

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2016 Legislative Session**

Bill No. CB-95-2016

Chapter No. 59

Proposed and Presented by Council Member Harrison

Introduced by Council Member Harrison

Date of Introduction October 18, 2016

**ZONING BILL**

1 AN ORDINANCE concerning

2 Residential Revitalization

3 For the purpose of making clarifying amendments to the applicability requirements of the  
4 County Residential Revitalization Ordinance set forth in the Zoning Ordinance of Prince  
5 George's County.

6 BY repealing and reenacting with amendments:

7 Sections 27-445.10 and 27-547,

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

9 being also

10 SUBTITLE 27. ZONING.

11 The Prince George's County Code

12 (2015 Edition, as amended by Chapter No. 19 of 2016).

13 WHEREAS, the Prince George's County Council supports residential revitalization through  
14 the renovation or redevelopment of certain multifamily, attached one-family or two-family, or  
15 detached one-family dwelling units within designated Revitalization Tax Credit Districts in the  
16 County; and

17 WHEREAS, in its continuing effort to support Residential Revitalization policy and  
18 projects in the County, the County Council, sitting as the District Council for that portion of the  
19 Washington Metropolitan District in Prince George's County, prepared legislation, Council Bill

1 24-2016 (“CB-24-2016”), a zoning bill to refine the requirements for Residential Revitalization  
 2 projects set forth in Part 5 of the County Zoning Ordinance; and

3 WHEREAS, in accordance with its Rules of Procedure, CB-24-2016 was presented and  
 4 referred to the Planning, Zoning, and Economic Development (“PZED”) standing committee for  
 5 review and recommendation on April 27, 2016; and

6 WHEREAS, on May 18, 2016, the PZED standing committee of the Council reviewed CB-  
 7 24-2016 and, after discussion of comments received from agencies and other interested members  
 8 of the public on referral, the committee voted unanimously for a favorable recommendation on  
 9 the legislation as drafted; and

10 WHEREAS, after introduction of CB-24-2016 on May 31, 2016, the Council scheduled and  
 11 gave notice of a public hearing to be held on July 12, 2016, on the legislation in accordance with  
 12 applicable law; and

13 WHEREAS, after conducting a duly-advertised public hearing, District Council took final  
 14 action to enact CB-24-2016 (DR-1) on July 12, 2016; and

15 WHEREAS, in accordance with Section 2 of the legislation, CB-24-2016 took effect on  
 16 August 29, 2016, as Chapter No. 19, 2016 Public Local Laws of Prince George’s County,  
 17 Maryland; and

18 WHEREAS, thereafter, despite the plain intent of the Council to permit Residential  
 19 Revitalization projects meeting the amended requirements of the Zoning Ordinance within any  
 20 Revitalization Tax Credit District in the County, it was brought to the attention of the Council  
 21 that the Table of Uses Permitted for the Mixed Use Zones does not expressly permit Residential  
 22 Revitalization project uses in the M-X-T (Mixed Use – Transportation Oriented) Zone; and

23 WHEREAS, as a result, the District Council finds that there is need to refine the  
 24 amendments to Sections 27-445.10 and 27-547(b) of the Zoning Ordinance to clarify the intent  
 25 of the District Council in enacting Chapter No. 19 (CB-24-2016) to permit Residential  
 26 Revitalization projects in the M-X-T Zone within Parts 5 and 10 of the Zoning ; now, therefore:

27 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
 28 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional  
 29 District in Prince George's County, Maryland, that Sections 27-445.10 and 27-547 of the Zoning  
 30 Ordinance of Prince George's County, Maryland, being also Subtitle 27 of the Prince George's  
 31 County Code, be and the same is hereby repealed and reenacted with the following amendments:

**SUBTITLE 27. ZONING.**

**PART 5. RESIDENTIAL ZONES.**

**DIVISION 5. ADDITIONAL REQUIREMENTS FOR SPECIFIC USES.**

**Sec. 27-445.10. Residential Revitalization.**

**(a) Applicability.**

(1) Residential Revitalization, as defined in this Subtitle and as permitted in the Table of Uses in Part 5 or in Part 10 of this Subtitle, shall be limited to any form of existing multifamily or attached one-family dwelling units or unimproved property located in a Revitalization Tax Credit District, on which multifamily dwelling units existed on January 1, 2001, but were subsequently razed voluntarily, as a result of condemnation proceedings initiated by the County, or as requested by the Redevelopment Authority of Prince George's County ("Redevelopment Authority") on property for which the Redevelopment Authority is title owner.

(2) This section is not applicable to any other property.

**(b) Requirements.**

(1) Dwelling units, or property on which they formerly existed, as described in (a)(1) of this Section may be replaced by proposed multifamily, attached one-family or two-family, or detached one-family dwelling units in a Residential Revitalization project.

(2) The dwelling units, or property as described in (b)(1) above, shall have or have had a minimum density of twelve (12) units per acre of the net lot or tract area.

(3) The number, location, and design of compact and standard parking spaces shown on the approved Detailed Site Plan shall constitute the parking design regulations for the development.

(4) Regulations concerning the height of structures, lot size and coverage, frontage, setbacks, density, bedroom percentages, number of uses, and other requirements of the specific zone do not apply to uses and structures in a Residential Revitalization project. The dimensions and percentages shown on the approved Detailed Site Plan shall constitute the development regulations.

(5) The normal parking requirement shall be reduced by thirty percent (30%). An additional reduction may be allowed upon a determination that:

(A) An additional reduction is necessary to alleviate conditions that are

1 particular to the proposed use , given its nature at this location, or to alleviate conditions which  
 2 are prevalent in older areas of the County which were predominately developed prior to  
 3 November 29, 1949; and

4 (B) The additional reduction will not infringe upon the parking and loading  
 5 needs of adjacent residential areas.

6 (6) The project shall comply with the requirements of the Landscape Manual to the  
 7 extent that is practical.

8 (c) **Findings.**

9 In order to approve an application for a Residential Revitalization project, the Planning  
 10 Board shall find that the application:

11 (1) Improves a deteriorated, obsolete, or demolished multifamily or attached one-  
 12 family dwelling unit development by replacing or rehabilitating said dwellings, making  
 13 improvements to existing structures, or renovating and improving other facilities;

14 (2) Maintains or improves the architectural character of the buildings so that they are  
 15 compatible with surrounding properties;

16 (3) Serves a need for housing in the neighborhood or community;

17 (4) Benefits project residents and property owners in the neighborhood;

18 (5) Conforms with the housing goals and priorities as described in the current  
 19 “Housing and Community Development Consolidated Plan,” for Prince George’s County; and

20 (6) Conforms to either specific land use recommendations or principles and  
 21 guidelines for residential development within the applicable Master Plan.

22 (d) **Site Plans.**

23 (1) A Detailed Site Plan shall be approved for all Residential Revitalization, in  
 24 accordance with Part 3, Division 9, of this Subtitle.

25 (2) Site plan review shall include the approval of architectural elements including but  
 26 not limited to building materials, typical building elevations, signs and outdoor lighting.

27 (e) **Mandatory Referrals.**

28 After the Planning Department accepts an application for processing, copies shall be  
 29 referred for review and comment to the County’s Department of Housing and Community  
 30 Development, any municipality whose boundaries are located within one-half mile of the project  
 31 and any other agencies determined by the Planning Director.

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**PART. MIXED USE ZONES.  
DIVISION 3. USES PERMITTED.**

**Sec. 27-547. Uses permitted.**

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**(b) TABLE OF USES**

USE	ZONE	
	M-X-T	M-X-C
* * * * *	*	*
<b>(7) RESIDENTIAL/LODGING:</b>		
Country inn	P	P
Dwellings, all types (except mobile homes)	P <sup>7</sup>	P
Flag lot development, subject to the provisions of Section 24-138.01 of Subtitle 24	X	P
Group residential facility for up to 8 mentally handicapped dependent persons	P	P
Group residential facility	P <sup>17</sup>	X
Hotel or motel	P	P
<u>Residential Revitalization in accordance with Section 27-445.10</u>	P <sup>19</sup>	X
* * * * *	*	*

* * * * *
<b>19</b> <u>Dwelling units, or property on which they formerly existed, as described in (a)(1) of Section 27-445.01 of this Subtitle, may be replaced by proposed multifamily, attached one-family or two-family, or detached one-family dwelling units in a Residential Revitalization project.</u>

1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect on the  
2 date of its adoption.

Adopted this 15th day of November, 2016.

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: \_\_\_\_\_  
Derrick Leon Davis  
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.