

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2021 Legislative Session**

Bill No. CB-103-2021

Chapter No. 56

Proposed and Presented by Council Members Glaros, Hawkins, Turner, Taveras, Harrison,
Davis, and Franklin

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

Co-Sponsors _____

Date of Introduction October 12, 2021

ZONING BILL

1 AN ORDINANCE concerning

2 The Zoning Ordinance of Prince George's County

3 For the purpose of establishing regulations for a Neighborhood Conservation Overlay (NCO)
4 Zone applicable to designated portions of the City of Mount Rainier.

5 BY repealing and reenacting with amendments:

6 Section 27-4403(a)(5),

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; 2020 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 27-4403(a)(5) of the Zoning
15 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's
16 County Code, be and the same is hereby repealed and reenacted with the following amendments:

17 **SUBTITLE 27-4. ZONES AND ZONE REGULATIONS.**

18 **SECTION 27-4400. OVERLAY ZONES.**

27-4403. OTHER OVERLAY ZONES.

(a) Neighborhood Conservation Overlay (NCO) Zone

(5) Specific Neighborhood Conservation Overlay Zones

(A) Mount Rainier Neighborhood Conservation Overlay Zone

(i) Purpose

The purpose of the Mount Rainier NCO Zone is to aid in preserving the character of Mount Rainier’s existing residential neighborhoods and buildings. This is accomplished by establishing standards for form, massing and composition, lot area, height, fenestration, porches, materials, and accessory structures associated with the following principal use types: dwelling, single-family detached; dwelling, two-family; dwelling, three-family; and dwelling, townhouse; within the incorporated City of Mount Rainier to ensure building patterns that are consistent and compatible with existing development.

(ii) Applicability

(aa) The boundaries of the Mount Rainier NCO Zone are identified on the Official Zoning Map.

(bb) The following development is prohibited:

(I) Enclosure of existing front porches or wraparound porches by any method other than screening.

(II) Enclosure of existing carports.

(cc) The following development shall be exempt from the standards of the Mount Rainier NCO Zone:

(I) Development on property listed as a Historic Site, Historic Resource or Historic District under Subtitle 29: Historic Preservation Ordinance, of the County Code;

(II) Nonresidential development otherwise permitted in the underlying zones;

(III) Routine repair and maintenance as defined in Section 27-2500, Definitions;

(IV) Any alteration of or renovation to a residential principal structure that does not increase the height or expand the footprint of the existing structure;

1 (V) Any alteration of or renovation to an existing
2 residential accessory structure that complies with the regulations of Subsection 27-
3 4403(a)(5)(A)(iii)(cc) of the Mount Rainier Neighborhood Conservation Overlay Zone
4 Standards; and

5 (VI) Construction of a new accessory structure that
6 complies with the regulations of Subsection 27-4403(a)(5)(A)(iii)(cc) of the Mount Rainier
7 Neighborhood Conservation Overlay Zone Standards.

8 (dd) The following principal use types are subject to the Mount
9 Rainier NCO Zone and shall comply with the standards in this Subsection 27-4403(a)(5)(A):

10 (I) Dwelling, single-family detached;

11 (II) Dwelling, two-family;

12 (III) Dwelling, three-family; and

13 (IV) Dwelling, townhouse

14 **(iii) Development Standards**

15 **(aa) Siting, Massing, and Composition**

16 (I) New street-facing attached garages are prohibited.

17 (II) Front setbacks for all new dwellings shall be located
18 in accordance with Section 27-2202(b), Reduction of Minimum Front Setbacks to Block Face
19 Average.

20 (III) The maximum area of impervious surface in the
21 front yard shall not exceed 20 percent of the front yard area. Under no circumstances may
22 impervious or pervious surfaces intended for vehicle parking be located between the front façade
23 of the dwelling and the street.

24 (IV) Maximum driveway width shall not exceed 12 feet.

25 (V) Lead walks providing access from the sidewalk or
26 street to the front door of a dwelling shall not exceed four feet in width.

27 (VI) Additions must be subordinate to the dwelling in
28 massing and height.

29 (VII) Front additions that increase the gross floor area of
30 the dwelling are not allowed, except for the addition of an open, covered front porch, in
31 accordance with the standards for porches as set forth in Subsection 27-
32 4403(a)(5)(A)(iii)(bb)(V).

1 (VIII) Additions shall not exceed the height of the existing
 2 dwelling. Any addition located on the side of an existing dwelling shall be set back a minimum
 3 of two feet from the plane of the front façade.

4 **(bb) Design**

5 **(I) Roofs and Dormers**

6 **a.** The pitch of roofs visible from a public
 7 right-of-way must be within a range of 6:12 and 12:12.

8 **b.** Expansion of an existing dormer or
 9 construction of a new dormer visible from a public right-of-way shall have a combined face of
 10 no more than 30 percent of the first story of the front façade, measured from the sill plate to the
 11 roof ridge.

12 **c.** Distinctive roof and eave elements such as
 13 brackets or finials shall be maintained or reconstructed in kind.

14 **d.** The existing main roof ridgeline may be
 15 raised to permit additional habitable space, provided that, except on the rear of the structure, the
 16 original main roof's eave height is retained. Except for shed-style dormers, the roof pitch of
 17 dormers on the roof above the front façade must be within a range of 6:12 and 12:12.

18 **e.** Gabled dormers must have roof slopes
 19 within a range of 6:12 and 12:12.

20 **f.** Dormers shall not exceed the height of the
 21 main roof ridgeline.

22 **(II) Cladding**

23 **a.** Original sidewall treatments shall be
 24 retained or renewed. For example, original shingles shall not be covered with siding or vice-
 25 versa.

26 **b.** Formstone, manufactured brick veneer, tile
 27 veneer, asphalt shingles, tar paper, and plywood siding are prohibited as cladding materials.

28 **(III) Height**

29 Notwithstanding the height regulations of Part 4: Zones and
 30 Zone Regulations of this Zoning Ordinance, the height of additions or new structures shall be
 31 compatible with other structures on the same block but shall not exceed 35 feet.

32 **(IV) Windows and Doors**

1 a. Each level of the front façade of new
 2 dwelling shall have at least two windows, except the first level, where an entry door may be
 3 paired with a single window, and the roof, where there may be a single dormer window.

4 b. Altering the style of, changing the type of,
 5 reducing the size of, or removing any windows on the front façade is prohibited, unless the
 6 original features or style of the building is being restored or maintained.

7 c. Distinctive stylistic elements such as
 8 window and door casings common to original housing types in the zone shall be retained or
 9 reconstructed.

10 d. Notwithstanding the standards in
 11 Subsections (IV)b. and (IV)c., above, windows on the front façade may be altered or removed to
 12 accommodate their enlargement or the construction of dormers.

13 (V) Porches

14 a. Existing front porches shall be retained. In
 15 addition, the style and design of an existing front porch shall be retained and preserved, which
 16 includes the style and design of railings, posts, stairs, piers, and any decorative details, unless an
 17 alteration to the style and design of the existing front porch will restore the porch's original style
 18 and design. (For example, the restoration of an enclosed front porch to its original open
 19 configuration is allowed under this standard.)

20 b. Flooring of existing open porches visible
 21 from a public right-of-way shall be repaired or replaced in like materials and style, or in
 22 materials and style that can be demonstrated to be consistent with the original construction.
 23 Tongue-and-groove flooring shall be used for new or replacement porches.

24 c. Enclosure of rear porches is permitted.

25 d. Porches shall only be screened with metal or
 26 vinyl-coated fiberglass screens. Screening must be installed so as not to obscure the character-
 27 defining features of the porch, including the railings, balusters, and columns.

28 e. A front porch is prohibited in the front yard
 29 setback, unless it would be compatible with the front façade setback of the existing blockface or
 30 the original front porch is being reconstructed in that location.

31 (VI) Sidewalks

1 Sidewalks, including lead walks between street sidewalks
2 and the entrances of dwellings shall not be paved with asphalt surfacing.

3 **(VII) Retaining Walls**

4 Retaining walls higher than two feet and visible from the
5 public right-of-way shall not be constructed with pressure-treated lumber or bare concrete
6 masonry units (e.g., cinderblock).

7 **(cc) Accessory Structures**

8 (I) General setbacks for accessory structures shall
9 comply with the following:

10 a. Side yard: two feet minimum on each side.

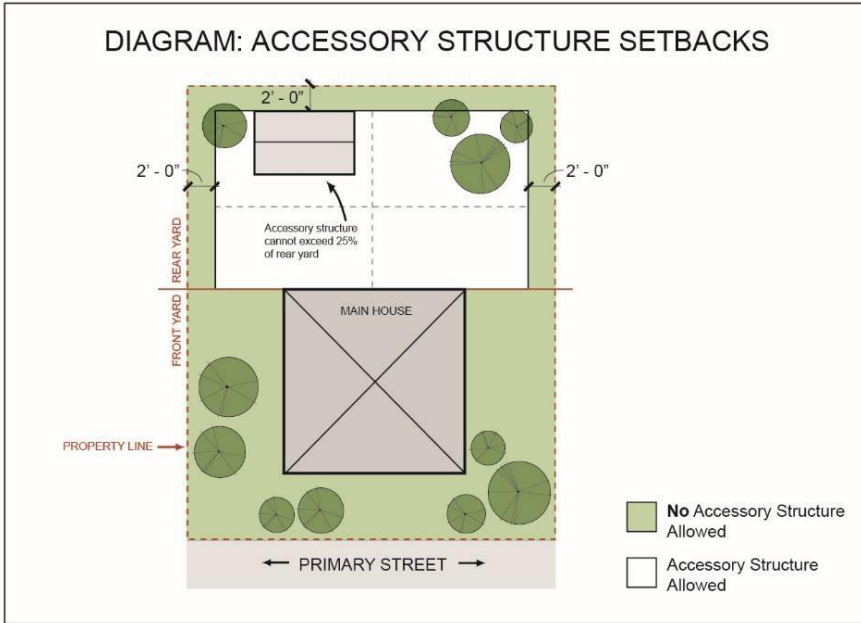
11 b. Rear yard: two feet minimum from the rear
12 property line.

13 (II) The sum of all accessory structures on a lot shall not
14 cover more than 25 percent of the rear yard. See Figure 27-4403(a)(5)(A)(iii)(cc), Accessory
15 Structure Setbacks.

16 (III) Under no circumstance shall an accessory
17 building exceed the size or height of the principal building on the lot.

18 (IV) The roof pitch of accessory structures shall not
19 exceed 12:12.

20 **Figure 27-4403(a)(5)(A)(iii)(cc): Accessory Structure Setbacks**



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SECTION 2. BE IT FURTHER ENACTED that the District Council, having reviewed the Mount Rainier Neighborhood Conservation Overlay Zone neighborhood study prepared by the Prince George’s County Planning Department and attached herein as Attachment A, finds that the neighborhood study specifies the development context for the Mount Rainier Neighborhood Conservation Overlay Zone as required by Section 27-4403(a)(2) and is establishing the development standards of this Ordinance to maintain the historic character of Mount Rainier; and

SECTION 3. BE IT FURTHER ENACTED that prior to taking action on this Ordinance, the District Council has reviewed the minimum standards for designation of an NCO Zone as required by Section 27-4403(a)(3) and finds that at approximately 99 percent of the properties in the Mount Rainier Neighborhood Conservation Overlay Zone are developed; development patterns in the Mount Rainier NCO Zone demonstrate an effort to maintain or rehabilitate the character and physical features of existing buildings; the development standards contained in this Ordinance will encourage the retention of the general character and appearance of existing development in the zone; and the Mount Rainier Neighborhood Conservation Overlay Zone features dwellings of distinctive scale, size, type of construction, building materials, lot layouts, setbacks, street layouts, alleys, and sidewalks that create a cohesive identifiable setting, character, and association that make the area well-suited for designation as a Neighborhood Conservation Overlay Zone.

1 SECTION 4. BE IT FURTHER ENACTED that the provisions of this Ordinance are
2 hereby declared to be severable; and, in the event that any section, subsection, paragraph,
3 subparagraph, sentence, clause, phrase, or word of this Ordinance is declared invalid or
4 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall
5 not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs,
6 subsections, or sections of this Ordinance, since the same would have been enacted without the
7 incorporation in this Ordinance of any such invalid or unconstitutional word, phrase, clause,
8 sentence, paragraph, subparagraph, subsection, or section.

9 SECTION 5. BE IT FURTHER ENACTED that this Act shall take effect on the effective
10 date of the Countywide Sectional Map Amendment (“CMA”).

Adopted this 16th day of November, 2021.

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: _____
Calvin S. Hawkins, II
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.