

**PRINCE GEORGE'S COUNTY COUNCIL  
AGENDA ITEM SUMMARY**

**Meeting Date:** 10/8/96

**Reference No.:** CB-55-1996

**Proposer:** Del Giudice, Gourdine, Maloney & Russell

**Draft No.:** 3

**Sponsors:** Del Giudice, Gourdine, Maloney & Russell

**Item Title:** An Ordinance restricting rezonings to R-T Zone; permitting townhouses by S.E. in multifamily zones; including design guidelines/requirements for townhouses in Zoning Ordinance; strengthening townhouse regulations; reducing max. density for townhouses & 3-family dwellings in R-T Zone; & requiring gateway signs for certain developments

**Drafter:** Mary Lane  
PZ&ED Committee Director

**Resource Personnel:** Debra Boxley  
Legislative Aide

**LEGISLATIVE HISTORY:**

**Date Presented:** 6/11/96

**Executive Action:** \_\_/\_\_/\_\_

**Committee Referral:**(1) 6/11/96 PZED

**Effective Date:** 12/30/96

**Committee Action:**(1) 9/4/96 HELD

**Committee Action:**(2) 10/2/96 FAV(A)

**Date Introduced:** 10/8/96

**Pub. Hearing Date:** (1) 11/12/96 10:45 AM

**Council Action:** (1) 11/12/96 Enacted

**Council Votes:** SD:A, DB:A, JE:A, IG:A, AMc:A, WM:A, RVR:A, AS:A, MW:A

**Pass/Fail:** P

**Remarks:**

11/12/96 - Amended on the floor

**PLANNING, ZONING & ECONOMIC DEV. COMM.**

**DATE: 10/2/96**

Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Wilson, Estepp, Maloney, MacKinnon, and Russell).

A proposed Draft 2 was presented by the four sponsors of the legislation regarding townhouses that

had been considered on September 3. It was explained that this proposal was a compromise that had been reached by the sponsors, and would replace the other bills that were being held in Committee regarding townhouses in the euclidean zones.

The proposed legislation prevents new townhouse zoning by prohibiting the filing of new applications to the R-T Zone and prohibiting the rezoning of property to the R-T Zone through future Sectional Map Amendments, with the exception of the two areas for which Master Plans and SMAs have not recently been adopted. It also requires a Special Exception for townhouses in the multifamily zones, where townhouses are currently permitted by right. The new guidelines and regulations for townhouses, discussed below, are a requirement for approval of the Special Exception.

This legislation also imposes new design guidelines on the development of townhouses in the euclidean zones, particularly the R-T Zone. Included are six new guidelines for townhouse development regarding the retention of trees, site design, buffering, and building design, which are incorporated into the general guidelines for Conceptual and Detailed Site Plans. A requirement is added that the applicant provide justification for noncompliance with any of the new design guidelines, which will make the guidelines part of the record for each Site Plan case, and allow the Council to address them on appeal. The following development regulations are amended and added: a reduction in the density of the R-T Zone from 8 to 6 dwelling units per acre; a reduction in the maximum number of townhouses permitted in an attached group from 8 to 6, with several exceptions; a minimum, rather than an average, building width of 20 feet; a minimum gross living space of 1,250 feet; a requirement that endwalls have at least two architectural features, and where endwalls are prominent, additional endwall features or natural materials are required; a requirement that above-grade foundation walls be clad with compatible finish materials; a minimum of 60% of all townhouses in a development will be required to have a full front facade of brick, stone or stucco; and an increase in the minimum lot size for townhouses from 1,500 to 1,800 square feet. The legislation also makes the new design guidelines and development regulations applicable to townhouses included in Opportunity Housing projects, Planned Retirement Communities, and Recreational Community Development. The requirement regarding gateway signs in the original draft of the bill was retained.

The provisions of this legislation will apply to any development that does not have an approved Detailed Site Plan (DSP) prior to the effective date of the bill, which will be 45 days after its enactment by the Council. Furthermore, in order to remain "grandfathered", projects with approved DSPs must be issued building permits for at least 10% of the houses included in the Plan within one year, and not more than a six month extension may be granted.

A number of representatives of the development and building communities presented their concerns regarding the legislation. Included were Dario Agnolutto, Bob Kaufman, Hamer Campbell, Ed Gibbs, Jerry Brock, Bob Zinsmeister, Andre Green, Bill Shipp, George Brugger, and Don Pleasants. They presented specific concerns and suggestions regarding the new regulations and guidelines, as well the lack of an adequate grandfathering provision, particularly for the larger, long-term projects.

They also noted the detrimental economic impact that this legislation may have on the County. A number of clarifying and technical amendments were made by the Committee. In addition, the allowable density for three-family dwellings, which are permitted by right in the R-T Zone, was reduced from 12 units per acre to 9 units per acre to parallel the reduction in density for townhouses in the R-T Zone.

**PLANNING, ZONING & ECONOMIC DEV. COMM. REPORT****DATE: 9/3/96**

HELD in Committee.

The Committee considered CB-55, CB-56, CB-68, CB-69, and CB-70 together, since they all propose to amend regulations regarding townhouses. These bills address the need to improve the quality of housing within the County. The sponsor of CB-55 noted that he is currently working on amendments to the legislation with representatives of the building community and the Housing Policy Task Force. He requested that no action be taken until a subsequent Committee worksession.

Staff described the first draft of CB-55-1996, which imposes new design guidelines for townhouses in the R-T Zone and the other Euclidean Zones where townhouses are permitted. The Ordinance currently includes numerous guidelines that apply to all new development for which site plan approval is required; this legislation enhances these guidelines by adding a section specifically pertaining to townhouses. The legislation also imposes new mandatory requirements regarding minimum living space, screening of buildings from arterial roadways, the architectural treatment of side and rear walls, the treatment of above-grade foundation walls, the building material of offsets, and the treatment of building fronts. It also strengthens existing design regulations regarding average building width, minimum lot size, and the maximum number of townhouses permitted in an attached group. Finally, the legislation requires subdivisions of more than 25 units in the R-T Zone to have a gateway sign that complies with the existing gateway sign standards set forth in the Ordinance.

Staff noted that the legislation needs to be amended to prevent existing townhouses from becoming nonconforming. The Planning Board supports the legislation with several modifications, which staff will prepare for review prior to the next worksession. The Office of Law finds it to be in proper legislative form with a minor revision to the purpose clause, and the City of Bowie recommends that the bills be held for further study.

The Committee agreed to hold all five bills, in order to allow time to work with the interested parties in addressing their concerns. The Committee Chairman also suggested that the sponsors attempt to reach agreement on an approach to comprehensively deal with the problems that have been raised regarding townhouses.

**BACKGROUND INFORMATION/FISCAL IMPACT****(Includes reason for proposal, as well as any unique statutory requirements)**

Townhouses are currently subject to general site design guidelines and several building design

requirements. This legislation adds new guidelines and requirements for townhouse developments, addressing the preservation of trees, screening, site design, architectural features, and building materials. It also strengthens existing requirements regarding building width, lot area, and gateway signs.

**CODE INDEX TOPICS: (ZONING)****Special Exceptions*****Additional Requirements for Specific Special Exceptions***

Tower, pole, monopole, or antenna.....	27-416
<u>Townhouses</u> .....	<u>27-416.01</u>
Transfer Station.....	[27-416.01] <u>27-416.02</u>
Vehicle and trailer rental display .....	27-417
Vehicle lubrication and tune-up facilities .....	[27-416.02] <u>27-416.03</u>
Vehicle parts and tire store (including installation) .....	27-417.01