

Exhibit 5

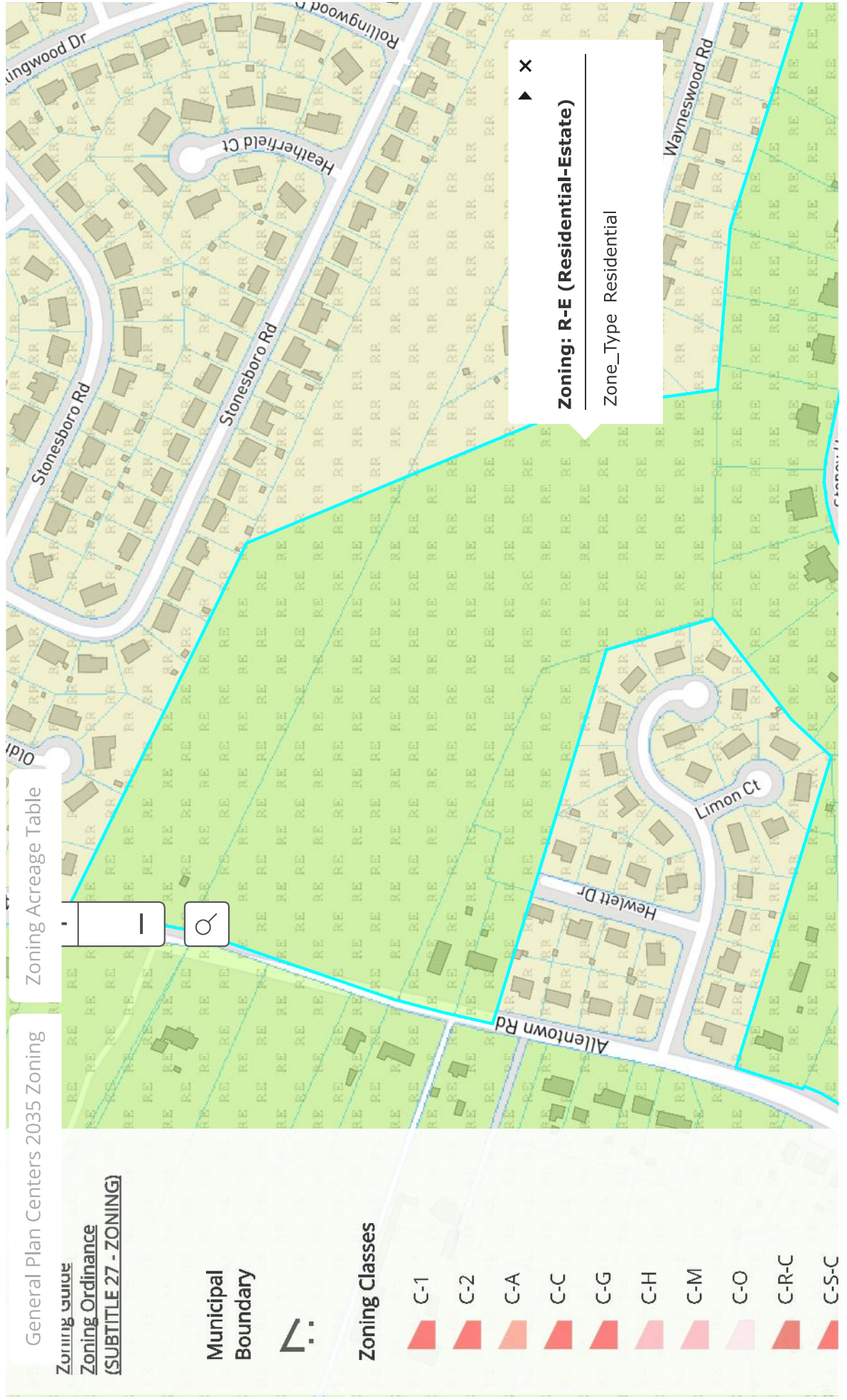
Existing Zoning & Acreage

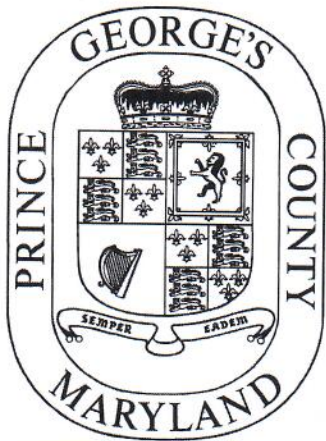
Contact us (or click MNCPPC logo below for more information)

Zoning total: 278,830.29 acres (includes ~80 acres R-M-H/Planned Community zoning, zone type 5); all data current as of 7/15/17 unless otherwise noted.



All Zoning Classes Residential Commercial & Industrial Comprehensive Design & Mixed-Use





2015 EDITION

2016 SUPPLEMENT

PREFACE

The 2015 Edition/2016 Supplement of the Prince George's County Code replaces all previous Editions and is published pursuant to Section 321 of the County Charter, which requires recodification of all laws of the County every four years.

The Code is published in three volumes and three parts. Part I contains the Charter for Prince George's County. Part II consists of Title 17, the Public Local Laws of Prince George's County, the contents of which are divided into Subtitles, Divisions, Subdivisions, and Sections based on material content. Part III contains the laws relating to the Washington Suburban Transit District.

The first two volumes contain the Charter, Subtitles 1 through 26 and, 28 through 33, the Code Index, and Part III. The third volume contains the Zoning Ordinance (Subtitle 27) and the Urban Centers and Corridor Nodes Development and Zoning Code (Subtitle 27A), which have their own Indexes. The Subtitles are numbered consecutively in Arabic numerals. Each Subtitle is preceded by a Table of Contents.

Each Code Section is identified by a number consisting of two parts. The number preceding the dash refers to the Subtitle number, and the number following the dash refers to the Section's location within the Subtitle. Section subclassifications are identified as follows:

Section - 2-256

Subsection - 2-256(a)

paragraph - 2-256(a)(1)

subparagraph - 2-256(a)(1)(A)

A citation located at the end of a Code Section identifies the source document and/or amendment(s) for that Section. Citations include references to the Prince George's County Code of Ordinances and Resolutions, the Prince George's County Code of Public Local Laws, a County Council bill, or the Laws of Maryland. Editor's Notes are used throughout to provide additional information or explanations.

Gross Residential Density: The average density per acre for all residential land within a tract that comprises a single Comprehensive Design Zone development. It includes land devoted to both public and private facilities, but does not include "Street" rights-of-way which exist at the time of application and abut the perimeter of the tract.

(108) **Gross Tract Area (or Acreage):** The total area of a tract of land, including all land area which is to be conveyed for "Public Facilities."

(109) **Group Residential Facility:**

- (A) A "Dwelling Unit" or "Foster Home," operated by a responsible individual or organization, which has a program designed to provide a supportive living arrangement for five (5) or more individuals (unrelated to the operator by blood, adoption, or marriage) who are members of a service population that, because of age or emotional, mental, physical, familial, or social conditions, needs supervision.
- (B) This term includes, facilities for developmentally disabled persons, drug dependent persons, alcoholic persons, juveniles, or persons whose welfare and adjustment within the community are dependent on support from the community.
- (C) The term does not include:
 - (i) A "Hospital" or "Nursing or Care Home";
 - (ii) A "Congregate Living Facility"; or
 - (iii) An "Adult Day Care Center."
- (D) A "Group Residential Facility" for the "mentally handicapped" for up to eight (8) residents shall be considered a "One-family Detached Dwelling."
- (E) When a "Group Residential Facility" is limited to serving a "mentally handicapped" population, this term shall include any individual with a primary disability as a result of mental retardation, mental illness, or mental disorder which impairs the person's cognitive ability to live independently (excluding addictive disorders resulting from substance abuse).

(CB-90-1985; CB-82-1986; CB-29-2012)

(110) **Guest House:** A detached "Accessory Building" used to house the transient guests of the occupants of the main "Dwelling." The "Guest House" shall not be separately rented, leased, or sold.

(111) **Guest Room:** A room or suite of rooms in which living and sleeping accommodations are provided for one (1) or more paying visitors. "Guest Rooms" shall have no provisions for cooking, except in the case of "Guest Rooms" in a "Hotel" or "Motel," where "Guest Rooms" may contain a "kitchenette." Rooms in school "Dormitories" and "Fraternity or Sorority Houses" are not "Guest Rooms."

(111.1) **Habitat Protection Area:** An area that is designated for protection according to Subtitle 5B of the Prince George's County Code.

(CB-76-2010)

(112) **Half-Story:** A space under a sloping roof where the line of intersection of the roof and wall is not more than three (3) feet above the floor level. The "Gross Floor Area" with head room of five (5) feet or less shall equal at least forty percent (40%) of the "Gross Floor Area" of the "Story" directly beneath. (See Figure 15)

(112.1) **Hamlet:** A design component of the V-L and V-M Zones that is separated from the primary Village, with the same basic design characteristics as the primary village.

(CB-10-1992)

Sec. 27-427. - R-E Zone (Residential-Estate).

(a) **Purposes.**

(1) The purposes of the R-E Zone are:

- (A) To provide for and encourage variation in the size, shape, and width of one-family detached residential subdivision lots, in order to better utilize the natural terrain;
- (B) To facilitate the planning of one-family residential developments with large lots and dwellings of various sizes and styles;
- (C) To encourage the preservation of trees and open spaces in order to create an estate-like atmosphere; and
- (D) To prevent soil erosion and stream valley flooding.

(b) **Uses.**

- (1) The uses allowed in the R-E Zone are as provided for in the Table of Uses (Division 3 of this Part).

(c) **Regulations.**

- (1) Additional regulations concerning the location, size, and other provisions for all buildings and structures in the R-E Zone are as provided for in Divisions 1 and 5 of this Part, the Regulations Tables (Division 4 of this Part), General (Part 2), Off-Street Parking and Loading (Part 11), Signs (Part 12), and the Landscape Manual.

(CB-1-1989)

DIVISION 3. - USES PERMITTED.

Sec. 27-441. - Uses permitted.

- (a) No use shall be allowed in the Residential Zones, except as provided for in the Table of Uses. In the table, the following applies:

- (1) The letter "P" indicates that the use is permitted in the zone indicated.
- (2) The letters "SE" indicate that the use is permitted, subject to the approval of a Special Exception in accordance with Part 4 of this Subtitle.
- (3) The letters "PA" indicate that the use is permitted, subject to the following:
 - (A) There shall be no entrances to the use directly from outside the building;
 - (B) No signs or other evidence indicating the existence of the use shall be visible from outside the building, other than a business identification sign lettered on a window. The sign shall not exceed six (6) square feet in area; and
 - (C) The use shall be secondary to the primary use of the building.
- (4) The letters "PB" indicate that the use is permitted, subject to the following:
 - (A) The use shall be related to, dependent on, and secondary to a primary use on the premises;
 - (B) The use shall be located on the same record lot as the primary use;
 - (C) The use shall not be located within a building not occupied by the primary use; and
 - (D) The floor area of any building (and the land area occupied by any structure other than a building) devoted to the use shall not exceed an area equal to forty-five percent (45%) of the gross floor area of the building within which the primary use is located.

- (5) The letter "X" indicates that the use is prohibited.
- (6) The letters "SP" indicate that the use is permitted subject to approval of a Special Permit, in accordance with Section 27-239.02.
- (7) All uses not listed are prohibited.
- (8) Whenever the table refers to an allowed use, that use is either permitted (P), permitted by Special Exception (SE), permitted by Special Permit (SP), or permitted as a (PA) or (PB) use, as accordingly listed in the zone in which it is allowed.

(CB-12-2001; CB-4-2003)

Editor's note— CR-81-2012 repealed the enactment of CB-18-2007 regarding "Rural Entertainment Park", (Chapter 10, 2007 Laws of Prince George's County, Maryland), effective October 16, 2012.

(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
(1) Commercial:									
Agritourism	P ₉₀	P ⁹⁰	P ₉₀	P ₉₀	X	X	X	X	X
Animal Hospital, veterinary office (CB-76-2003)	SE	SE	SE	SE	SE	X	P ⁷⁴	X	X
Antique shop	X	SE	SE	SE	SE	X	X	X	X
Artist's studio (CB-24-2015)	X	X	X	X	X	X	X	X	X
Barber Shop (CB-81-2008)	X	X	X	SE ₈₆	SE ₈₆	X	X	X	X
Beauty shop (CB-24-2015; CB-71-2016)	X	X	X	SE ₈₆	SE ₈₆	X	X	X	X
Bed-and-Breakfast Inn in accordance with <u>Section 27-445.13</u> (CB-39-2009)	P	P	P	P	P	P	P	X	X

(A) In accordance with preliminary plats approved prior to February 1, 1990, pursuant to Subtitle 24 and recorded within the prescribed time period	X	X	X	P	P	P	P	X	X
(B) In accordance with <u>Section 24-138.01</u> of Subtitle 24 (CB-72-1989)	X	X	X	P	P	P ⁴⁶	X	X	X
Fraternity or sorority house:									
(A) If legally existing prior to May 20, 1983, and not extended beyond the boundary lines of the lot as it legally existed (prior to May 20, 1983)	X	X	X	X	X	X	X	X	X
(B) All others	X	X	X	X	X	X	X	X	X
Group residential facility for more than 8 mentally handicapped dependent persons, or for 5 or more other dependent persons (CB-29-2012)	P	P	P	<u>P</u>	P	P	P	P	P
Group residential facility for not more than 8 mentally handicapped dependent persons	P	P	P	P	P	P	P	P	P
Guest house, as an accessory use	P	P	P	X	X	X	X	X	X
Mobile home used as a dwelling for emergency purposes as a temporary use, in accordance with Sections <u>27-260</u> and <u>27-261</u>	P	P	P	X	P	X	X	X	X
Mobile home used as a one-family detached dwelling (CB-79-1999)	SE	SE	SE	SE ₆₄	X	X	X	X	X
Mobile home, with use for which amusement taxes collected ²⁸	X	P	P	P	P	P	P	P	P
Motel	X	X	X	X	SE	X	X	X	X