

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2017 Legislative Session

Bill No. _____ CB-29 -2017
 Chapter No. _____
 Proposed and Presented by _____ Council Member Turner
 Introduced by _____
 Co-Sponsors _____
 Date of Introduction _____ May 2, 2017

ZONING BILL

1 AN ORDINANCE concerning

2 R-R Zone and R-18C Zone

3 For the purpose of permitting apartment housing for elderly or handicapped families in the R-R
 4 and R-18C Zones without a special exception 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 (2017 Edition; 2016 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, be
 16 and the same is hereby repealed and reenacted with the following amendments: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.**

Sec. 27-441. Uses permitted.**(b) TABLE OF USES 1.**

USE	ZONE								
	R-O-S	O-S	R-A	R-E	R-R	R-80	R-55	R-35	R-20
(7) 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)	X	X	X	X	SE 63	SE	SE	X	X
* * * * *	*	*	*	*	*	*	*	*	

63 [Reserved.] A Special Exception shall not be required provided:

1. The property is one (1) gross acre or less in size and is located adjacent to a R-18C zoned lot or parcel recommended for an active adult community in an Approved Sector Plan and Sectional Map Amendment;
2. The property is located within one (1) mile of a fire station;
3. A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;
4. Regulations concerning the net lot area, lot coverage and green area, lot width, frontage, yards, building height, distance between unattached townhouses, density, site access, accessory buildings and other requirements of the R-R Zone shall be established and shown on the Detailed Site Plan for approval by the Planning Board and the District Council; and
5. Age restrictions shall be in conformance with the Federal Fair Housing Act and set forth in covenants submitted with the application and filed in the land records at the time the final plat of subdivision is recorded.

(b) TABLE OF USES.

USE	ZONE							
	R-T	R-30	R-30C	R-18	R-18C	R-10A	R-10	R-H
(7) 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	X	X	SE ⁸¹	SE ¹¹⁷	X	SE	SE
* * * * *	*	*	*	*	*	*	*	*

117 A Special Exception shall not be required provided:

1. The property is identified for active adult community in an Approved Sector Plan and Sectional Map Amendment;
2. The property shall not be subject to the condominium or other home ownership recommendation as the zone requires or as may be stated within an Approved Sector Plan and Sectional Map Amendment;
3. A Detailed Site Plan shall be approved in accordance with Part 3, Division 9, of this Subtitle;
4. Regulations concerning the net lot area, lot coverage and green area, lot width, frontage, yards, building height, site access, distance between unattached townhouses, density, accessory buildings and other requirements of the R-18 or R-18C Zones shall be established and shown on the Detailed Site Plan for approval by the Planning Board and the District Council.
5. Age restrictions shall be in conformance with the Federal Fair Housing Act and set forth in covenants submitted with the application and filed in the land records at the time the final plat of subdivision is recorded; and
6. The applicant must demonstrate by evidence in the record that:
 - (A) The net lot area is at least fifty percent (50%) of the minimum net lot area normally required in the zone;
 - (B) The density is not more than twice what is normally allowed in the zone; and
 - (C) The project is financed at least partially by tax credits approved by the State of Maryland.

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

Adopted this _____ day of _____, 2017

.

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.