Trailer Camp: An area of land used to accommodate "Mobile Homes" used for residential purposes. A "Trailer Camp" does not include "Trailer," "Mobile Home," or other "Vehicle Sales Lots," on which unoccupied "Trailers," "Camping Trailers," or "Mobile Homes" are parked for inspection and sale or lease, or "Recreational Campgrounds." The term shall include all "Buildings," "Structures," or vehicles used as accessory equipment of the camp.

(242.1)

Transfer Station: A place or facility where solid wastes are taken from a transportation unit or collection vehicle and placed in another transportation unit or collection vehicle for transport to a solid waste acceptance facility. The movement or consolidation of solid waste at the point of generation is not a Transfer Station. A "Materials Recovery or Processing Facility," as defined in [Section 21-143](#) of the Prince George's County Code, and a "Waste Material Separation and Processing Facility" and "Recycling Plant," as defined in this Section, are not Transfer Stations.

(CB-71-1994)

(242.2)

Transit Oriented Development Project, Expedited: A development proposal, designated for expedited review in accordance with [Section 27-290.01](#) of this Subtitle, where:

(A)

the subject property is located entirely within a Transit District Overlay Zone ("TDOZ"),

(B)

for a constructed Washington Metropolitan Area Transit Authority ("WMATA") Metrorail station for which there is no approved TDOZ, the subject property has greater than fifty percent (50%) of its net lot area located

within a one-half mile radius of the constructed WMATA Metrorail station as measured from the center of the transit station platform,

(C)

the subject property is located entirely within the Bowie State Maryland Area Regional Commuter ("MARC") Station Community Center designation area as defined in the Approved Bowie State MARC Station Sector Plan and Sectional Map Amendment,

(D)

the subject property will be developed for a public building or public use, to be operated or occupied by any department or branch of federal or state government for public purposes, excluding warehouses; the public building or public use included in the project is subject to an executed lease, or letter of intent to enter into a lease, with a term of not less than 20 years; the total density of the public building or public use is a minimum of five hundred thousand (500,000) square feet; greater than fifty percent (50%) of its net lot area is located within a one-half mile radius of a constructed WMATA Metrorail station as measured from the center of the transit station platform; and the project would not otherwise be subject to Mandatory Referral in accordance with Land Use Article § 20-301 of the Annotated Code of Maryland, or

(E)

the subject property is located entirely within a one-half mile radius of a proposed Purple Line station as measured from the proposed center of the transit station platform.

(CB-20-2013; CB-53-2018)

(243)

Transit Stop, Major: A rapid rail transit terminal "Building," or a public transit stop served by fifteen (15) or more transit vehicles travelling in one direction during a peak hour.

(243.1)

Transitional Shelter for the Homeless: A freestanding residential facility owned and operated by an eleemosynary or philanthropic organization used for short-term living facilities for groups of two (2) or more homeless individuals related by blood, adoption or marriage, each occupying an individual residential unit. The term shall not include "Adult Day Care Center," "Congregate Living Facility," "Foster Home," "Group Residential Facility," "Hospital," "Nursing or Care Home," or "Eleemosynary or Philanthropic Institution."

(CB-62-1991)

(243.2)

Trash Removal Services: A business involving the dispatching and storage of trucks or dumpsters for the purpose of trash removal.

(CB-82-1991)

(243.3)

Tree canopy: The land area under the dripline of an existing tree or group of trees or the amount of credit provided for planting trees of a certain species and certain size at time of planting in conformance with the worksheet provided in The Woodland and Wildlife Conservation Technical Manual.

(CB-28-2010)

(243.4)

Tree canopy coverage: The combined area measured in square feet of the tree canopies of existing trees and trees planted in conformance with Subtitle 25, Division 3 and The Woodland and Wildlife Conservation Technical Manual. Tree canopy coverage requirements are measured using a percentage of the gross tract area.

(CB-28-2010)

(243.5)

Tree Conservation Plan: A site map that delineates woodland conservation areas and associated text that details the requirements, penalties, and/or mitigation in conformance with Division 2 of Subtitle 25 and the Woodland and Wildlife Habitat Conservation Technical Manual.

(CB-75-1989; CB-82-1991; CB-28-2010)

(243.6)

Trucking Operation: Any facility, other than the administrative offices, of a business established for the purpose of carting, hauling, moving, or otherwise transporting goods, materials, equipment, supplies, possessions, vehicles, or other items by truck for compensation. A "Motor Freight" company is a "Trucking Operation." No storage building used by a "Trucking Operation" shall be considered a "Distribution Facility" or "Warehouse Unit."

(CB-90-1992; CB-13-2000; CB-40-2004; CB-28-2010))

(243.7)

University Research and Development Park: A technology-based university research and development park containing university, private sector, institutional, non-profit and/or governmental uses featuring commercial office, biotechnology, bioscience, information technology, green technology, aeronautics, agriscience or similar fields. The proposed park should encourage a mix of educational, office, light industrial, supporting retail (not to exceed ten percent (10%) of the developed gross floor area), and recreational uses designed in a setting to attract technology-based employment and research activities. The ten percent (10%) limitation on supporting retail developed gross floor area shall exclude any eating or drinking establishments. Additionally, all uses typically deemed accessory to the university or college uses, including but not limited to, supporting residential facilities for students, research fellows, administrators, professors, scientists, research professionals and /or scholars shall be included in this definition. The designation of a University Research and Development Park shall not preclude other uses otherwise allowed in the applicable zoning category.

(CB-72-2010)

(243.8)

Urban Farm: A use that permits a non-profit organization or for-profit business to cultivate fruits, vegetables, flowers, that permits composting, beekeeping, agricultural education, and incidental sales (excluding in the R-80 and R-55 Zones) on the property, and excludes livestock. However, a Health Department permit is required if fruits and vegetables are cut up or prepared foods are sold to the public. The non-profit organization or for-profit business operating an urban farm shall be a cooperator with the Prince George's Soil Conservation District, and operate under an approved Farm Management Plan. Accessory structures ordinarily found in association with an Urban Farm are permitted. The appearance and scale of all accessory structures shall be in compliance with the existing requirements of the zone. Off-street parking and loading requirements in Part II and Landscape Manual regulations do not apply to an Urban Farm. The term shall not include "Agriculture."

(CB-76-2013; CB-25-2016)

(244)

Use:

(A)

A "Use" is either:

(i)

The purpose for which a "Building," "Structure," or land is designed, arranged, intended, maintained, or occupied; or

(ii)

Any activity, occupation, business, or operation carried on in, or on, a "Building," "Structure," or parcel of land.

(245)

Use, Accessory: The "Use" of a "Building," "Structure," or land which:

(A)

Is subordinate to, customarily incidental to, and ordinarily found in association with, a principal "Use," which it serves. (When a specific "Use" is allowed in the Tables of Uses accessory to a principal "Use", the "Accessory Use" need not be customarily incidental to, or ordinarily found in association with, the principal "Use");

(B)

Is subordinate in purpose, area (except in the case of a cemetery that is accessory to a church, convent, or monastery, provided both uses were existing as of January 1, 1991), floor area, intensity, and extent to, and located on the same "Lot" with, the principal "Use", except that a "Tourist Home" as an "Accessory Use" need only be subordinate to the principal "Dwelling" use in purpose and number of nights used as a "Tourist Home" "Accessory Use" over a calendar year; and

(C)

Does not change the character of the principal "Use."

(CB-11-1991; CB-10-2018)

Editor's note— Section 4 of CB-10-2018 (DR-3) provides that the provisions pertaining to Tourist Homes as Accessory Uses shall take effect on October 1, 2019.

(246)

Used Motor Vehicles: All motor vehicles which have been so used as to destroy their condition of newness, or otherwise made into a secondhand vehicle, as these terms are commonly understood in business and in accordance with the definition of the phrase contained in the General Motor Vehicle Laws of the State of Maryland, within the Annotated Code of Maryland.

(247)

Vehicle, Commercial: Any motor vehicle, including school buses but not passenger vehicles or camping trailers, used or designed and intended for hauling or carrying freight, merchandise, passengers, equipment, supplies, or other property for a commercial enterprise, or any motor vehicle advertising a commercial enterprise with

lettering exceeding four (4) inches in height. This includes without limitation any vehicle defined in Subtitle 26 as a commercial bus or trailer, a heavy commercial truck, or a light commercial vehicle.

(CB-70-1994; CB-78-2003)

(247.1)

Vehicle Lubrication or Tune-up Facility: An establishment that specializes in, and performs the sole service of, motor vehicle greasing, oil changing (including filters), fluids replacement (excluding gasoline and diesel fuels), or tune-ups; and which may include the retail sale of vehicle parts, products, or accessories associated with such specialized service.

(CB-43-1987)

(248)

Vehicle, Passenger: A motor vehicle licensed by the State of Maryland as a Class A or Class D motor vehicle, a panel van under 300-cubic-foot load space capacity, or a pickup truck with a capacity of three-quarters (3/4) of a ton or less, which has no lettering on the vehicle exceeding four (4) inches in height and advertising a commercial enterprise.

(249)

Vehicle Parts or Tire Store: A facility where the primary "use" is the retail sale of vehicle parts, products, tires, or accessories.

(CB-21-1992)

(250)

Vehicle Repair and Service Station: A facility where the business of general vehicle repair and service is conducted, not including vehicle salvaging or the storage of dismantled vehicles, wrecks, or junk.

(251)

Vehicle Sales Lot: An area of land used for the storage and display for sale of any vehicle, which may also include the rental of vehicles.

(CB-91-1996)

(252)

Vehicle Salvage Yard: A facility for the reclamation or storage of wrecked or abandoned vehicles or parts from vehicles, "Trailers," or "Mobile Homes," which may include the sale of the parts.

(253)

Vehicle Towing Station: A facility for the storage of wrecked vehicles awaiting adjustment of claims following accidents. No dismantling of vehicles shall be permitted on the premises, nor may any vehicle be stored for more than ninety (90) days.

(254)

Vehicle Wrecking: See "Vehicle Salvage Yard."

(255)

Video Game and Tape Store: A retail establishment for the sale or rental of video games, recorders, players, tapes, discs, and accessories, or similar entertainment or amusement material.

(255.1)

Video lottery facility: As set forth in Sections 9-1A-01(aa), 9-1A-01(w-2), and 9-1A-04(a)(11), State Government Article, Annotated Code of Maryland, for purposes of this Subtitle, a facility at which players play video lottery terminals and/or table games. A "Video lottery facility" shall only be permitted in accordance with an approved Detailed Site Plan for a Recreational or Entertainment Establishment pursuant to [Section 27-548.01.04](#).

(CB-6-2014)

(255.2)

Video lottery operation license: As set forth in Sections 9-1A-01(bb) and 9-1A-04(a)(11), State Government Article, Annotated Code of Maryland, a license awarded by the Video Lottery Facility Location Commission and issued by the State Lottery and Gaming Control Commission to a person that allows players to operate video lottery terminals and/or table games.

(CB-6-2014)

(255.3)

Video lottery operator: As set forth in Section 9-1A-01(cc), State Government Article, Annotated Code of Maryland, a person licensed to operate a video lottery facility.

(CB-6-2014)

(255.4)

Video lottery terminal: As set forth in Section 9-1A-01(dd), State Government Article, Annotated Code of Maryland, means:

(A)

A machine or other device, that, on insertion of a bill, coin, token, voucher, ticket, coupon, or similar item, or on payment of any consideration:

(i)

is available to play or simulate the play of any game of chance in which the results, including the options available to the player, are randomly determined by the machine or other device; and

(ii)

by the element of chance, may deliver or entitle the player who operates the machine or device to receive cash, premiums, merchandise, tokens, or anything of value, whether the payout is made automatically from the device or in any other manner.

(B)

"Video lottery terminal" includes a machine or device:

(i)

that does not directly dispense money, tokens, or anything of value to winning players; and

(ii)

described under paragraph (A) of this subsection that uses an electronic credit system making the deposit of bills, coins, or tokens unnecessary.

(C)

"Video lottery terminal" does not include an authorized slot machine operated by an eligible organization under Title 12, Subtitle 3 of the Criminal Law Article, Annotated Code of Maryland.

(CB-6-2014)

(255.5)

Village Buffer: Land immediately surrounding the "Village Fringe" portion of the V-M and V-L Zones which is permanently designated as open space. The Village Buffer may include passive recreational areas, including a trails system, and certain active recreation uses. The "Village Buffer" is not required to entirely surround the "Village Fringe" where there are natural barriers or topographic difficulties.

(CB-53-1991; CB-10-1992; CB-6-2014)

(255.6)

Village Commons: The public open spaces within the V-M and V-L Zones which contain a well-defined green space with landscaped areas, pedestrian ways, and passive recreation areas.

(CB-53-1991; CB-6-2014)

(255.7)

Village Fringe: The portion of land within the V-M and V-L Zones generally located between the "Village Proper" and the "Village Buffer," designated for large-lot residential use.

(CB-53-1991; CB-10-1992; CB-6-2014)

(255.8)

Village Proper: The portion of land within the V-M and V-L Zones containing the "Village Commons," the "Storefront Area," the "Civic Use Area," and certain residential uses.

(CB-53-1991; CB-6-2014)

(255.9)

Vista Termination: A lot, building or monument site, generally located at an intersection of street centerlines, which is prominently visible from one (1) or more streets.

(CB-53-1991; CB-6-2014)

(256)

Warehouse Unit: A "Building" used for the storage of goods and materials in connection with the day-to-day operation of a wholesale or distribution business, or a business that is not located in the same "Building" or on the same property as the "Warehouse Unit." The storage of goods and materials as an "Accessory Use" to a

business located on the same property is not a "Warehouse Unit." A "Warehouse Unit" is sometimes referred to as a "Warehouse."

(CB-90-1992)

(256.1)

Waste Material Separation and Processing Facility: An establishment in which certain recyclable materials such as aluminum, plastics, paper, glass, and ferrous metals are separated from solid wastes. The solid waste materials undergo a biological and chemical decomposition (composting) process. The recyclable materials and processed solid waste are then sold or distributed to others for reuse as a recycled product in manufacturing, agriculture, and other operations. The definitions in Subtitle 21 of this Code shall apply to the terms used in this paragraph and in Section 27-475.5.

(CB-77-1990)

(256.2)

Water-Dependent Uses: Uses which require a location at or near the shoreline in order to function. These uses include, but are not limited to, "Community Piers and Noncommercial Boat Docking Facilities," "Fisheries Activities," industrial port-related uses, "Marinas," public beaches, public water-oriented recreational and educational areas, and research facilities. Private piers that are not part of a subdivision providing community piers and are installed and maintained by individual riparian landowners are not considered "water-dependent" uses.

(CB-72-1987)

(256.3)

Waterfront Entertainment/Retail Complex: A contiguous land assemblage, no less than twenty-five (25) acres, fronting on the Potomac River, and developed with an array of commercial, lodging, residential, recreational, entertainment, social, cultural, or similar uses which are interrelated by one (1) or more themes. A gas station located within a Waterfront Entertainment/Retail Complex may include a car wash as an accessory use, provided the car wash is within or is part of the building(s) for which design and architecture are approved in the Detailed Site Plan for the gas station.

(CB-44-1997; CB-20-2005; CB-22-2011)

(257)

Wayside Stand: A temporary structure used for:

(A)

The sale of agricultural or other products produced on the premises, which may include the incidental sale of other products not produced on the premises; or

(B)

The sale of fruits, vegetables, or cut flowers not grown on the premises.

(257.1)

Wetland, Nontidal: See "Nontidal Wetland."

(CB-28-2010)

(258)

Wholesale: The sale of commodities or goods to distributors or retail outlets for resale to ultimate consumers.

(CB-90-1992)

(259)

Wholly Enclosed: To close in on all sides by a "Building."

(260)

Yard: "Open Space" located on the same "Lot" with a "Building," "Structure" (not including ground-level paved surfaces unless specifically noted), or "Use," between the "Building," "Structure," or "Use" (such as outdoor storage) and the nearest "Lot Line" or "Street Line." All required "Yards" shall be unoccupied and unobstructed from the ground upward, except for landscaping, "Accessory Buildings," "Structures," and "Uses" as permitted elsewhere in this Subtitle. An "Alley" shall not be considered a part of a "Yard." (Also see "Building Line," "Setback," and Figure 5.)

(261)

Yard, Front: "Yard" extending across the width of a "Lot," between the "Front Street Line" and the nearest part of a "Main Building" (or its enclosed or covered projection). In a "Through Lot," all "Yards" abutting "Streets" are "Front Yards." (See Figure 29.)

(262)

Yard, Rear: "Yard" extending across the width of a "Lot," between the "Rear Lot Line" and the nearest part of a "Main Building" (or its enclosed or covered projection). A "Through Lot" has no "Rear Yard." (See Figure 29.)

(263)

Yard, Side: "Yard" between the "Side Lot Line" or "Side Street Line" and the nearest part of a "Main Building" (or its enclosed or covered projection), extending from the "Front Yard" to the "Rear Yard" or, in the absence of either of these "Yards," to the "Front Street Line" and "Rear Lot Line." In the absence of a "Front Street Line," all "Yards" are "Side Yards." In a "Through Lot," any "Yard" that does not abut a "Street" is a "Side Yard." (See Figure 29.)

(264)

Year: A calendar year (unless otherwise clear from the context).

(265)

Zero Lot Line Development: Development in which a "Building" abuts a "Side Lot Line." (See Figure 30.)

(266)

Zoning Cases: Those Zoning Ordinance matters designated to be heard before the Zoning Hearing Examiner by this Subtitle.

(267)

Zoning Map: The "Zoning Map of the Maryland-Washington Regional District in Prince George's County, Maryland" dated November 29, 1949, as subsequently amended from time to time.

(CB-18-1984; CB-28-1984; CB-41-1984; CB-105-1984; CB-118-1984; CB-120-1984; CB-133-1984; CB-33-1985; CB-47-1996)

Editor's note— Section 3 of CB-28-2010 provides that a development project for which all required development applications have been approved by the Planning Board, Zoning Hearing Examiner, or District Council, and appeal periods have not expired as of September 1, 2010, is grandfathered; or a development project that has an approved preliminary plan of subdivision, but has not completed subsequent processes such as final plat or site plan as of September 1, 2010, is grandfathered for that portion of the project covered by the preliminary plan.

Section 3 of CB-34-2011 provides that a development project for which all required development applications have been approved by the Planning Board, Zoning Hearing Examiner, or District Council, notwithstanding any appeal period, is grandfathered regarding the provisions of CB-28-2010 that became effective on September 1, 2010, or any subsequent revisions in conformance with the grandfathered approval; or a development project that has an approved preliminary plan of subdivision, notwithstanding any further development review requirements including record plats is grandfathered regarding the provisions of CB-28-2010 that became effective on September 1, 2010, or any subsequent revisions in conformance with the grandfathered approval for that portion of the project covered by the preliminary plan.

CR-81-2012 repealed the enactment of CB-18-2007 regarding "Rural Entertainment Park", (Chapter 10, 2007 Laws of Prince George's County, Maryland), effective October 16, 2012.