

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/18/2008
Reference No.: CB-068-2008
Draft No.: 2
Proposer(s): Dean
Sponsor(s): Dean, Bland
Item Title: An Ordinance amending regulations concerning Recreational Community Developments

Drafter: Jackie Brown, PZED Committee Director
Resource Personnel: Nellvenia W, Johnson

LEGISLATIVE HISTORY:

Date Presented:	9/30/2008	Executive Action:	
Committee Referral:	9/30/2008 - PZED	Effective Date:	1/5/2009
Committee Action:	10/15/2008 - FAV(A)		
Date Introduced:	10/21/2008		
Public Hearing:	11/18/2008 - 10:00 AM		
Council Action (1)	11/18/2008 - ENACTED		
Council Votes:	MB:A, WC:A, SHD:A, TD:-, CE:A, AH:A, DCH:A, TK:A, EO:A, IT:A		
Pass/Fail:	P		
Remarks:			

AFFECTED CODE SECTIONS:

27-444

COMMITTEE REPORTS:

PLANNING, ZONING & ECONOMIC DEVELOPMENT

Date 10/15/2008

Favorable as amended, 5-0 (In favor: Council Members Exum, Dean, Dernoga, Knotts and Olson)

This legislation proposes to amend the lot coverage percentage for an equestrian complex within a Recreational Community Development (RCD) by permitting single-family detached dwelling units to have lot coverage of up to 40 percent. Current regulations allow up to 25 percent lot coverage. CB-68-2008 also proposes a maximum height of 45 feet for townhouses in an R-R zoned RCD.

Chairman Dean, the bill's sponsor, informed the committee that this legislation is intended to provide consistency between the regulations for a RCD with an equestrian component and those for a RCD with a golf course component. Mr. Dean noted that other sections of the RCD provisions currently allow golf course community single-family lots to have up to 75% lot coverage if they are 300 feet from a teeing area, green, or fairway.

The Planning Board supports the legislation with amendments to be recommended in consultation with the Department of Public Works and Transportation (DPW&T) and also offered the following comments by letter dated October 14 to Chairman Dean. Under current regulations, there is some inconsistency in lot coverage allowances for similar sized lots within a RCD. Greater lot coverage in square feet is allowed on smaller lots (50 percent in the

5,000 to 10,000 square foot range) than on larger lots (25 percent in the 10,000-20,000 square foot range). The result is that larger houses can be built on smaller lots than on the larger lots in a project, often counter to market desires. In some cases, it is understood that due to the coverage restrictions on the larger lots, buyers are not able to purchase the full range of options available on home model products.

CB-68-2008 proposes to increase the lot coverage percentage for the larger sized lots to allow similar or larger sized homes to be built on the larger lots as well as on the smaller lots. The legislation proposes 40 percent lot coverage to fill this gap, but an upper limit should be established on page 3, line 18 to restrict the maximum allowed lot coverage such as 6,000 or 8,000 square feet. The specific number should be determined in consultation with the private sector and DPW&T.

On page 2, lines 18-21, delete the words “For purposes of stormwater management approval, the actual impervious area proposed for each lot shall be calculated using an appropriate methodology to verify that the stormwater management systems proposed are adequate to handle the stormwater runoff.” The Planning staff believes that this language goes beyond the maximum 40 percent lot coverage standard. It should be noted that this language will be the first time the subject of stormwater management calculations would be referenced in the Zoning Ordinance with respect to lot coverage. As drafted, the bill also raises some complications regarding processing site plans. Stormwater management is addressed under other development application review procedures now.

The Office of Law reviewed CB-68-2008 and determined that it is in proper legislative form.

The committee voted favorably on the legislation with amendments as recommended by the Planning Board and DPW&T. On page 3, line 18, the words “or 7,500 square feet, whichever is smaller” was added after the words “a maximum lot coverage of up to forty percent (40%) for each lot.” The amendments also included the addition of language in Section 2 of the bill on page 3, lines 1-5. The Legislative Officer recommends that upon enactment of this legislation, the language in Section 2 be included as an Editor’s Note in the Code.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

Recreational Community Development (RCD) regulations allow for the creation of a residential community with either a golf course or an equestrian facility. RCD regulations (Sec. 27-444(b)(10)(D)(iii)) currently allow golf course community single-family lots to have a lot coverage up to 75% if they are 300 feet from a teeing area, green, or fairway; however, the maximum lot coverage in an equestrian themed RCD is 25%.

CB-68-2008 allows an increase in lot coverage for single-family detached homes in an R-R zoned RCD. The legislation also allows an increase in the height of townhomes from 40 feet to 45 feet for a RCD in the R-R Zone.

CODE INDEX TOPICS:

INCLUSION FILES:
