

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2010 Legislative Session**

Bill No. _____ CB-93-2010 _____
Chapter No. _____ 60 _____
Proposed and Presented by _____ Council Member Turner _____
Introduced by _____ Council Member Turner _____
Co-Sponsors _____
Date of Introduction _____ September 28, 2010 _____

ZONING BILL

1 AN ORDINANCE concerning

2 M-X-T Zone

3 For the purpose of amending the regulations for townhouses in the M-X-T Zone under certain
4 circumstances.

5 BY repealing and reenacting with amendments:

6 Section 27-548 (h),
7 The Zoning Ordinance of Prince George's County, Maryland,
8 being also
9 **SUBTITLE 27. ZONING.**
10 The Prince George's County Code
11 (2007 Edition, 2009 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
14 District in Prince George's County, Maryland, that Section 27-548 (h) of the Zoning Ordinance
15 of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County
16 Code, be and the same is hereby repealed and reenacted with the following amendments:

17 **SUBTITLE 27. ZONING.**
18 **PART 10. MIXED USE ZONES.**
19 **DIVISION 4. REGULATIONS.**
20

1 **Sec. 27-548. M-X-T Zone.**

2 (a) Maximum floor area ratio (FAR):

3 (1) Without the use of the optional method of development -- 0.40 FAR; and

4 (2) With the use of the optional method of development -- 8.00 FAR.

5 (b) The uses allowed in the M-X-T Zone may be located in more than one (1) building,
6 and on more than one (1) lot.

7 (c) Except as provided for in this Division, the dimensions for the location, coverage, and
8 height of all improvements shown on an approved Detailed Site Plan shall constitute the
9 regulations for these improvements for a specific development in the M-X-T Zone.

10 (d) Landscaping, screening, and buffering of development in the M-X-T Zone shall be
11 provided pursuant to the provisions of the Landscape Manual. Additional buffering and
12 screening may be required to satisfy the purposes of the M-X-T Zone and to protect the character
13 of the M-X-T Zone from adjoining or interior incompatible land uses.

14 (e) In addition to those areas of a building included in the computation of gross floor area
15 (without the use of the optional method of development), the floor area of the following
16 improvements (using the optional method of development) shall be included in computing the
17 gross floor area of the building of which they are a part: enclosed pedestrian spaces, theaters, and
18 residential uses. Floor area ratios shall exclude from gross floor area that area in a building or
19 structure devoted to vehicular parking and parking access areas (notwithstanding the provisions
20 of Section 27-107.01). The floor area ratio shall be applied to the entire property which is the
21 subject of the Conceptual Site Plan.

22 (f) Private structures may be located within the air space above, or in the ground below,
23 public rights-of-way.

24 (g) Each lot shall have frontage on, and direct vehicular access to, a public street, except
25 lots for which private streets or other access rights-of-way have been authorized pursuant to
26 Subtitle 24 of this Code.

27 (h) Townhouses developed pursuant to a Detailed Site Plan for which an application is
28 filed after December 30, 1996, shall be on lots at least one thousand eight hundred (1,800) square
29 feet in size, and shall have at least sixty percent (60%) of the full front facades constructed of
30 brick, stone, or stucco. In addition, there shall be no more than six (6) townhouses per building
31 group, except where the applicant demonstrates to the satisfaction of the Planning Board or

1 District Council, as applicable, that more than six (6) dwelling units (but not more than eight (8)
2 dwelling units) would create a more attractive living environment or would be more
3 environmentally sensitive. In no event shall the number of building groups containing more than
4 six (6) dwelling units exceed twenty percent (20%) of the total number of building groups in the
5 total development, and the end units on such building groups shall be a minimum of twenty-four
6 (24) feet in width. The minimum building width in any continuous, attached group shall be
7 twenty (20) feet, and the minimum gross living space shall be one thousand two hundred and
8 fifty (1,250) square feet. For the purposes of this Subsection, gross living space shall be defined
9 as all interior building space except the garage and unfinished basement or attic area. The
10 minimum lot size, maximum number of units per building group and percentages of such
11 building groups, and building width requirements and restrictions shall not apply to townhouses
12 on land any portion which lies within one-half ($\frac{1}{2}$) mile of an existing or planned mass transit rail
13 station site operated by the Washington Metropolitan Area Transit Authority and initially opened
14 after January 1, 2000. In no event shall there be more than ten (10) dwelling units in a building
15 group and no more than two (2) building groups containing ten (10) dwelling units. For
16 purposes of this section, a building group shall be considered a separate building group (even
17 though attached) when the angle formed by the front walls of two (2) adjoining rows of units is
18 greater than forty-five degrees (45°). Except that, in the case of a Mixed-Use Planned
19 Community, there shall be no more than eight (8) townhouses per building group, except when
20 the applicant demonstrates to the satisfaction of the Planning Board or District Council, as
21 applicable, that more than eight (8) dwelling units (but not more than ten (10) dwelling units)
22 would create a more attractive living environment or would be more environmentally sensitive.
23 In no event shall the number of building groups containing more than eight (8) dwelling units
24 exceed twenty percent (20%) of the total number of building groups in the total development,
25 and the end units on such building groups shall be a minimum of twenty-four (24) feet in width.
26 The minimum building width in any continuous, attached group shall be twenty-two (22) feet,
27 and the minimum gross living space shall be one thousand two hundred and fifty (1,250) square
28 feet. For the purposes of this Subsection, gross living space shall be defined as all interior
29 building space except the garage and unfinished basement or attic area. Garages may not
30 dominate the streetscape. Garages that are attached or incorporated into the dwelling shall be set
31 back a minimum of four (4) feet from the front façade and there shall not be more than a single

1 garage, not to exceed ten (10) feet wide, along the front façade of any individual unit. Garages
2 are preferred to be incorporated into the rear of the building or freestanding in the rear yard and
3 accessed by an alley. Sidewalks are required on both sides of all public and private streets and
4 parking lots. At the time of Detailed Site Plan, the District Council may approve a request to
5 substitute townhouses, proposed for development as condominiums, for multifamily dwellings
6 that were required as a condition of approval in a Conceptual Site Plan approved prior to April 1,
7 2004. Such substitution shall not require a revision to any previous plan approvals. Further,
8 such townhouses are subject to all other requirements of the Zoning Ordinance.

9 * * * * *

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

Adopted this 26th day of October, 2010.

COUNTY COUNCIL OF PRINCE GEORGE’S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE’S COUNTY,
MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.