

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL

1996 Legislative Session

Bill No. _____ CB-71-1996

Chapter No. _____ 54

Proposed and Presented by _____ Council Members Russell and Scott

Introduced by _____ Council Members Russell and Scott

Co-Sponsors

Date of Introduction _____ October 1, 1996

ZONING BILL

AN ORDINANCE concerning

Elderly Housing

For the purpose of permitting attached housing for the elderly in the R-R Zone by Special Exception, subject to certain requirements.

BY repealing and reenacting with amendments:

Section 27-441(b),

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

being also

SUBTITLE 27. ZONING.

The Prince George's County Code

(1995 Edition).

BY adding:

Section 27-352.01,

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

being also

SUBTITLE 27. ZONING.

The Prince George's County Code

(1995 Edition).

SECTION 1. BE IT ENACTED by the 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, that Section 27-441 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 27. ZONING.

PART 5. RESIDENTIAL ZONES.

DIVISION 3. USES PERMITTED.

Sec. 27-441. Uses permitted.

(b) TABLE OF USES

<i>USE</i>				<i>R-O-S</i>	<i>O-S</i>	<i>R-A</i>	<i>R-E</i>	<i>ZONE</i> <i>R-R</i>	<i>R-80</i>	<i>R-55</i>	<i>R-35</i>	<i>R-20</i>	<i>R-T</i>
*	*	*	*	*		*	*		*		*		
(6) RESIDENTIAL/LODGING													
*	*	*	*	*		*	*		*		*		
<u>Dwelling, one-family attached for the elderly⁵⁷</u>				<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>SE</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P²</u>	<u>P</u>
*	*	*	*	*		*	*		*		*		

<i>USE</i>				<i>R-30</i>	<i>R-30C</i>	<i>R-18</i>	<i>R-18C</i>	<i>ZONE</i> <i>R-10A</i>	<i>R-10</i>	<i>R-H</i>
*	*	*	*	*		*	*		*	*
(6) RESIDENTIAL/LODGING										
*	*	*	*	*		*	*		*	*
<u>Dwelling, one-family attached, for the elderly⁵⁷</u>				<u>P²</u>	<u>P²</u>	<u>P²</u>	<u>P²</u>	<u>X</u>	<u>X</u>	<u>X</u>
*	*	*	*	*		*	*		*	*

⁵⁷ 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.

SECTION 2. BE IT ENACTED by the 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, that Section 27-352.01 of the Zoning Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code, be and the same is hereby added:

SUBTITLE 27. ZONING.

PART 4. SPECIAL EXCEPTIONS.

**DIVISION 3. ADDITIONAL REQUIREMENTS FOR SPECIFIC SPECIAL
EXCEPTIONS.**

Sec. 27-352.01. Elderly housing (one-family attached dwellings).

(a) Attached one-family dwellings for the elderly (and related facilities) may be permitted, subject to the following:

(1) The subject property shall not be adjoining property in the R-O-S or O-S Zones, unless it is separated by an arterial roadway.

(2) The site plan shall show the density (which shall not exceed the maximum allowable density of the zone in which the use is located, as set forth in Section 27-441(h)), and the type and total number of dwelling units proposed (which may also include one-family detached dwellings);

(3) The District Council shall find that the subject property is suitable for the type of development proposed and is of sufficient size to properly accommodate the proposed number of dwelling units;

(4) A recreational facilities plan shall be submitted demonstrating that sufficient recreational facilities or opportunities are provided to serve the prospective resident population, consistent with their needs and abilities. Facilities may be provided on-site or within adjoining development. In any case, but particularly if on adjoining property, there shall be a staging plan for the facilities constructed. Recreational areas should be clustered together to increase levels of activity, use of amenities, and the sense of vitality of the community.

(5) Regulations restricting the height of structures, lot size and coverage, frontage,

setbacks and any other requirements of the specific zone in which the use is proposed (excluding density, which shall be governed by Section 27-352.01(a)(2)) shall not apply to uses and structures provided for in this Section. The dimensions and percentages shown on the approved site plan shall constitute the regulations for a given Special Exception;

(6) 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 families for a fixed term of not less than sixty five (65) years. The covenant shall run to the benefit of the County; and

(7) The following guidelines should be considered:

(A) Dwelling units should be clustered around a central focal point or public space, and should avoid linear design. Open space should be oriented to provide the best possible separation or buffer from adjoining single-family detached uses. The requirements of Section 24-137(g)(1), (2), and (5) through (10) shall serve as guidelines for site layout.

(B) No less than ten percent (10%) of the land area should be devoted to open space, recreation facilities, and social-oriented amenities.

(C) If a community building is proposed, no less than three (3) physically separate areas, which shall include the separation of a single room, should be provided within the building for recreational and social-oriented amenities of varying activity levels.

(D) Each outdoor space intended for active recreation should be a minimum of fifty (50) feet in width in least dimension, with a minimum area of five thousand (5,000) square feet.

SECTION 3. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five (45) calendar days after its adoption.

Adopted this 29th day of October, 1996.

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:

Stephen J. Del Giudice
Chairman

ATTEST:

Joyce T. Sweeney
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.