

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

2004 Legislative Session

Bill No. CB-90-2004

Chapter No. 66

Proposed and Presented by Council Member Knotts

Introduced by Council Member Knotts

Co-Sponsors _____

Date of Introduction November 1, 2004

ZONING BILL

1 AN ORDINANCE concerning

2 R-E Zone

3 For the purpose of permitting elderly housing in the R-E Zone subject to certain requirements.

4 BY adding:

5 Section 27-352.02,

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

7 being also

8 SUBTITLE 27. ZONING.

9 The Prince George's County Code

10 (2003 Edition).

11 BY repealing and reenacting with amendments:

12 Section 27-441(b),

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

14 being also

15 SUBTITLE 27. ZONING.

16 The Prince George's County Code

17 (2003 Edition).

18 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
19 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
20 District in Prince George's County, Maryland, that Section 27-352.02 of the Zoning Ordinance of

1 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
2 be and the same is hereby added:

3 **SUBTITLE 27. ZONING.**

4 **PART 4. SPECIAL EXCEPTIONS.**

5 **DIVISION 3. USES PERMITTED.**

6 **Sec. 27-352.02. Elderly housing (one-family detached dwellings).**

7 Detached one-family dwellings for the elderly (and related facilities) may be permitted on a
8 maximum of six acres located in the Developing Tier as of November 30, 2004, subject to the
9 following:

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

12 (2) The density may not exceed six dwelling units per acre.

13 (3) The District Council's detailed finding that the subject property is suitable for the
14 type of development proposed and is of sufficient size to properly accommodate the proposed
15 number of dwelling units.

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

23 (5) Regulations restricting the height of structures, lot size and coverage, frontage,
24 and setbacks, shall be in accordance with the requirements of the R-55 Zone.

25 (6) For purposes of this Section, elderly housing is defined as housing for older
26 persons as provided in Title 42 USC, Section 3607B and the regulations issued thereunder, and
27 intended for and solely occupied by persons 62 years of age and older.

28 (7) The following guidelines should be considered:

29 (A) Open space should be oriented to provide the best possible separation or
30 buffer from adjoining single-family detached uses. The requirements of Section 24-137 (g) (6)
31 through (10) shall serve as guidelines for site layout.

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

3 (C) If a community center is proposed, it shall have at least three physically
4 separate areas, including at least one separate room. The separate areas shall provide space for
5 recreational and social activities at different intensity levels.

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

9 (8) The following shall be reviewed at the time of special exception to address
10 appearance and quality issues: size of dwelling units, construction material, garages, roof pitch,
11 ceiling height, and amenities.

12 SECTION 2. BE IT FURTHER ENACTED by the County Council of Prince George's
13 County, Maryland, sitting as the District Council for that part of the Maryland-Washington
14 Regional District in Prince George's County, Maryland, that Section 27-441(b) 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 amendments:

17 **PART 5. RESIDENTIAL ZONES.**

18 **DIVISION 3. USES PERMITTED.**

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
* * * * * *	*	*	*	*	*	*	*	*	*
(6) Residential/Lodging:									
* * * * * *	*	*	*	*	*	*	*	*	*
Dwelling, one-family attached, for the elderly ⁵⁸	X	X	X	X	SE	X	X	X	X
<u>Dwelling, one-family detached, for the elderly</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>SE</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
Dwelling, one-family detached, cluster development	X	X	X	X	P	P	P	X	X
* * * * * *	*	*	*	*	*	*	*	*	*

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
* * * * *	*	*	*	*	*	*	*	*
(6) Residential/Lodging:								
* * * * *	*	*	*	*	*	*	*	*
Dwelling, one-family attached, for the elderly ⁵⁸	P	P ²	P ²	P ²	P ²	X	X	X
<u>Dwelling, one-family detached, for the elderly</u>	X	X	X	X	X	X	X	X
Dwelling, one-family detached, cluster development	X	X	X	X	X	X	X	X
* * * * *	*	*	*	*	*	*	*	*

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

Adopted this 30th day of November, 2004.

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: _____
Tony Knotts
Chairman

ATTEST:

Redis C. Floyd
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.