

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2007 Legislative Session**

Bill No. _____ CB-38-2007 _____

Chapter No. _____

Proposed and Presented by _____ Council Member Turner _____

Introduced by _____ Council Members Turner and Dean _____

Co-Sponsors _____

Date of Introduction _____ October 23, 2007 _____

ZONING BILL

1 AN ORDINANCE concerning

2 Apartment Housing for the Elderly

3 For the purpose of permitting Apartment Housing for the Elderly in the R-18 Zone, subject to
4 Detailed Site Plan but not Special Exception review under certain circumstances.

5 BY repealing and reenacting with amendments:

6 Section 27-441(b),

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 (2003 Edition, 2006 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 27-441(b) of the Zoning Ordinance of
15 Prince George's County, Maryland, being also Subtitle 27 of the Prince George's County Code,
16 be and the same is hereby repealed and reenacted with the following amendments:

17 **SUBTITLE 27. ZONING.**

18 **PART 5. RESIDENTIAL ZONES.**

19 **DIVISION 3. USES PERMITTED.**

20

Sec. 27-441. Uses permitted.

(b) TABLE OF USES.

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
(6) Residential/Lodging:								
* * * * *	*	*	*	*	*	*	*	*
Apartment housing for elderly or handicapped families in a building other than a surplus public school building (with provisions for increased density and reduced lot size in Multifamily Zones)	SE ⁶³	X	X	SE ^{81, 85}	SE	X	SE	SE
Apartment housing for elderly or handicapped families in a surplus public school building	SE	SE	SE	SE	SE	X	SE	SE
* * * * *	*	*	*	*	*	*	*	*

85 Permitted in the R-18 Zone without a Special Exception, provided:

- (A) A Detailed Site Plan shall be approved in accordance with Part 3, Division 9;
- (B) The subject property has frontage on a street shown on the applicable Master Plan as a collector or higher classification, is located within one (1) mile of property that includes existing medical offices, within one (1) mile of property that includes an existing integrated shopping center, within two (2) miles of an existing hospital, and at the time of Detailed Site Plan approval, at its closest point, is located less than twenty-five (25) feet from the existing right-of-way for the Capital Beltway;
- (C) The net lot area shall be not less than fifty percent (50%) of the minimum net lot area normally required in the zone;
- (D) In addition to the requirements of Section 27-296(c), the site plan shall show the density, and the type and total number of dwelling units proposed;
- (E) The density shall not be greater than twice that normally allowed in the zone, unless the subject property is part of an existing multi-family development, in which case the density shall not be so restricted, and shall be that which is approved upon the Detailed Site Plan;
- (F) Where this use is proposed upon land that is part of an existing multi-family development, all regulations shall be those established upon the Detailed Site Plan as approved; and
- (G) Age restrictions in conformance with the Federal Fair Housing Act shall be set forth in covenants submitted with the application, approved by the District Council, and filed in the Land Records at the time the final subdivision plat is recorded. The covenants shall establish that the premises will be solely occupied by elderly (conforming with age restrictions in the Federal Fair Housing Act) or handicapped families for a fixed term of not less than ten (10) years.

1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect forty-five
2 (45) calendar days after its adoption.

Adopted this _____ day of _____, 2007

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: _____
Camille A. Exum
Chair

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.