

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2020 Legislative Session**

Bill No. CB-29-2020

Chapter No. 13

Proposed and Presented by Council Member Glaros

Introduced by Council Members Glaros, Turner, Hawkins, Davis, Harrison, Streeter,
and Franklin

Date of Introduction June 16, 2020

ZONING BILL

1 AN ORDINANCE concerning

2 Bedroom Percentages

3 For the purpose of clarifying the Council's intention to repeal the development regulations in the
4 Zoning Ordinance related to bedroom percentages.

5 BY repealing and reenacting with amendments:

6 Sections 27-419, 27-436, 27-441, 27-461, and 27-473,

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

8 being also

9 **SUBTITLE 27. ZONING.**

10 The Prince George's County Code

11 (2019 Edition).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
14 District in Prince George's County, Maryland, that Sections 27-419, 27-436, 27-441, 27-461, and
15 27-473 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of
16 the Prince George's County Code, be and the same are hereby repealed and reenacted with the
17 following amendments:

18 **SUBTITLE 27. ZONING.**

19 **PART 5. RESIDENTIAL ZONES.**

20 **DIVISION 2. SPECIFIC RESIDENTIAL ZONES.**

1 **Sec. 27-419. Bedroom percentages.**

2 Notwithstanding any provision of this Subtitle to the contrary, the regulations concerning
3 bedroom percentages shall not apply to multifamily residential uses on or after October 1, 2019.

4 **Sec. 27-436. R-18 Zone (Multifamily Medium Density Residential).**

5 * * * * *

6 (e) Site plan.

7 (1) A Detailed Site Plan shall be approved for all attached and multifamily dwellings,
8 including any associated community building or recreational facilities, in accordance with Part 3,
9 Division 9, of this Subtitle.

10 (2) A Detailed Site Plan revision shall not be required for an Urban Farm and its
11 accessory structures, when there is a change in, including but not limited to, density [, bedroom
12 percentages] or acreage.

Sec. 27-441. Uses permitted.

(b) TABLE OF USES.

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
(7) RESIDENTIAL/LODGING:									
* * * * *	*	*	*	*	*	*	*	*	*
Dwelling, Multifamily									
(A) In General	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]
* * * * *	*	*	*	*	*	*	*	*	*

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
(7) RESIDENTIAL/LODGING:								
* * * * *	*	*	*	*	*	*	*	*
Dwelling, Multifamily								
(A) In general	P ⁸⁸	P ⁶	P ⁶	P ⁷⁶	P ⁶	X	[X] <u>P</u>	[X] <u>P</u>
(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]
* * * * *	*	*	*	*	*	*	*	*
* * * * *	*	*	*	*	*	*	*	*

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 27-382) has been granted for the subject property with a condition that the property be developed with townhouses;]

[(B)] (A) 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)] (B) A final plat was recorded prior to June 1, 1976.

* * * * *

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 Section 27-436 for the R-18 Zone, and townhouses are permitted as provided in Section 27-433 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 Section 27-270 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.

* * * * *

88 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.

* * * * *

131 Permitted use, provided:

- (A) The proposed development is located on a lot(s) or parcel(s) of less than five (5) acres in size;
- (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.

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**PART 6. COMMERCIAL ZONES.
DIVISION 3. USES PERMITTED.**

Sec. 27-461. Uses permitted.

(b) TABLE OF USES I.

USE	ZONE					
	C-O	C-A	C-S-C	C-W	C-M	C-R-C
(6) RESIDENTIAL/LODGING:						
* * * * *	*	*	*	*	*	*
Dwelling, multifamily	P ^{46,65}	X	P ^{50,66}	X	X	X
* * * * *	*	*	*	*	*	*
Dwelling, Quadruple-attached	X	X	P ⁶⁶	X	X	X
* * * * *	*	*	*	*	*	*
Townhouse	P ^{59,65}	X	P ⁶⁶	X	X	X
* * * * *	*	*	*	*	*	*
Two Family Dwelling Units	P ⁶⁵	X	X	X	X	X
* * * * *	*	*	*	*	*	*

* *

50 Multifamily condominium units are permitted provided:

- (A) The multifamily dwellings shall be located on a parcel(s) containing at least six (6) acres;
- (B) The property is contiguous to an existing mass transit rail station operated by Washington Metropolitan Area Transit Authority (WMATA);
- (C) [The bedroom percentages for multifamily dwellings as set forth in Section 27-419 shall not be applicable;]
- [(D)] A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;
- [(E)] (D) Regulations concerning the height of structure, lot size and coverage, frontage, setbacks, density, and other requirements of the C-S-C Zone shall not apply. All such requirements shall be established and shown on the Detailed Site Plan;
- [(F)] (E) Density regulations shall be in accordance with the R-10 Zone for multifamily dwellings;
- [(G)] (F) The Detailed Site Plan shall include architectural review in order to ensure high quality design and construction materials; and
- [(H)] (G) Covenants setting forth that appropriate condominium fees are necessary to provide adequate maintenance of required landscaping to ensure the aesthetics of the property shall be submitted with the Detailed Site Plan application. The covenants shall run to the benefit of the local citizens' association.

(CB-28-2004)

* * * * *

65 Provided:

- (A) The residential component of Townhouses, Two Family Dwelling Units and Multi-family dwelling units shall be located on a lot(s) or parcel(s) of less than forty (40) acres in size;
- (B) The property is located at the intersection between: a roadway with a functional transportation classification of arterial; an expressway; and the Capital Beltway (I-495);
- (C) A boundary of the property is located within three-quarters (3/4) of a mile from a metro station, and does not include property within the boundaries of a sector plan originally approved after January 1, 2013;
- (D) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle.
- (E) Regulations concerning lot size, coverage, frontage, setbacks, density, [bedroom percentages,] and other requirements applicable to multifamily, two-family 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. However, those standards shall include a minimum lot size of 1,200 square feet;
- (F) The Detailed Site Plan shall include an architectural review in order to ensure the compatibility of the development with the existing neighborhood. Bike and pedestrian connections to mass transit stations, roadways, parks, and other public facilities, as established by Section 24-124.01 of this Code, shall be evaluated as part of the detailed site plan review and approval; and
- (G) The site plan shall include a community facility of two (2) floors with separate access for each floor. The Detailed Site Plan may include any additional standards or requirements for inclusion at the time by the Prince George's County Planning Board or District Council.

(CB-4-2017)

66 Provided:

- (A) The dwelling units are located on a lot(s) or parcel(s) of less than eight (8) acres in size;
- (B) The property is located adjacent to a property in a Residential Zone;
- (C) The property is located adjacent to an existing park facility;
- (D) The property is located within one-half (1/2) mile of an existing Public School;
- (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, accessory buildings, [bedroom percentages,] and other regulations applicable to development in the C-S-C Zone shall not apply. Instead, the Detailed Site Plan as approved shall set forth all the regulations to be followed, except the density shall not exceed the density permitted in the R-18 Zone; and
- (G) The Detailed Site Plan shall be subject to the Prince George's County Landscape Manual and shall include architectural review in order to ensure high quality design and constructions materials.

(CB-69-2017)

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**PART 7. INDUSTRIAL ZONES.
DIVISION 3. USES PERMITTED.**

Sec. 27-473. Uses permitted.

(b) TABLE OF USES.

USE	ZONE				
	I-1 ³³	I-2 ³³	I-3	I-4	U-L-I
(7) RESIDENTIAL/LODGING:					
* * * * *	*	*	*	*	*
Townhouse	P ⁶⁶	X	X	X	X
* * * * *	*	*	*	*	*

* * * * *

66 Permitted use, provided:

(A) All or part of the property is located: (i) within one-quarter mile from an existing mass transit rail station operated by the Washington Metropolitan Area Transit Authority (WMATA); or (ii) is located within a designated Community Center Edge in the applicable Master Plan or Sector Plan, and abuts property with a zoning classification of M-X-T;

(B) The use is subject to Detailed Site Plan approval in accordance with Part 3, Division 9 of this Subtitle; and

(C) [The bedroom percentages for multifamily dwellings as set forth in Section 27-419 shall not be applicable; and]

[(D)] Regulations concerning the height of structure, lot size and coverage, parking and loading, frontage, setbacks, density, landscaping and other requirements of the I-1 Zone shall not apply. All such requirements, except for those cited herein for townhouses, shall be established and shown on the Detailed Site Plan. Townhouse uses shall conform to the dimensional requirements set forth in Section 27-544(f)(2)(E) and (G) of this Subtitle.

(CB-96-2017; CB-62-2018)

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

Adopted this 21st day of July, 2020.

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: _____
Todd M. Turner
Council Chair

ATTEST:

Donna J. Brown
Clerk of the Council

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