



Evaluation and Recommendations Report
Countywide Listening Sessions
January 28, January 29, and February 10, 2015
Questions and Comments

Southern Regional Technology and Recreation Center, Wayne K. Curry Sports and Learning Complex, Parks and Recreation Administration Building

The following is an extensive sampling of the public comments, both verbal and written, received on the Evaluation and Recommendations Report during the Countywide listening sessions held on January 28; January 29; and February 10, 2015. The comments have been organized into several categories that roughly correspond to the major recommendation areas of the Evaluation and Recommendations Report as follows:

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Comments and questions received from the community are in black text. Consultant and staff responses that were provided during the listening sessions are in [blue text](#). Responses from Prince George's County Councilmembers are in [green text](#).



1. General Comments

- You all are moving in the right direction.

Yes, definitely moving in the right direction.

Good start to the report.

Good PowerPoint slides.

- I actually commend you for doing this and being open about this process. It would be hard to design something worse than what we currently have. As a resident living in the neighborhood, or as a business it is difficult trying to work with the system.

Anything would improve the current zoning ordinance.

The rewriting of the zoning regulations is long overdue. Making the zoning information simpler and more user-friendly is essential for the future of the County.

- I found the general recommendations commendable. I think people will have a problem with specifics. It may be helpful to clarify how the public can provide useful input at various stages of the process. For example, if I have specific recommendations for how the ordinance should be drafted, is that more useful to make now, or once the relevant module is prepared?
- Please start on time and keep presentations on time since you are rushing towards the end.

The time should be later. Community members need time to get home from work. I suggest that meetings start at 7:30 p.m.

Please ensure that the meeting takes place after the 6pm hour to allow travel time for all individuals.

- The acronyms make the presentation difficult to follow. A definition factsheet as a handout will help.

Has a "cheat sheet" on new terms and vocabulary by Plan 2035 been developed? If so, where do we find it?



A glossary of terms about the zoning rewrite can be found on the project's website - <http://zoningpgc.pgplanning.com/zoning-academy/glossary/>. Staff is also working on a directory of common acronyms used in the Zoning Ordinance, Subdivision Regulations, and general planning practices.

- It will be a daunting task to effect the cultural changes necessary to overcome the technical and political constraints. Organizational change is always a challenge to address.
- Report on the website is not readable. Will hard copies be available?

The team will look into this potential technical issue. Please email Chad Williams, at chad.williams@ppd.mncppc.org, or Brittney Drakeford, at brittney.drakeford@ppd.mncppc.org to request hard copies.

- Will this presentation be on the Planning Department's YouTube channel and will the presentation be available on the website?

Will formal responses to the questions be available?

All materials, including videos, questions, and responses will be posted on website. The questions and responses may take the format of a Frequently Asked Questions document. We are making every effort to be very open with project materials posted online for people to see. And if you prefer individual responses, contact us and we can provide them. We hope to update the website within 1-2 weeks to allow time for compilation of comments and questions and post-processing of the video recordings.

- Who gets the final review of the Zoning Ordinance rewrite?

The Zoning Ordinance rewrite will be reviewed by the public, then the Planning Board and finally the District Council. With regard to the approval of the final Zoning Ordinance and Subdivision Regulations: the District Council is the final approval body of zoning legislation (the new Zoning Ordinance). The District Council and the County Executive will both approve the new Subdivision Regulations as the final decision makers.

Public Participation in the Zoning Rewrite

- The meeting could be more effective for general members of the community if some context was provided at the beginning to provide an overview of the Plan Prince George's 2035 vision in addition to the general problem with the County codes.



Reorganizing the information to include the vision first would be helpful. The information was informative but the robust/depth of information was challenging to absorb in one setting.

- I think zoning is a very abstract concept for most residents. However, incorporating some real-life examples will help make easy connections for the common person. For instance, if materials that went out to the community speak to how zoning will/does impact the type of business, development, housing, etc. that will be in their community, I think you may get better participation. Most people don't know about zoning and what is allowed in your neighborhood.
- Suggestion to do outreach to Spanish speaking business owners. They need simple and understandable language to be able to understand the pros and cons of this process.
- [The Park and Recreation Administration Building] is not accessible by transit or walking from College Park Metrorail Station. Kenilworth Avenue has gaps in its sidewalk access either from Paint branch Road or River Road and the facility itself does not have a sidewalk from Kenilworth Avenue to the front door.
- Provide advanced notification for the meeting.

Please advertise the Listening Sessions to communities that are going to benefit from the zoning rewrite project. These meetings should have community member participation. All the participants at this session tonight are speaking for the masses and that is disturbing. Try to advertise so you can get more people attending these meetings. This is a huge project that has a potential to impact lives in a positive or negative way.

I feel like this process is being pushed too fast. I talked to lots of people who will be interested in the rewrite, but were unaware that this is going on. It will be helpful to do a restart of the listening sessions.

Please come up with other strategies to garner community input in these forums. Maybe schedule three more listening sessions and use the media to advertise them in simple language so community members can come out.

More community input is needed. Organize more meetings.

Some concern was expressed that there is not enough time to meet with the community to discuss the Evaluation and Recommendations Report if code drafting is scheduled for March. Consideration should be given to a longer process for the community to provide feedback.



The team will go out to the community throughout the project and is committed to a fair, open, and transparent process. Interested parties can set up a time to meet with the project manager, Chad Williams, at chad.williams@ppd.mnccppc.org or 301-952-3171. Code drafting is now scheduled to begin in April.

Staff also explained the notice and outreach efforts leading to this point, which dates back to the approval of the 2002 Prince George's County General Plan. Numerous master and sector planning efforts covering almost 90 percent of the County have occurred since that time including the *Envision Prince George's* visioning project, Plan Prince George's 2035, and direct notification and outreach efforts pertaining to the Zoning Ordinance and Subdivision Regulations Rewrite project.

A request has been made to have a staff-run listening session in Councilmanic District Two. This will be announced soon.

This dialogue is continuous, we want the community to be engaged over the course of this project. Planning Department staff will speak with you about the stages, but this will not be final until the very end. The new Zoning Ordinance and Subdivision Regulations will be gradually drafted and there will be many opportunities to weigh in. Planning Department staff will come to any community meetings. If they say no to you, contact your councilmember. We talked to them today the very point that we want to make sure they are engaging all of you, so please invite them out and stay engaged. The last point is related to the comment that we are streamlining this for the developers. This process is not just about the developers, but all of you in the room. These are only recommendations.

- A question was asked regarding the relationship of the Zoning Ordinance and Subdivision Regulations Rewrite project with the ongoing update to the Prince George's Plaza Transit District Development Plan.

Any development approvals subject to the regulations of an approved Transit District Development Plan will be recognized as valid when a new Zoning Ordinance is approved.



2. Project Objectives

- Right now there is a bill before council, proposing to give a greater role to municipalities. If it gets approved, what will happen?

This bill is pending in Annapolis. If this bill is approved, then it will be taken into account.

- How feasible is it to consider Business Improvement District (BIDs) in this case?

BIDs are great tools, but they are separate from zoning codes. The BID tool is not counted on for the implementation of zoning codes.

- If the Suitland project is approved, how is that going to affect business and the things in the plan now?

We didn't discuss specific projects or small area plans in the Evaluation and Recommendations Report. Once a project is approved, it will be recognized.

- How does the zoning rewrite help with current issues, and how will it address places/businesses being grandfathered? There was some concern about having too many undesired businesses (e.g. pawn shops and nail salons) in the community.

The contextual compatibility standards recommended in the Evaluation and Recommendations Report are intended to ensure development is sensitive to adjacent residential communities. There will also be opportunities through this rewrite process to identify undesirable uses and determine how best to address them in the future.

Zoning cannot make existing uses or businesses go away, but it can establish a framework to help create additional market opportunities for desired shops to open in the future and will streamline current procedures to incentivize infill and redevelopment opportunities. If there is sufficient capital opportunity, the market will respond. Another project goal is to update and simplify the codes in order to remove the obstacles to new investment.

- I live in College Park and we have zero control over zoning. It's a mess. Did you address giving us some zoning authority in the report?

All recommendations presented in the Evaluation and Recommendations Report assume current state law. The Evaluation and Recommendations Report also contains recommendations to retain



existing municipal zoning authority that has already been delegated, including certain departures and variances.

- During the recent *Greenbelt Metro Area and MD 193 Corridor Sector Plan and SMA*, citizens stated they wanted walkability, trees and greenery, and complete street design. However at the end of the process, the highway people came in, and disregarded what the citizens wanted and put in a highway that conflicts with the citizen's desires. What's the point of better zoning if the car and highway people just get whatever they want anyway?

Clarion expressed confidence there are ways to reduce parking, for one example, but cautioned that it is more difficult to deal with roadway engineers through a zoning update process, and that "Zoning can't zone streets." It will be up to planners, local transportation agencies, state transportation staff, and others to continue these important conversations.



3. Improve User Friendliness and Streamline the Ordinance

- There was a suggestion to make the manual code more user-friendly by having it in a 3-ring binder, with tabs for popular topics, e.g. “definition” and “setback.”

The intent is to have it very usable in hard copies as well as online.

- Does the report address footnotes, Special Exceptions, and McMansions?

Yes, we expect a very high number of footnotes will be taken out. In the drafting process, we will take a hard look at the Special Exceptions. McMansions have not been discussed yet, as it has not come up in our meetings. We could look into this issue, as it is raised now here.

- How does the simplification assist and hurt current sector plans?

A concern was expressed regarding implementing sector plans in phases or through a graduated program and about eliminating undesirable uses that have been grandfathered in the sector plans. Some undesirable uses never go away because they are just replaced by similar businesses when a vacancy may arise.

The need for a stronger connection between County plans (sector and master plans, functional master plans, the general plan, etc.) and the zoning and subdivision rules are addressed in the Evaluation and Recommendations Report. One of the goals of the rewrite project is to have one location where all zoning and development regulations are consolidated (the Zoning Ordinance), and to move away from the complexity and uncertainty of working with 18 separate overlay zone plans.

One caution made by Clarion is that most jurisdictions take the position that legally-created uses should be allowed to remain.

- The Prince George's Plaza Transit District Development Plan update seems to be on a faster timetable than the zoning rewrite timetable. How do the two projects relate in terms of decision making about any zoning changes and the goals between the two projects.

Our recommendation is any development approvals that have been made prior to the adoption of a new set of regulations will be recognized as valid. That property will be recognized as approved as part of the TDOZ.



- How do current sector plans connect with the zoning rewrite?

One of the reasons that the zoning ordinance is so complex and difficult to understand is because there are zoning regulations in the sector plans. As we proceed with this process, we suggest that the community standards that were developed in the sector plans be included in the zoning ordinance.

- To what extent would the mandated Health Impact Assessments be a part of land use?

The intention is that Health Impact Assessments will be carried forward and addressed in detail during module three of the rewrite.

- There is a concern that simplifying things and making things more flexible may eliminate things that many citizens want.

The goal of zoning rewrite is to reduce redundancy in the regulations, to make them more understandable, and to make sure that they are consistent with the type of the development communities want to see, such as support for Transit-Oriented Development in certain locations. It is important to streamline the regulations so that they would not be in conflict. The recommendation is to collapse current codes without losing protections for communities.

- Clarity in the zoning ordinance will be so helpful. It would be much easier for us to understand and interpret the zoning code and have a clear understanding of what requirements may be. Then we can have a dialogue. Thank you for mandating the community meetings into the process. It is very beneficial for all parties to be involved in the process at the front as opposed to way down the road. A transparent process will be a win-win for everyone.
- I have not read the report, but most of my frustration is in the process of implementing zoning, standards, and interpretations. There is also a lot of clarity needed in the development and permitting process. This needs to be a part of the process.

With regard to interpretations, many regulations are difficult because they conflate intent with regulation. This is particularly prevalent in Prince George's County's DDOZ (Development District Overlay Zone) and TDOZ (Transit District Overlay Zone) plans.



Public Participation and Public Notification Input:

- Can you summarize the part for public notifications in the report? Will they increase or decrease?

I would like to see procedural issues resolved – including materials that are turned in late by applicants or planning staff, deadlines that are not strictly observed, etc. Staff rush their reports as a result, and communities are not given enough time to review documents.

Having the recommended pre-application conference is very important; pre-application conferences will expedite the process.

The Evaluation and Recommendations Report recommends establishing pre-application neighborhood meetings to occur before an applicant can submit a development application. Interested or impacted stakeholders within a given (to be determined) distance of the proposed project location will present the community an effective opportunity to meet with the applicant to discuss the project.

In Clarion’s experience, neighborhood meetings are more successful, if they take place prior to an application’s filing, as it is difficult to make modifications once the application is submitted. In terms of public notifications, the team recommends consolidating these notices and looking toward more reliance on technology (e-mail, web) and less on traditional newspapers. Additionally, Clarion Associates proposes the creation of a mandatory pre-application conference, where a potential developer would meet with staff to discuss procedural requirements prior to submitting any applications for development review, and to include a formal application checklist procedure. This will ensure incomplete applications would not be accepted.

- In the pre-application neighborhood meetings, are you planning to use citizens’ associations?

Yes, they will be notified of the meetings. We will have a provision in the code for them to sign up to be notified

- A transparent process and standard needs to happen, allowing the community’s input and influence with the “big guys” (developers) required to be there and take such input seriously.

Trust and transparency go hand in hand. When citizens don’t have time to respond, things slip through and are done behind the scenes without public approval. Ground rules should exist in a way that cannot be subverted.

We attempt to set out a process for a transparent framework.



Development Review Approval Process:

- I am concerned that the District Council will be removed from making zoning decisions. The problem is that we would not be able to hold those elected accountable for zoning. Another concern is that this will send us to the Circuit Court. Civic groups will have to gather resources to fight in court. Judges are not the best persons to make those decisions as they have no experience compared to the District Council.

I would like the zoning process to still go to the District Council. The Planning Board is not elected and citizens need to work with the people they elected to represent them.

I am concerned about the high cost to appeal a ruling by a judge. That puts lots of power in the hands of one individual and it is difficult to overturn any judicial ruling.

The idea to take politics out of the process is unrealistic. The recommendations just give more power to those who already have had lots of power, i.e. the developers.

I want to make a cautionary point. We are trying to be as transparent as possible and we are not advocating for developers. We would like to listen to everyone's feedback, but the policy has not been written. So, to make that kind of statement is kind of prejudging the Rewrite, because nothing has been written yet.

- The current zoning ordinance makes it very difficult today. The zoning code rewrite has gotten lots of support because in certain areas it is very difficult to make changes within the current zoning code situation. The County will have to make the development process easier and simpler than it is now to attract developers and for desired redevelopment to happen. Protection is important, but one will need to add more specific development and design standards to the Zoning Ordinance to create protection. Eventually, the District Council is going to decide whether these recommendations are good or not. It is an issue that clearly hasn't been decided, but needs to be on the table.

The proposals and recommendations in the report are aimed at minimizing the need to go to court, as they should reduce uncertainty regarding development standards, uses, and zones. Things are expected to work at the local level with updated zoning codes. Citizen involvement is key in the zoning rewrite process to create and present clear development standards. We will continue to have that discussion and the implementation probably would not happen for a year. The Evaluation and Recommendations Report has identified a number of opportunities for citizens to have valuable and meaningful input in the development review process.



- One of your goals is to minimize the politics to be involved in these decisions, as it creates trouble. How is it working?

The Evaluation and Recommendations Report addresses the impact of a highly politicized development review process. Some citizens see this as a lifesaver because they can directly contact their council member to express their concerns with a development project. Many citizens and the council members themselves are nervous about the minimization of Council review, but we think the politics and unpredictability is keeping development away.

- A concern was expressed about the Zoning Hearing Examiner deciding special exceptions.
- The current process requires a Detailed Site Plan and reviews by community for property located in a DDOZ (Development District Overlay Zone). A Detailed Site Plan is too expensive and too far in the process to share with the community; this is stopping development.
- Staff needs more flexibility in decisions that are not major development projects, when the County is in agreement with a property owner.

Revised Zoning Categories

- My perspective is from citizens who are insistent on the MUTC zones. Something you've talked about is having a special character in some of these zones, will it be relegated to residential? It is still a bit fuzzy to me about how citizens are going to be protected.
- A concern was expressed about protecting residential neighborhoods from industrial areas.



4. Implementing Plan Prince George's 2035 Goals

- Can we strive to build full communities, so that you can stay within the community?

Please be sure to include plans, set-asides, and zoning areas for youth—including teens and young adults. Right now, there are few places where teens and youth can gather or walk safely in this County. There was an article in The Washington Post that highlights the current problem and potential unintended consequences. “*Shooting at Greenbelt Synagogue Could be Byproduct of Clampdown on Music Venues*”. One thing is certain—young people, teenagers, young adults will find ways to congregate/gather—whether we plan for them or not. If standards were put in place where there are certain amenities set aside for older youth to congregate I believe this will be a proactive way to deal with this problem. Perhaps, a formula should be tried to manage density? Whatever it is, I do believe a great opportunity exists where amenities for older youth can be addressed.

There is lots of talk about development, but I haven't heard about green spaces, parks, places where people play other than commercial.

There are thousands of townhouses at National Harbor, but there is no recreation for children. Is that part of the plan?

The presentation has so much focus on development. Few of us are clamoring for more stores. I live inside the Beltway near 4,000 elementary school students, but they must drive 1.5 miles to a park because the streets lack safe sidewalks.

Providing areas for recreation and open space is addressed in Plan Prince George's 2035 and the Department of Parks and Recreation's Formula 2040 Functional Master Plan. These concepts are also discussed in the Evaluation and Recommendations Report. Plan Prince George's 2035 looks at creating spaces for residents of all ages and income brackets to live, work, and play. As we begin drafting zone structures we will be sure to include standards for open space areas and recreation areas for children to play. The report also proposes community standards, including sidewalks for children to bike, as part of the recommended approach to development regulations.

- Many developments have lots of inconsistencies in terms of APF (Adequate Public Facilities). The participant looks forward to having that addressed.

APF and other issues need to be addressed, according to Plan 2035. APF is covered in the report and will be part of this effort.



- Are live/work places, such as small business, many of which relate to personal services and small art things, addressed in these codes? These places tend to have home and work spaces together, in order to make business viable.

Can mixed-use communities be built?

Yes, the Zoning Ordinance rewrite will define new types of uses to be allowed in certain locations, including live/work and mixed-use development.

- Will higher density development be allowed?

Nothing is decided yet regarding density and FAR (Floor Area Ratio) level, as we are talking about the framework at this stage. But the direction is to increase density at centers and other appropriate locations identified in Plan 2035.

- Will these recommendations be compatible with big conceptual planning? How does the report address larger-scale and statewide planning?

The recommendations of the consultant team draw heavily on the vision, goals, and objectives of the County's general plan, Plan Prince George's 2035. Additionally, County functional master plans provide guidance for environmental regulations, transportation and parking requirements, and other aspects of the Zoning Ordinance and Subdivision Regulations. All pertinent state and federal regulations will be appropriately addressed in the rewrite.

- Under "Open space" on page 11 of the handout, it says "allow fee in lieu for open space," I find this concept troubling. Who is able to buy their way out of open space?

The "Fee-in-Lieu" for recreational facilities is not a new concept and the subject is covered in the current subdivision ordinance (Sec 24-135). The Planning Board may require a payment equal to five percent of the total new market value of land when it finds that dedication of parkland is unsuitable or impractical due to size, topography, drainage, physical characteristics or similar reasons, or when sufficient parkland has already been provided by the subdivision.



5. Incorporating Best Practices

Transit

- Is road improvement part of a new development?

Will traffic flow and studies be taken into account to project for the future?

Traffic studies and road improvement will be included in the review standards to make sure traffic volume is considered and does not overly affect existing neighborhoods.

- How is walkability defined?

We define walkability as a developmental template or layout to make walking more pleasing and safer, such as sidewalks and buffering areas. The plan (Plan 2035) supports the idea of walkability, especially in certain locations. There will be community standards, e.g. cut-throughs for bikes, sidewalks to other streets, and other features.

- The report should talk about Metro and encourage development near the stations.
- I hope this process will take into account the need for bicycle paths. Although we are close to University of Maryland, every time they build a new dorm or parking garage, they take out the safe spots for cyclists. The roads get narrower, faster, and more dimly lit. It worries me and the kids are discouraged from biking. I want our County to worry more than how easily developers can negotiate. And I am just not hearing any concerns about that.

Zoning laws regulate development on private land and do not regulate streets. The Evaluation and Recommendation Report proposes connectivity standards for roads and trails.

Environmental Standards:

- There was a suggestion to bring environmental regulations right into the zoning, not as a separate thing or an add-on. Environmental practices should be worked into zoning to protect things like green space.
- There appear to be no references to stormwater management in the presentation handout. Does the report cover it?



This presentation does not cover everything in the report. Stormwater management is addressed in the report under environmental standards. In addition, they have been revised recently, included in the County Code, and are referenced by the Zoning Ordinance and Subdivision Regulations.

- Another issue is climate change. How does zoning make sure if we have extreme weather events, we are not undercutting our resilience ability?

Climate change is a very cutting-edge topic. It is implicitly addressed in the report, under adaptation, tree protection and green infrastructure, and the use of alternative resources. We are moving in the direction to address it more down the road.

- Will environmental standards include LEED® compliance, since it is expensive to implement?

Yes, but with the recognition that LEED® is not the only green building certification tool available.

- Concern was expressed that some neighborhoods have been affected by the noise and dust issues generated by industrial plants nearby. Furthermore, how can communities protect themselves from industrial uses and zoning, particularly when changing the zoning to non-industrial zones is viewed as a non-starter?

Neighborhood compatibility standards are a proposal that is recommended in the Evaluation and Recommendations Report. This concept is included to address these kinds of issues.

- How do best practices work with the noncompliance of current buildings and how will we enforce codes/regulations?

Codes are proactive and apply to the future. Proposed changes in the Zoning Ordinance rewrite will not impact buildings and uses currently in place. These are expected to be grandfathered under the new regulations. However, significant changes (a building being torn down) will need to meet new standards. Enforcement will depend on how much the County can spend on it.

Traditional and Urban Agriculture

- Would like to see the plan to protect farmers' right to develop their farms.

Is agricultural tourism addressed in the plan?



A suggestion was offered that urban farming be defined and allowed, including composting, in the Zoning Ordinance.

Will meat processing be allowed in the new zoning ordinance?

Traditional, urban, and agricultural tourism are addressed in the Evaluation and Recommendations Report. We recognize that in order to protect rural farmlands and encourage urban farming, we must expand the types of agricultural uses allowed in the Zoning Ordinance. A part of green development is agriculture. Zoning will address incorporating urban farming and husbandry into certain zones. However, we recognize that cultivation and livestock are different from meat packaging plants.

- Will sign regulations be looked at?

Yes, sign regulations are something that we are looking into.

Mobile Businesses and Food Trucks:

Will mobile businesses and food trucks in the County be addressed here?

The County is looking into the question of food trucks and other mobile businesses now. With regard to the Zoning Ordinance rewrite, such businesses may be addressed by evaluating the uses to permit or restrict them, and potential standards may be considered. However, many of the regulations pertinent to food trucks and mobile businesses are handled through other parts of the County code.

6. Current Zoning

- How is a floating zone identified? And are they overlay zones in certain areas?

A “floating zone” is the legal term (for what Prince George’s County refers to as, among others, Comprehensive Design Zones and Mixed-Use Zones) and is used in code development. Floating zones typically are not mapped and not overlaid. Certain environmental and aviation overlay zones are proposed to be carried forward. Floating zones are proposed to be restructured.

- Do you recommend rezoning of misused areas such as warehouses and industrial land for new uses? Does the report recommend new uses?

Yes.



- There was interest in seeing a comprehensive zoning plan, mapping out where we are now and where we are going towards.

To view a map of the current zoning one can check www.pgatlas.com. We also have a map on display that shows the current zoning situation. As to the tentative timeline, we are about two and a half years away from implementing the recommendations.

- What is an infill parcel?

An infill parcel is land that has not been developed, but is generally surrounded by development. Typically, infill parcels are connected to the needed infrastructure (roads and utilities). In most cases, that particular piece is undeveloped for some reasons. There may be something wrong with it, such as the soil, utility, etc. Alternatively, an infill parcel could be a piece of land that was developed and then the building was destroyed, and the land was never redeveloped.

- Shopping centers need consistent standards for signs. This should not be changed unless a full façade with new signs are required.