

BEST PRACTICES

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The Maryland-National Capital Park and Planning Commission
Prince George's County Planning Department
zoningpgc.pgplanning.org

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1.0 INTRODUCTION

1.1 PROJECT OBJECTIVE AND TIMELINE

The Zoning Ordinance and Subdivision Regulations rewrite project will review all of Subtitles 24, 27, and 27A of the Prince George's County Code and propose amendments, to the County Council and Executive, as necessary to meet the goals of the project. A new Zoning Ordinance will emerge from a complete reorganization and conceptualization of the current ordinance. As a result, the project may propose a countywide Sectional Map Amendment that places all county land within a current or new zoning category.

Project Objectives:

- A shorter ordinance.
- Fewer zones.
- A logically organized ordinance with a user-friendly table of contents and index.
- Ordinance provisions that are more easily understood by users.
- A simplified development approval process that can be negotiated more quickly.
- A simplified master plan approval process that progresses more quickly.
- Adequate public input into project reviews.
- Private development that contains an appropriate level of public benefits.
- Standards and processes that incentivize redevelopment in distressed neighborhoods.
- Standards and processes that incentivize development near transit stations.
- Protection of stable residential neighborhoods from incompatible development.
- An ordinance reflecting contemporary best practices, especially in areas expected to see significant new development or redevelopment.
- Implement adopted land use recommendations and master plans.
- Additional priorities may be identified during the pre-planning phase.

Jurisdictions comparable in size to Prince George's County that have undertaken this effort report that the process requires three to five years, with five years being more typical. Prince George's County began, and then suspended, a comprehensive re-write several years ago. That prior work will save some time, although we still anticipate at least a three year process.

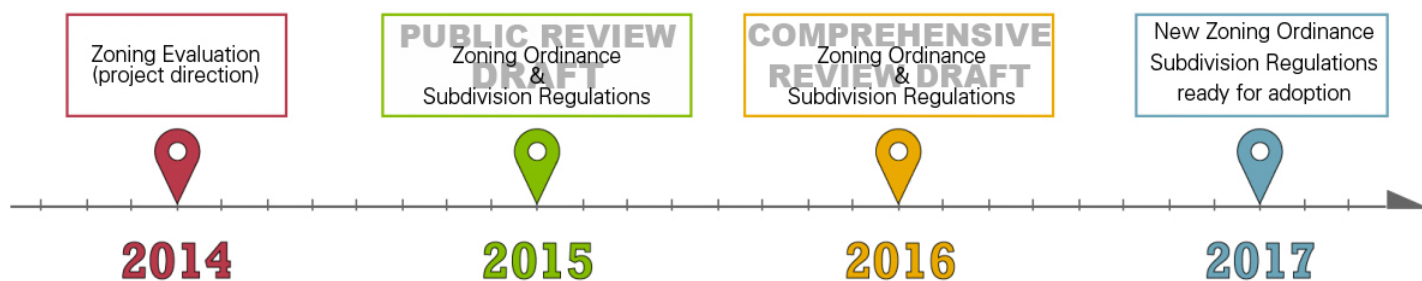


Figure 1.1 Prince George's County Zoning Rewrite Timeline

1.2 BACKGROUND

Understanding who Prince George's County is today and who it is becoming is critical for the development of effective policies and strategies to meet the needs of current and future residents.

Regional Context

Prince George's County consists of 498 square miles (approximately 320,000 acres). It is bounded by Howard County to the north; Anne Arundel County and Calvert County to the east; Charles County to the south; and Montgomery County, Fairfax County, Virginia, and the District of Columbia to the west. Prince George's County is strategically located within the Washington metropolitan area, which is home to 5.6 million residents and 3.9 million jobs. The region's strong and diverse economy is fueled by federal spending that has weathered recent recessions and nurtured growing research, commerce, information, and technology sectors.

Municipalities

Prince George's County has 27 incorporated municipalities which help provide a range of critical services for county residents.

Population

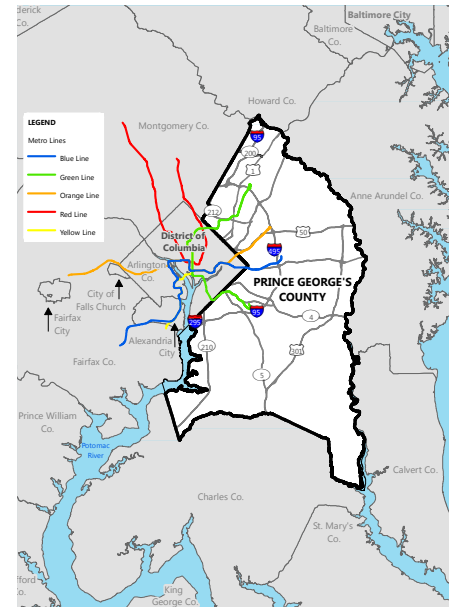
With an estimated population of 881,130 in 2012, Prince George's County is the third most populous jurisdiction in the Washington metropolitan area; following Fairfax County, Virginia and neighboring Montgomery County (Source: US Census, 2012 American Community Survey Population Estimate).

The county's population is expected to grow by approximately 109,000 residents between 2010 and 2035. The Millennial, Hispanic, and Senior population groups, as illustrated below, will shape the needs, opportunities, and challenges Prince George's County faces through 2035.

Density

The county's most densely populated communities lie inside the Capital Beltway (I-495/I-95). Higher concentrations of residents are also located in Laurel, Largo, and Bowie.

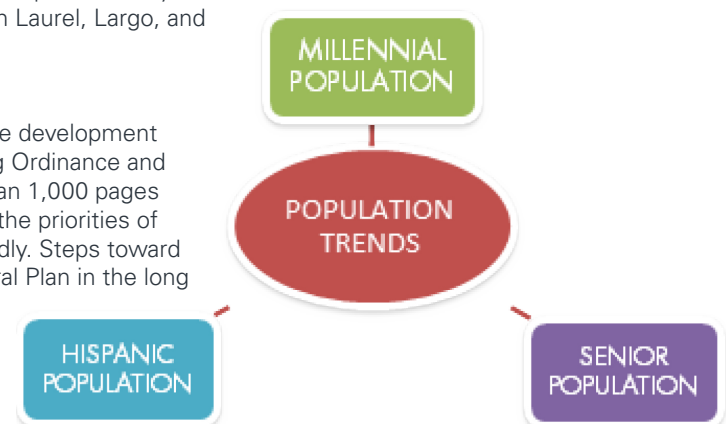
The changes and updates to the county's General Plan encourage development patterns for the future of the county; however the current Zoning Ordinance and Subdivision Regulations are more than 50 years old and more than 1,000 pages long. A comprehensive rewrite is needed in order to implement the priorities of Plan Prince George's 2035, and to make the ordinance user-friendly. Steps toward implementation should better implement the vision of the General Plan in the long term.



Regional Context Map



Municipalities at Work



Major Population Groups in Prince George's County

1.3 VISION FOR THE FUTURE OF PRINCE GEORGE'S COUNTY

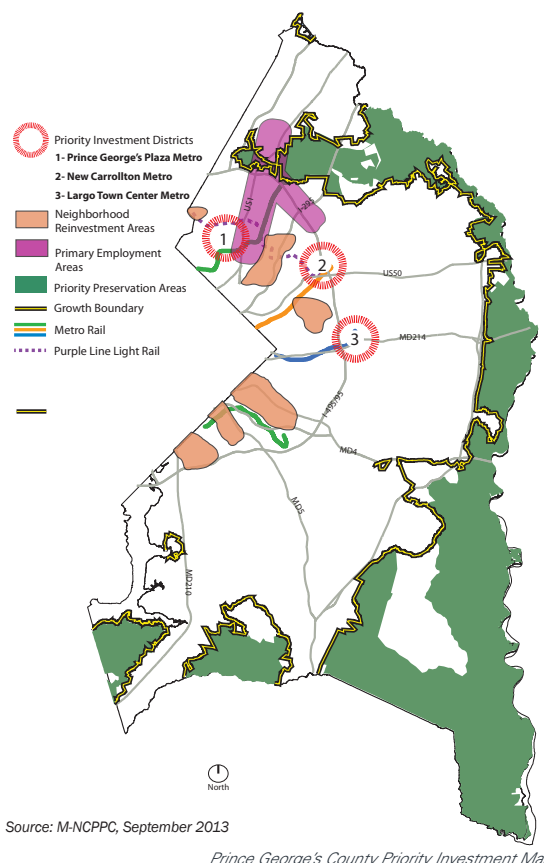
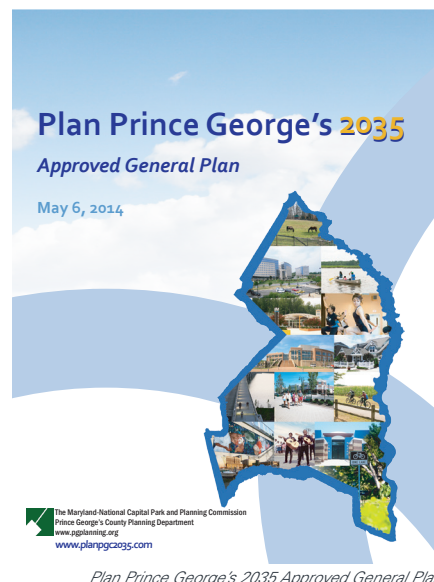
The following language, showing shared vision and goals for the county, comes directly from the county's approved plans and prior community outreach efforts.

Plan Prince George's 2035 Approved General Plan

In 2035, Prince George's County is the community of choice for families, businesses, and workers in the region. It is distinguished by strong, green, and healthy communities; a competitive, innovative, and adaptive economy; vibrant and walkable mixed-use centers; restored ecosystems; and iconic destinations. It meets the diverse needs of all Prince Georgians and embraces and builds on the momentum generated by new residents, technology, and business opportunities.

Specific recommendations of the plan, which are relevant to this study include:

- Revise the County Code to create a streamlined development review process and standards for the Priority Investment Districts (PIDs) and Primary Employment Areas to encourage business development at these locations.
- Evaluate existing mixed-use land uses identified in approved master plans and amend to ensure that the prescribed densities, development standards, building heights, and floor area ratios are consistent with best practices.
- Support parking reduction strategies such as shared parking, transportation demand management strategies and programs; car and bike share programs; and new sidewalk and trail connections between transit facilities and residential and employment areas in PIDs, Primary Employment Areas, and Regional and Local Centers.
- Rewrite the Prince George's County Zoning Ordinance to include consistent urban design standards and guidelines that can be utilized in the master plan process, instead of creating individualized Development District and Transit District Overlay Zones.
- Include block size, building placement, and density requirements in the Prince George's County Zoning Ordinance that support walkable, mixed-use development in identified Regional Transit Centers and Local and Suburban Centers.
- Establish a by-right development approval process and fast track permit process for the PIDs. This requires the development of clear regulatory standards and approval processes with regulatory time frames for review and approval.
- Identify and address the barriers to the redevelopment of existing parking lots as development sites.
- Review Adequate Public Facility (APF) standards and surcharge fees to encourage development in local and regional centers.



Source: M-NCPPC, September 2013

Prince George's County Priority Investment Map

ENVISION Prince George's

Envision Prince George's was an initiative launched by The Maryland-National Capital Park and Planning Commission in 2008 to develop and implement a vision for the future of Prince George's County with a vibrant economy and high quality of life for all. Envision Prince George's was an open and inclusive initiative that engaged all stakeholders, including individuals, groups, and residents across the county, as active participants through innovative educational activities, interactive community forums, online discussions, and town meetings to provide input into the direction of the county's future. Goals and strategies to help shape, inform, and guide policies, programmatic decisions and actions were developed from the resulting shared vision. Envision Prince George's was a significant effort that served as the basis of the *Plan Prince George's 2035 Approved General Plan* outreach approach.

This three year detailed planning study and public outreach effort yielded the following recommendations relevant to this study:

- Make all of our communities in urban, suburban, and rural areas vibrant places to live.
- Focus development in transit-oriented, mixed-use communities.
- Provide a great diversity of high quality shopping, restaurants, entertainment, and services available to everyone and near workplaces and communities.
- Develop major job-generating hubs around our metro stations and key federal agency facilities.
- Create an effective, business-friendly environment to attract a wide range of new businesses, while effectively retaining our existing businesses.
- Provide a high quality, diverse mix of housing types.

Current Assets and Challenges

The following assets and challenges are based on the review of pertinent planning documents, conversations with staff, and in-depth research presented in the *Plan Prince George's 2035 Approved General Plan*.

Assets

Location – Strategically located in the State of Maryland between Washington, D.C. and the City of Baltimore. Its location is one of many building blocks for sustained job creation, social equity, and economic prosperity. Linked to the nation's capital by a dense transit and road network (including the I-95/495 and I-295 corridors), it is an important part of the robust regional economy of Washington, D.C.

Transit Rich – The County boasts the second highest number of Metrorail stations in the region—15—in addition to 8 Maryland Area Regional Commuter (Marc) stations, and 1 Amtrak intercity rail station.



An Envision Prince George's Community Meeting



Envision Prince George's Vision Plan and Final Report

Major Infrastructure Investment - The proposed 16-mile \$2.2 billion Purple Line light rail transit system is the largest transportation infrastructure investment in Prince George's County since the Intercounty Connector and the Woodrow Wilson Bridge improvement project. It is envisioned to have 21 stations, 11 of which are in Prince George's County. As a major new east-west connector between New Carrollton and Bethesda in Montgomery County, it will enhance mobility and reduce travel times for thousands of area residents.

Economic Catalyst – The August 2013 decision by Dimensions Healthcare System to construct a new \$650 million regional medical center at the Largo Town Center Metro Station sets the stage for the advancement of the county's healthcare and life sciences cluster. The center is expected to become a "hotspot" in the county for medical and biopharmaceutical research, health care services, and health related education and training.

Regional Destination – Strategically located at the interchange of I-295 and the Capital Beltway, National Harbor is a 350-acre, mixed-use waterfront development, featuring five hotels, a range of upscale dining and shopping options, Class A office space, as well as condominiums and townhouses. The site is a major destination and revenue generator in Prince George's County, attracting over eight million visitors a year.

Diverse Communities – One of our greatest assets is our diverse communities which range from historic areas (such as Mount Rainier, Riverdale Park, Greenbelt, Glenarden, Bradbury Heights, and Broad Creek), rural communities (Baden, Croom, and the Town of Eagle Harbor), suburban subdivisions and master planned communities (including Beechtree, Marlton, Fairwood, Lanham, Landover Hills, Beltsville, and Calverton), and waterfront developments (such as National Harbor).

Municipalities – Engines for revitalization - There has been a groundswell of revitalization efforts across our municipalities. In partnership with county and state agencies and local nonprofit organizations, Prince Georgians have been pursuing funding, volunteering, advocating, and implementing changes in their neighborhoods, towns, and cities.

Arts and Entertainment Districts - Established in 2003, the Gateway Arts District has been a key contributor to the revitalization of the US 1 corridor in Mount Rainier, Brentwood, North Brentwood, and Hyattsville. By supporting local art events, affordable artist workspace and housing, and infrastructure improvements, it has helped revitalize neighborhoods, created jobs in arts related businesses, and sustained a vibrant arts community in the county. The Gateway Arts District features well-known anchors such as the Arts District Hyattsville, the Prince George's African American Museum and Cultural Center, the Gateway Arts Center managed by the Gateway Community Development Center, and the Mount Rainier Artists' Lofts.



National Harbor Waterfront



Community Farmer's Market



Hyattsville Arts District

Challenges

Business As Usual=Sprawl - Contrary to the *2002 Prince George's County Approved General Plan's* development objectives and regional trends to cluster employment in transit-accessible urban centers, the majority of recent development in the county occurred in suburban locations outside the Capital Beltway and outside of designated growth centers and corridors. Forecasts predict this undesirable pattern is likely to continue perpetuating sprawl, constraining economic growth, and straining public resources.

High Housing Costs+Expensive Commutes=Priced Out - Many county residents find the cost of housing too high even though the county has lower than average rents and home values. High commuting costs, combined with limited transit service and sprawling development patterns outside the Capital Beltway, have further exacerbated the cost of living in the county.

Crime? - Real and perceived crime is an impediment to growth and development in Prince George's County. When compared to neighboring jurisdictions and the state, overall crime rates in the county are particularly troubling to future residents, employers, and investors. Recent trends, however, reveal marked improvements in the county's public safety record. Enhancing the county's image will hinge on aggressively promoting this downward trend and marketing its recent public safety improvements.

Sustaining Existing Communities - Strengthening and revitalizing the county's 27 municipalities and, in particular, its unincorporated neighborhoods, is also of critical importance to the county's overall wellbeing. The county will need to capitalize on and prioritize investment in its Priority Investment Districts (PIDs) and Primary Employment Areas to generate the revenue necessary to maintain and enhance the schools, public safety facilities, parks, transportation networks, and infrastructure in its existing communities.

Forever a Bedroom Community? - Within the Washington Metropolitan Region, competition is fierce for jobs, new residents, and financial resources. Prince George's County has historically lagged behind the region in private- and public-sector job creation. Compared to neighboring counties, job growth in the county during the past five year period (2007–2012) was among the weakest. The county also struggled to retain jobs during the 2007–2009 recessions, recording higher job loss rates than the region and state. Job creation will continue to be weak if recent trends continue.



Gated Community typical in Prince George's County

2.0 TYPES OF CODES

Across the country communities utilize various planning and regulatory tools to implement the goals and vision established by comprehensive plans. The following is a summary of options to align the new Prince George's County Zoning Ordinance and Subdivision Regulations with the vision and policy recommendations set forth in *Plan Prince George's 2035 Approved General Plan*.

2.1 CONVENTIONAL "EUCLIDEAN" ZONING

The most common approach to zoning and subdivision (land use) regulations in the United States is conventional "Euclidean" zoning. Conventional zoning regulates development through land use classifications and development (dimensional) standards. These land use classifications divide a community into separate districts or zones which dictate a particular use. Typical land use classifications include single-family residential, multifamily residential, commercial, industrial, institutional, and recreational or open space uses. Each land use classification or zone regulates specific dimensional standards that dictate the allowable height, bulk, density, and area of the structure. Common dimensional standards take the form of setbacks, side yards, height limits, and minimum lot size and lot coverage.

Pros

- It is familiar to zoning administrators and applicants.
- It can protect property values.
- It can prevent mixing of incompatible land uses.

Cons

- Lack of flexibility – can be seen as too restrictive by property owners.
- Does not comprehensively regulate design.
- Encourages dispersed sprawling development patterns.
- Does not encourage a mix of uses.
- Promotes automobile dependent patterns of development.
- Works against historic mixed-use neighborhoods.
- Limits the development potential of properties that are "grandfathered in" but not allowed by later zoning amendments.



Typical Single Family Neighborhood, Bowie, MD



Hierarchy of Importance - Euclidean Zoning



Typical commercial development in Prince George's County

2.2 MODIFIED CONVENTIONAL ZONING

Most communities have conventional zoning and subdivision regulations with targeted additions and modifications to address current development issues. These can include overlay zones/districts including mixed-use overlays, planned unit development districts, landscaping and preservation regulations, traffic impact study regulations, as well as floating zones, and other related standards.

Overlay districts superimpose an existing base zone/district. Superimpose Additional zoning requirements on floating zones are unmapped zones that can be applied to a base zone/district at the request of a developer.

Pros

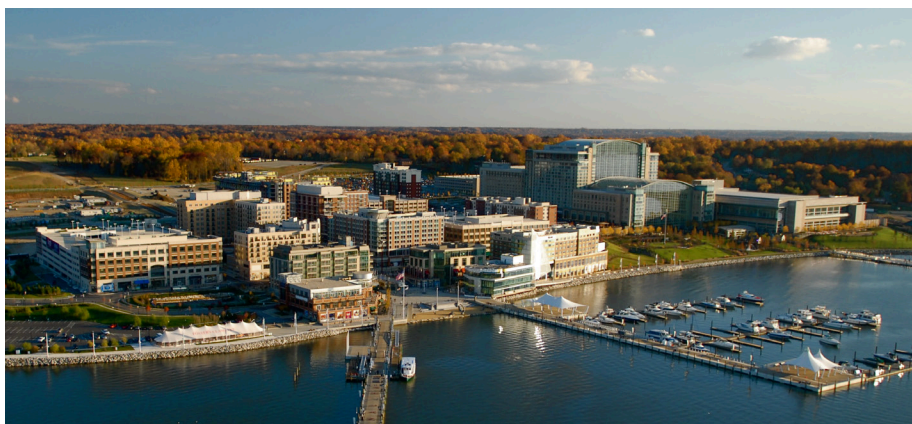
- A common approach used across the country by jurisdictions to supplement existing districts with additional uses and/or standards.
- Familiar to zoning administrators and applicants.
- Can foster more innovative development approaches.

Cons

- It adds several layers of regulations which can be confusing to applicants.
- Lack of flexibility – can be seen as too restrictive by property owners.
- Does not comprehensively regulate design, but instead, only regulates use.
- Encourages dispersed sprawling development patterns.
- Promotes automobile dependent patterns of development.
- Limits the development potential of properties that are “grandfathered in” but not allowed by later zoning amendments.

Examples

- Montgomery County, MD
- Philadelphia, PA
- Chicago, IL



National Harbor - Prince George's County, MD

2.3 FORM-BASED CODES

Form-based zoning codes were born out of the New Urbanism movement which arose in the early 1980's. This urban design movement has become one of the most important planning movements in the past several decades.

A Form-Based Code is defined by the Form-Based Code Institute as follows:

"Form-based codes foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. Form-based codes are an alternative to conventional zoning."

Form-Based Codes (FBCs) focus on the form that development takes and addresses the functional relationships between buildings and the public realm by regulating design from the building, site or lot, and bulk or massing. The de-emphasis on use districting provides the developer/applicant greater flexibility in permitted land uses in exchange for more prescriptive regulations controlling urban design. Because FBCs focus less on uses, zone districts are not organized around typical land use classifications. For instance, instead of a zone being labeled "single-family residential," it might be called "traditional neighborhood," and instead of a zone being called "commercial," it might be called "neighborhood main street." FBCs are guided by the principles of the New Urbanism which promote walkable neighborhoods containing a range of housing and job types, not single use subdivisions or housing tracks as is common in conventional zoning and subdivision regulations. Another important aspect is that FBCs act as zoning regulations and are not merely design guidelines.

Pros

- Gives landowners flexibility about how to use their property.
- Gives jurisdictions greater control over how buildings will look and feel.
- Directly addresses design with a clearly defined set of design standards.
- More prescriptive on urban design and less focused on land use.
- Achieves a more predictable physical result – predictable urban form.
- More control in shaping Transit-Oriented Development (TOD).
- Better at illustrating community plans and vision.
- Regulating plan provides specific guidance for small areas and corridors.
- Building and street design are coordinated.
- More gradual transition between adjacent areas with different development intensity is easier to achieve.
- High density development is more carefully designed.
- Ability to easily enable conformity among signage throughout districts with a graphic and table based code that is easy to read.
- Landscape and pedestrian plans give detail based on graphics and illustrations.
- Code is user-friendly and easy to read with plenty of graphic illustrations and tables.



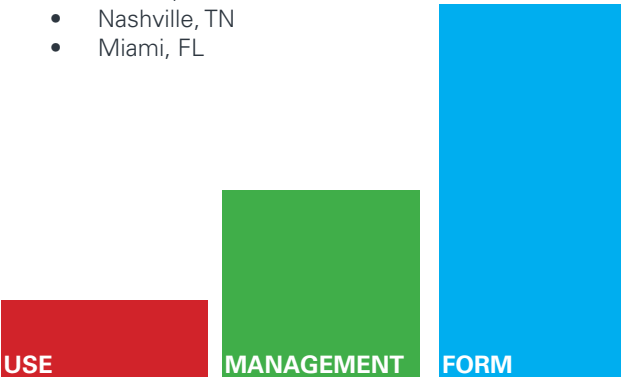
Prince George's County Visual Transect - Rural to Urban

Cons

- May be unfamiliar to conventional code users and administrators.
- Neighborhood interest groups, elected officials, and property owners may still want to control land uses.
- Lack of standardization of allowed uses.
- Requires understanding of architectural and material standards.
- May have to maintain two concurrent codes during a transition phase.

Examples

- Arlington County, VA
- Denver, CO
- Nashville, TN
- Miami, FL



Hierarchy of Importance - Form-Based Code

Architectural Elements | General and Fenestration

Fenestration

The relationship between solid building walls and openings, such as windows and doors (fenestration), is a critical component of architectural design. Ensuring an appropriate mix of fenestration in the design of new buildings helps ensure natural surveillance, enhances sense of place, and increases property values.

- Building elevations shall include an appropriate balance of fenestration. The required percentage of fenestration within the transit district should vary according to the proposed use and shall be calculated for each facade/elevation and floor-to-floor in accordance with Table 21.
- The placement and groupings of windows and doors should be used to provide hierarchy and order to building elevations.

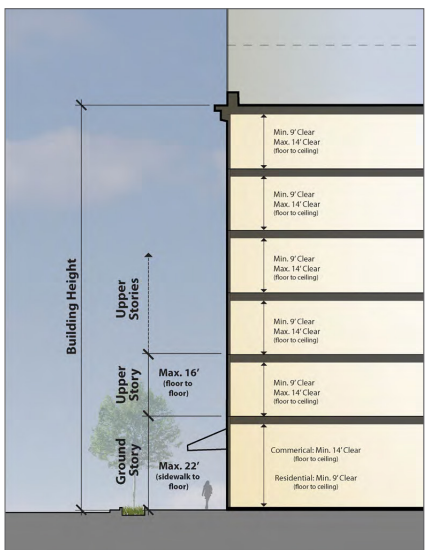
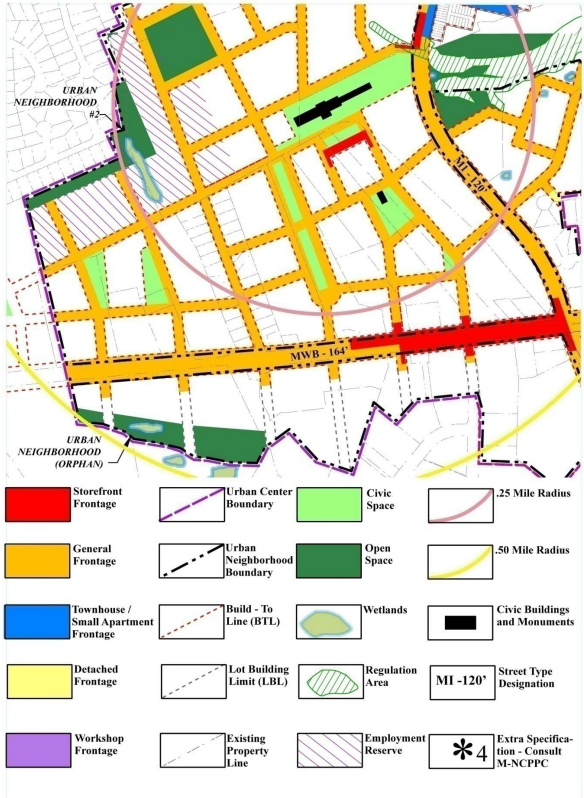


TABLE 21: PERCENTAGE OF FENESTRATION (WINDOWS AND DOORS) FOR EACH ELEVATION	
USE	PERCENTAGE OF FENESTRATION
Ground Floor Retail	60–95
Ground Floor Office/Other Commercial/Institutional	40–90
Ground Floor Residential	15–40
Upper Floor Retail/Office/Other Commercial/Institutional	40–90
Upper Floor Residential	15–60

Source: College Park - Riverdale Park TDDP

FIGURE 2

Sec. 27A-303. Components of a Regulating Plan.
(b) Sample Regulating Plan.
Shown below is a sample Regulating Plan and key.



Source: SUBTITLE 27A. URBAN CENTERS AND CORRIDOR NODES. - Regulating Plan

2.4 HYBRID CODES

Hybrid codes combine zoning controls from the various approaches described above in addition to including performance zoning elements to address more intensely developed areas, and incentive zoning to address reduced parking requirements and to create more affordable housing. By integrating form-based elements into a conventional zoning code, a community can target specific design elements desired for new development and can refine and focus standard bulk requirements while still regulating allowable uses. This approach identifies the best elements of each practice and integrates them into a whole new code.

Composite zoning is a specific type of hybrid zoning. Composite zoning takes three fundamental components of development—use, building design, and site design to create a wide variety of flexible zoning districts. The ‘use’ component establishes the types of land uses permitted within a zoning district, while the ‘building design’ or ‘form’ element establishes height limits, entryway typologies, façade design standards, and so on. Finally, the ‘site design’ component defines how the site is arranged, with standards for where buildings are placed in relation to sidewalks, where landscaping and open space are provided, and where pedestrians are expected to access the site. Any combination of these components creates a zoning district, meaning that zones may be customized to the unique needs of each community.

Pros

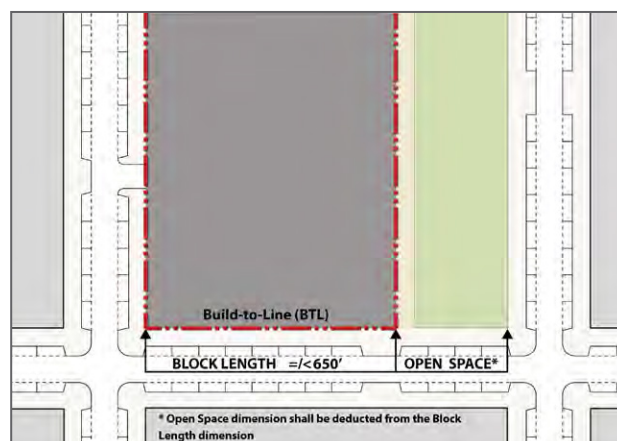
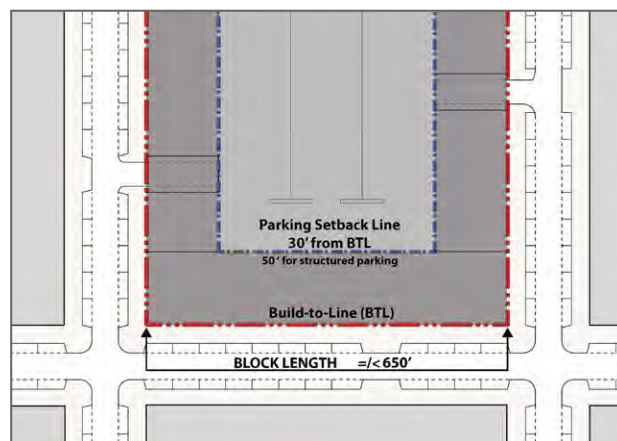
- Integrates into the existing zoning code.
- Preserves basic standards that code users are familiar with.
- Allows continued control over land uses.
- Offers greater potential to mix land uses by integrating compatible land uses into development patterns.
- Places higher priority on site and building standards.
- Creates zoning districts with multiple components making it easier to zone property for compatibility with adjacent properties.

Cons

- Has the effect of a series of overlays which can add complexity.
- Multiple regulations on form and use may be too complex or discourage development.

Examples

- New Orleans, LA
- Leander, TX



Source: College Park - Riverdale Park TDDP

2.5 SUMMARY OF ZONING CODES

Determining the appropriate zoning code type for a community is an important first step in realizing the changes required for future development to comply with a comprehensive plan. Traditionally, changes or updates in a community's zoning ordinance occur in response to development proposals for a specific property. Depending on the size of a project, the application of desired standards may take years to achieve. Therefore, the implementation of a desired vision should be done comprehensively through the establishment of zoning standards on an area wide basis in order to ensure adherence to the comprehensive plan.

Summary of Rewrite Options						
	Ease of Administration	New Visioning Needed	New Training Needed	More Specific on Design Requirements	Flexible on Design	Flexible on Uses
Euclidean	X				X	
Modified Conventional	X	X	X		X	Can Be
Form-Based		X	X	X		X
Hybrid		X	X	X	Can Be	Can Be

Summary of Rewrite Options

3.0 BEST PRACTICES

3.0

3.1 PROCESS AND APPROVAL PROCEDURES

Framing The Issue

The current development approval process in Prince George's County is characterized by a series of complex processes contained in various controlling documents, including the zoning ordinance, master and sector plans, overlay plans associated with overlay zones, along with subdivision and permitting regulations. Applicants and staff must review hundreds of development standards located in many different controlling documents in order to process certain development applications. In some cases, certain regulations conflict with, or are inconsistent with, other regulations. There is no proportionality in that even relatively small project applications may be subject to a major site plan because there is no other mechanism available, e.g. a sign request triggering a site plan requirement. Many regulations lack defined terms, which results in inconsistent interpretation of standards, uses, and requirements from one project to another. The possibility of council "call-up" of detailed site plans adds a level of political review which is atypical for a site plan approval process, and potentially adds an unpredictable amount of time to the review. The uncertainty which plagues the development review process results directly from these, and other, factors.

Listening sessions, held with stakeholders who work regularly with the zoning ordinance, identified a number of specific problems with the current development process in the county including:

1. Multiple levels of required approvals
2. Time-consuming approval process at each level
3. Too many minor items that require a full approval process
4. A lack of predictability and transparency
5. A process that is too complicated and too costly

Best Practices

Many newer codes employ various techniques to reduce complexity, processing time, and duplication. Best practices clearly define the various roles of each decision maker and the levels of citizen participation for each case type and are summarized in the table on the following page. For example, one such technique involves developing a category of approvals which are handled administratively by staff, with an appeal to the Planning Board if an interested party objects to the staff's determination. Raleigh, North Carolina has a code that utilizes this streamlined approach where most routine reviews of subdivisions and site plans are staff-level with signoff by an appointed Planning and Development Officer. There is a board that decides special exceptions, variances, and waivers of zoning standards, and also sits for the appeals of most cases decided by the Planning and Development Officer. Another option is to implement "by-right" zoning which involves a "straight-to-permit" process for projects that meet various criteria as practiced in Woodford County, Kentucky. Only projects which fall outside the stated criteria are subject to review by the Planning Board. Even if these more innovative ideas are not implemented, the basic idea of establishing categories of projects which follow certain approval tracks, and thereby limit the number and type of projects that require planning board or district council approval, would still be a worthwhile option. In New Orleans, a new zoning ordinance drafted in 2013 implements very clear, simple

Best Practices

- Staff Level Administrative Approvals.
- Implement By-Right Zoning.
- Simplified Category Approval Tracks.



Community Outreach by the
Prince George's Planning Department

processes that are based on type and complexity of the proposed development.

TABLE 4-2: ADMINISTRATIVE SUMMARY TABLE							
	ZONING TEXT AND MAP AMENDMENT	CONDITIONAL USE	PLANNED DEVELOPMENT	SITE PLAN & DESIGN REVIEW	VARIANCE	MINOR MAP ADJUSTMENT – FUTURE LAND USE MAP	MINOR MAP ADJUSTMENT – ZONING MAP
APPLICATION INITIATION	Property owner, person authorized in writing by property owner, or City Council	Property owner, person authorized in writing by property owner, or the Council	Property owner, person authorized in writing by property owner, or City Council	Initiated when any development or use change meets the thresholds of Section 4.5	Property owner or person authorized in writing by property owner	Property owner, person authorized in writing by property owner, City Planning Commission or City Council	Property owner, person authorized in writing by property owner, City Planning Commission or City Council
APPLICATION FILING & COMPLETENESS DETERMINATION	Executive Director of the City Planning Commission	Executive Director of the City Planning Commission	Executive Director of the City Planning Commission	Executive Director of the City Planning Commission	Executive Director of the City Planning Commission	Executive Director of the City Planning Commission	Executive Director of the City Planning Commission
NOTICE	See Section 3.3	See Section 3.3	See Section 3.3	None	See Section 3.3	None	See Section 3.3
PUBLIC HEARING AND/OR RECOMMENDATION	City Planning Commission	City Planning Commission	City Planning Commission	Executive Director of the City Planning Commission or Design Advisory Committee	Board of Zoning Adjustments	None	Board of Zoning Adjustments
FINAL DECISION	City Council	City Council	City Council	Executive Director of the City Planning Commission	Board of Zoning Adjustments	Executive Director of the City Planning Commission	Board of Zoning Adjustments
NUMBER OF DAYS TO FILE APPEAL FROM DATE OF FINAL DECISION	30	30	30	45	30	45	30
APPEAL BODY	Orleans Parish Civil District Court	Orleans Parish Civil District Court	Orleans Parish Civil District Court	Board of Zoning Adjustments or as determined by other application ¹	Orleans Parish Civil District Court	City Planning Commission	Orleans Parish Civil District Court

Source: City of New Orleans Comprehensive Zoning Ordinance

3.2 ZONE DISTRICTS

Framing The Issue

The Prince George's County Zoning Ordinance, found at Subtitle 27 in the County Code, (the "Zoning Ordinance") has more than 51 zones made up of three zone types including conventional ("Euclidean"), floating, and overlay zoning districts. Specifically, there are 33 conventional residential, commercial, and industrial zones; 13 floating zones described as Comprehensive Design Zones (CDZs), Planned Communities, and Mixed-Use Zones, 4 overlay zones, and 6 aviation policy area overlay zones.

The design and function of our current zoning presents many challenges. For example, among 17 residential zoning districts, there are 11 small-lot and high-density residential zones which exhibit limited differences among the zones. Incentive standards in the CDZs are outdated and not synchronized with current market and development realities. Mixed-use requirements in the Mixed-Use Transportation Oriented (M-X-T) Zone are so detailed and specific that they appear to have been written for one project without promoting good design and best practices in general. As the number of different zones has increased over the years, along with a corresponding increase in the variations on permitted uses and development standards, the Zoning Ordinance has become difficult to understand, manage, and implement. The proliferation of the number of zones has resulted in dilution of the unique purpose and the desired development characteristics intended for each zone.

In addition, many special-purpose council actions, often inserted into the code as footnotes for the purpose of amending use tables and development standards, have further compromised the integrity of the existing zones. For example, amendments allowing commercial uses in residential zones are in direct contradiction with the principle of using conventional zoning districts to separate incompatible uses.

Best Practices

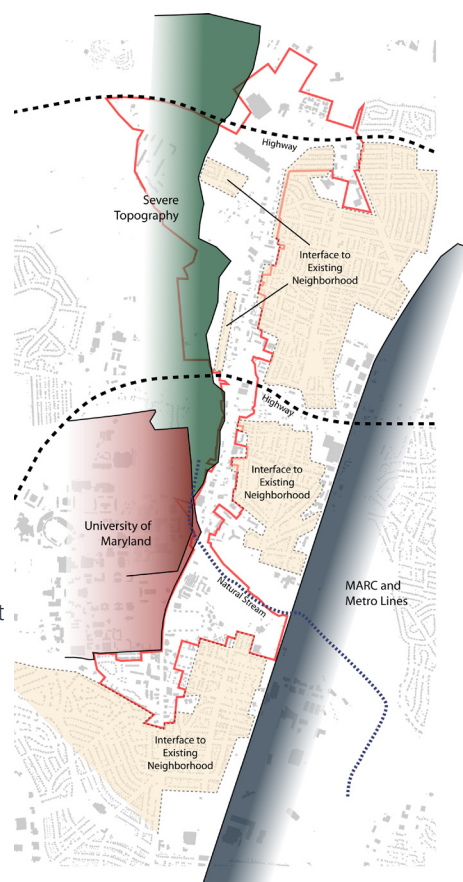
Zoning districts provide a structure for a zoning ordinance. A well-established zoning district system usually consists of multiple tiers, provides enough flexibility for development, gives a solid foundation for an efficient administration of both old and new neighborhoods by minimizing variance applications and non-conformities, and facilitates development and redevelopment. Meanwhile, a good zoning district system usually has a minimum number of simple basic zones, as well as a limited number of overlay and floating zones.

Existing Neighborhoods

For existing neighborhoods, the purposes of zoning districts are to protect established neighborhood characteristics and property values, and to facilitate redevelopment. Best practices for establishing zoning districts in existing residential neighborhoods calls for the creation of contextual zoning designations based on prevalent development patterns, and a simplified review and approval process. In developed commercial areas, best practices rely more on form-based designations to focus on the character of the built environment. For example, zoning districts in the new zoning codes for both Denver, Colorado and New Orleans, Louisiana, have been established with an emphasis on the city's built patterns and neighborhood contexts. Based on prevalent built environment characters, Denver's new zoning districts contain seven special context areas with various densities and intensities that match coherently with those

Best Practices

- Consolidate the number of base zones.
- Limit the number of overlay zones.
- Apply form-based code elements to special areas.
- Modernize and simplify development standards.

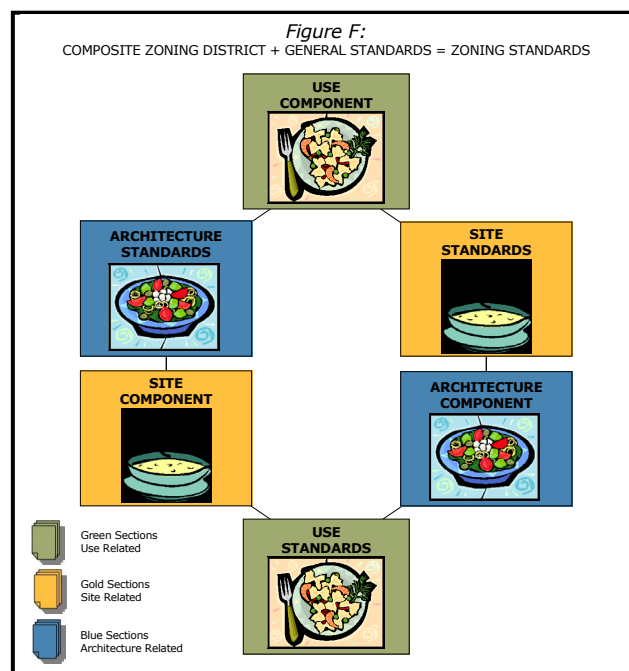


Neighborhood Context Analysis

of existing neighborhoods. The New Orleans code includes photos in each contextual area showing the main characteristics of the neighborhoods.

New Neighborhoods

For new neighborhoods in general, zoning designations create market expectations. Zoning best practices usually establish simple basic zones and employ limited and prudent use of overlay zones in areas with unique situations such as a transit station, watershed, or environmental resource to superimpose additional development standards on top of the underlying zones. In addition, floating zones which usually require discretionary review are also utilized as an optional method of development for large-scale projects or development projects of significant regional impact. For example, the City of Leander, Texas, acknowledges that land use involves at least three components, use, site, and architecture. Leander's composite zoning ordinance establishes 15 basic zoning districts with 5 types of site conditions and 4 types of building conditions. The combination of zoning district, site, and building components can result in several hundred different development options for developers to choose from. Leander's composite zoning ordinance also establishes standards for use, site layout, and architecture; which provides developers with flexibility, while allowing for citizen input. With a menu of options, developers, citizens, and decision makers alike are on notice as to what they can expect for development in that community, rather than an unpredictable process that lacks transparency.



Source: Leander, Texas Composite Zoning Code Structure

Lee County, Florida, used five basic transect zoning districts to organize its new zoning code. This involved 15 different lot types, such as "mixed-use, civic building," which then determines which development standards apply to a proposed project. In most zones in Lee County, the development review process is by-right, meaning as long as requirements are met, permits are issued. However, within centers and corridor nodes or for larger planned development, a planning process either in the form of sectional map amendment organized by the county or a charrette-based workshop hosted by the private developer could be used as a prerequisite for getting the specific zoning designation (which is a floating zone concept that is similar to, but simpler than, our existing comprehensive design zones).

Large-Scale Development

Large-scale development projects have a special significance within a zoning district system. Usually, large-scale development projects have substantial impact on a jurisdiction in terms of place-making and assessable tax base. From a zoning perspective, additional development standards are needed in order to achieve a high-quality development and provide significant public benefits, not usually achievable through application of a standard zoning district. From a developer's perspective, zoning codes need to provide flexibility and predictability in the entitlement process. A planned unit development (PUD) is a type of building development with its own regulatory process. As a building development, it is a designed grouping of both varied and compatible land uses, such as housing, recreation, commercial centers, and industrial parks all within one contained development or subdivision. A PUD is intended to provide more flexible zoning for large-scale, greenfield development than what is achievable through a conventional zone district in order to realize high-quality development and at the same time to avoid multiple variances, waivers, and conditions. Denver's new code features a PUD district procedure to promote efficient review and approval of large-scale development projects and/or projects with unique or extraordinary circumstances.

3.3 MIXED-USE

Framing The Issue

There are 41 separate sections that address various aspects of the four Mixed-Use Zones (M-X-T, MX-C, M-U-TC and M-U-I) contained in Prince George's County's Zoning Ordinance. The zoning ordinance sets forth the mixed-use zone regulations, and implements several policies of the 2002 General Plan related to promoting compact, mixed-use development at moderate to high densities, and promoting transit-oriented development.

The Zoning Ordinance is not currently effective in furthering the Prince George's County economic development strategy, which specifically recommends simplifying the development review process. Additionally, there are several instances of redundancy which can be consolidated by organizing the regulations differently. The following are considered impediments to the efficiency and effectiveness of the regulations:

M-X-T Zone

1. The Mixed Use Transportation Oriented (M-X-T) Zone design standards contain non-specific language. The majority of design standards are set through the detailed site plan and there is little guidance in the Zoning Ordinance on these standards. In many, but not all cases, additional design guidelines are set forth in sector and master plans. As a result, there is no central repository of standards and requirements for the M-X-T Zone. This results in lack of certainty and standards that vary significantly from project to project.
2. The M-X-T Zone requires both a Conceptual Site Plan and a Detailed Site Plan for all new development. These are extensive development review processes that may not be necessary for all projects, particularly for smaller developments.
3. The M-X-T Zone requires a mix of uses for every project, with at least two out of the following three categories: retail, office/research/industrial, and residential/hotel/motel. This may be quite difficult for a single or smaller project to propose, and fails to account for existing or proposed development in close proximity to the project.
4. The incentive provisions are not clear and are unrealistic because the formulas do not make sense when applied to actual projects. Descriptions are somewhat difficult to understand in narrative format, since the references are largely numeric.

M-U-TC Zone

1. The Mixed Use Town Center (M-U-TC) Zone is intended to encourage redevelopment and create vibrant, walkable communities. There are no general design standards in this section of the zoning ordinance, as each town center development plan is unique. According to the regulations, "Development Standards and Guidelines adopted in the Plan are intended to be flexibly applied and broadly interpreted to promote local revitalization efforts." While flexibility in regulations has its advantages, too much flexibility makes enforcement and implementation difficult.
2. Conversely, some M-U-TC committees (there are four in the county) have begun to take the M-U-TC development standards and guidelines too literally and have moved away from the zone's intent for flexible application. This trend results

Best Practices

- Apply in appropriate places where the market is supportive.
- Development Standards should be flexible for when the market needs time to catch up.
- Integrate residential, commercial, employment, and civic uses.
- Plan and build an interconnected network of streets.
- Create a network of public spaces.
- Minimize surface parking lots.
- Standards should result in human-scaled buildings that fit in with the neighborhood context.

in procedural difficulties and confusion for all parties, particularly the applicant and the county permits office. It also sets county and planning staff at odds with the local review committees, which may include municipal elected officials.

M-U-I Zone

1. The Mixed-Use-Infill (M-U-I) zone is the only zone in the Zoning Ordinance that does not include a use table. Instead, the text of the zone refers to the uses listed for the Commercial Shopping Center (C-S-C) and Multifamily Medium Density Residential R-18 zones with various cross-references back and forth. The result is an extraordinarily confusing set of regulations.
2. The baseline regulations for the M-U-I Zone draw upon the development standards for the C-S-C and the R-18 zones, with a series of exceptions including a residential density limit more than twice as dense as the R-18 Zone and the opportunity to further increase density with a mix of uses on the same lot or parcel of development.
3. Use of the M-U-I Zone (except property owned by a municipality or the county Redevelopment Authority) requires the use of an overlay zone (DDOZ or TDOZ). The overlay zone sets the development regulations and supersedes the baseline regulations of the C-S-C and R-18 zones.
4. The M-U-I Zone is likely misplaced in the order of intensity of the county's zones, coming in just above the C-S-C Zone and well below the M-X-T Zone. Since the M-U-I zone can easily exceed the densities permitted in the M-X-T Zone, the order of intensity likely does not reflect the true intensity of the zone. Rezoning to the M-U-I can be considered a downzoning even though the zone allows far more development and density than the prior zone.



Suitland Mixed-Use Town Center Plan

Best Practices

A key to solving these issues will be to evaluate the current mixed-use zones and clearly define and ensure that development standards, prescribed densities, building heights, and floor area ratios are consistent with the recently approved Plan Prince George's 2035, including simplifying the review and approval process, and incentivizing infill and redevelopment.

Successful mixed-use developments typically share six common elements. Each of these elements has specific zoning and/or design tools that may address some of the issues outlined above.

Compact Development

Mixed-use districts should include compact development to take advantage of infill, redevelopment, and revitalization in centers by providing incentives for infill and redevelopment in designated areas while discouraging greenfield development.

Strategies: Urban renewal districts, infill ordinances, and traditional overlay zones can encourage development in designated areas by providing incentives, such as



Cafe Seating in a Walkable Neighborhood

fee waivers or reductions, development streamlining, and density bonuses, for development in designated areas.

Mixed Land Uses

Discourage inflexible, one-size-fits-all development standards, but encourage a mix of land uses by developing different types of compatible uses close together in appropriate locations to facilitate alternate modes of transportation, and shorten trips. Make sure the Zoning Ordinance allows residential uses integrated with commercial, employment, and civic uses in appropriate locations (e.g. downtown, Main Street, neighborhood center, and other core areas). Look for opportunities to provide flexibility in building height, housing density, floor area, lot coverage, yard setback, landscaping, and other zoning provisions for mixed use developments.

Strategies: Where mixed-use development is permitted, codes should allow residential uses above or behind permitted commercial or civic uses, as well as the combination of compatible commercial uses (retail, office, services, entertainment, etc.). Consideration should also be given to allowing small-scale commercial uses in residential neighborhoods to allow people to walk down the street for a gallon of milk, rather than having no choice but to drive to a traditional shopping center.

Street Connectivity and Pedestrian Access and Safety

Plan and build an interconnected network of streets and blocks that supports all modes of transportation, and provides linkages to local retail, services, housing, amenities, and between adjacent neighborhoods. Promote pedestrian access and safety by planning and building on-site vehicle and pedestrian circulation systems that are safe, convenient, attractive, and comfortable for pedestrians and bicyclists.

Strategies: Require the formation of blocks, with a minimum street spacing standard. Require cross access for adjacent sites. A service drive and walkway connecting two or more adjacent sites reduces out-of-direction travel, relieves traffic congestion on the public street, reduces traffic conflicts caused by turning movements, and allows people to walk from use to use once they arrive at the commercial center.

Create Public Spaces

Create and maintain a network of public spaces including sidewalks, plazas, parks, civic buildings, and places of assembly to allow for informal social interaction and gatherings.

Strategies: Require developments to integrate usable public space whenever possible, and encourage development patterns and projects that recognize and respond appropriately to existing or planned public spaces on or near the site (e.g., parks, civic buildings and spaces, transit stops, sidewalks, plazas, and similar spaces).

Parking

In mixed-use settings parking areas should be efficiently designed and managed to minimize unnecessary surface parking that is often a familiar component of "sprawl". Surface parking can be reduced through code alternatives, incentives, and innovative site planning. Areas located near transit, such as Metro service, should limit surface parking. Consider the following regulatory and parking management tools and strategies to limit the amount of land used for surface parking.



Mixed-Use Streetscene



Structured Parking Facility within a Mixed-Use Building



Street Cafe

Strategies: Parking management plans, shared parking, additional on-street parking, reduced or waived minimum off-street parking standards, reduction in parking standards based on parking impact studies, maximum parking ratios, parking districts in lieu of fees for off-street parking, park-once strategies, and structured parking.

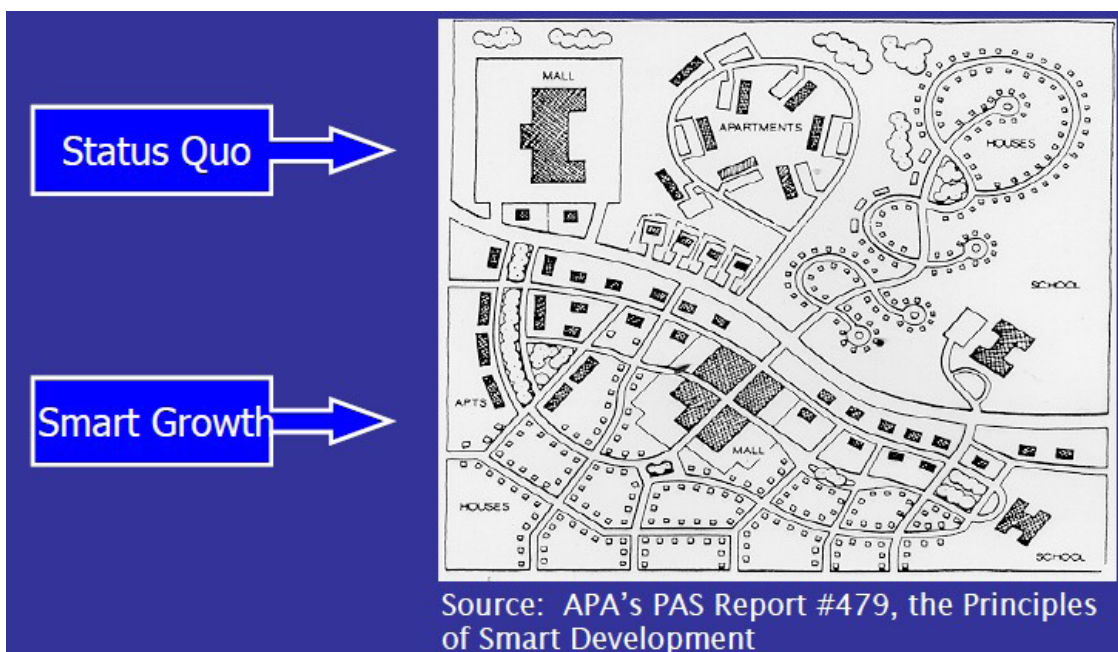
Human-Scaled Building Design

Building design standards should result in buildings that are human-scaled for pedestrian comfort, and compatibility between other land uses.

The same design principles that apply to main streets and downtowns, with some adaptation, may apply to other commercial areas. Refer to the architects and urban designers "height-to-width" ratio. The most human scale is achieved when the building height-to-street width ratio is between 1:2 and 1:3. Typically, width is measured horizontally between opposing building fronts. Height is measured from the sidewalk to the building eaves.

For example, a typical main street (60-80 feet wide) would have buildings approximately 35 feet tall (2 to 3 stories) which are next to the sidewalks. It should be noted, however, that this principle does not apply to signs. Downtowns and main streets should have signs that are within the field of vision for pedestrians – i.e., typically window or awning height.

Strategies: Ordinances can help support human-scale design by requiring building entrance placement close to the street, ground floor windows, articulated façades, appropriately scaled signs and lighting, as well as awnings and other weather protection. In downtowns, main streets, neighborhood centers, and other strategic locations (e.g., at transit stops), it is often appropriate to require a maximum front building setback, or a "build-to" line, for a minimum percentage of the building front.



Comparison of potential growth patterns

3.4 TRANSIT-ORIENTED DEVELOPMENT

Framing The Issue

As discussed in the *Plan Prince George's 2035 Approved General Plan*, the county boasts the second highest number of Metrorail stations in the region—15—in addition to 8 Maryland Area Regional Commuter (Marc) stations, and 1 Amtrak intercity rail station. To date, Prince George's County has not capitalized on these valuable assets and has actually lost employment around its Metrorail stations between 2004 and 2010.

There are a myriad of reasons why the provisions of the zoning ordinance and development standards have impeded economic development in and around the county's metro stations. Key issues include:

- Current zoning ordinance and master plans are disjointed. County policies are not consistent. Stakeholders agree that TOD development around metro stations is a goal but plans, policies, and regulations are all moving in different directions and not designed or coordinated to achieve that goal.
- The Transit District Overlay Zone is too suburban and is sometimes geared toward the development of office parks, rather than mixed-use transit-oriented development.
- In most cases the zone classifications at the metro stations are counterproductive. The M-X-T Zone is inadequate and was not designed to function as a real transit-oriented development zone.
- A lack of demonstrated commitment toward public investment in infrastructure at our metro stations to incentivize or attract appropriate development.
- The current zoning ordinance acts as a disincentive to redevelopment and reinvestment.

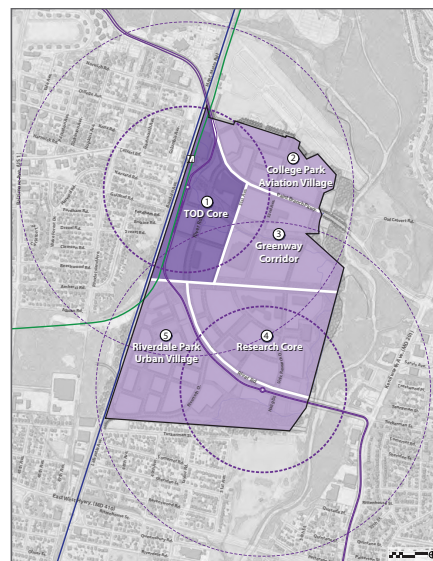
There are several instances of redundancy which can be eliminated by organizing the regulations differently. The Development District Overlay Zone (DDOZ) and Transit District Overlay Zone (TDOZ) establish development standards and permitted uses for a given area which are superimposed over an underlying zone, this creates confusion and goes against the concept of simplifying and streamlining the regulations. Excessive overlay regulations add significant length to the overall body of land development regulations, which increases staff demands, and makes the development standards difficult to interpret, and serves to reduce transparency to the general public.

The density provisions of the TDOZ do not directly modify the density or intensity of the underlying base zoning district. This is inconsistent with the premise that residential densities should be higher immediately adjacent to transit facilities to promote increased ridership and more opportunities for housing within walking distance of the transit facility.

There are currently too many unique zoning standards that differ from those used anywhere else. The zoning ordinance should establish a uniform palette of standards and definitions that plan drafters and applicants can use to customize development standards for a given area. Setting uniform standards eliminates the need to recreate the standards for every new development or area plan. The result is greater uniformity and predictability for development in the county.

Best Practices

- Clearly defined design standards and form can achieve a more predictable physical result, which allows for more control in shaping the TOD area.
- Provide incentives that encourage sensitivity to the character of the community and maintenance of land use control.
- Foster public-private partnerships.
- Allow a wider range of uses and more flexibility for both the municipality and developer, encouraging more innovation for access and amenities in a TOD area.



College Park-Riverdale Park Transit District Development Plan

Best Practices

Supportive zoning/land use controls and design standards are a major factor in the success of transit station development characterized by codified requirements that encourage increased development densities, endorse mixed-use development, reduce parking requirements, reduce buildings setbacks, and promote pedestrian friendly development. Zoning that supports higher intensities or pedestrian-scale commerce in appropriate areas of the county is a key objective in this rewrite effort.

Seven key success factors are critical in planning and implementing successful transit-oriented developments in Prince George's County:

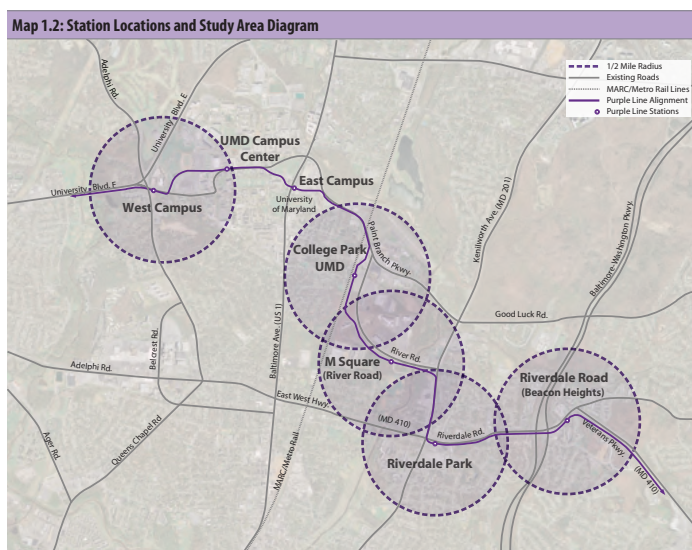
- 1. Positive demographics and local economy** – The degree and timing of concentrated development is tied to the extent of the existing residential population, commercial base, and the transit station area's potential for increased density and/or employment base to support the TOD.
- 2. Accessibility** – Transit station areas should have a high degree of accessibility making it convenient and easy to travel to and from by a variety of modes, including pedestrian, bicycles, automobiles, and others. Signage should be simple, straight forward, with easy to understand directions.
- 3. Supportive land use regulations** – Transit supportive zoning and land use controls and design standards should have codified requirements that encourage increased development densities, promote mixed-use, reduce parking requirements, reduce building setbacks, and enable compact, walkable, pedestrian-scale development.
- 4. Real estate market conditions** – The local and regional real estate market needs to be supportive of transit-oriented development (e.g. multifamily residential, commercial/retail, entertainment, hospitality, etc.). Under ideal conditions, properties in the transit station area sell well, have strong absorption rates, and healthy lease rates/sales prices. These factors must be evaluated for each transit station area and the broader surroundings.
- 5. Major attractions** – Stronger near-term potential is found at transit station areas that are proximate to major attractions that create a destination for riders or visitors, such as the presence and scale of sporting/entertainment venues, large educational institutions, commercial nodes, and major employment hubs/campuses.
- 6. Private sector investment and support** – Potential for near-term TOD is heightened when transit station areas have private sector support and ongoing or proposed private development projects in place.
- 7. Joint development potential** – TOD potential increases when the opportunity exists for potential public/private joint development within identified sites. The realization of TOD will require a combination of private and public sector support, ideally including involvement at the local, regional, and state levels.



Light Rail in Dallas, Texas Neighborhood



Bicycle and Pedestrian Friendly Access



Purple Line TOD Study

3.5 USE TABLES AND USE REGULATIONS

Framing The Issue

The use tables and definitions are in need of a major overhaul. There are too many use tables located in too many places; including within the zoning ordinance, and within overlay zone plan documents creating an impenetrable web of inconsistent regulations. Some of the uses listed in the use tables are worded similarly, but not the same, and there is no way to consistently interpret the myriad of variations. The majority of the uses in the Zoning Ordinance and elsewhere are not defined at all. This results in ambiguity and inconsistency because the legislative intent is impossible to determine, making interpretation nearly always a guessing game. There is no single assigned authority, and no rules of interpretation or required findings for interpreting the use regulations in the zoning ordinance. The use regulations lack organization, logic, and consistency.

Best Practices

In reviewing newer codes, it is apparent that certain methods of defining uses and presenting use regulations are now prevalent. Modern codes tend to define broad categories of uses, giving specific examples, but they do not limit uses to those specific examples. In most cases, a relatively small number of uses may be prohibited or subject to conditional approval, and the remainder of uses would be subject to interpretation under specific guidelines and findings by a designated authority within the planning or permitting departments. In other words, it is not necessary or advisable to attempt to list every possible use that existed in the past, or could possibly exist in the future. This is simply not possible. Instead, uses are described in general categories, with specific examples of uses within each general category, and the authority to interpret similar uses that are not listed is vested in an office or person (e.g. Zoning Administrator). Good examples of this approach can be found in the new City of Philadelphia Zoning Ordinance in which use categories are broad and inclusive, allowing for a simplified list, with easy to understand categorization. For example restaurants are listed as “prepared,” “take out,” and “sit-down.” All types of hotels, motels, etc. are listed under “visitor accommodations.” Politically difficult uses are dealt with in the same manner, listing them as “body art services” or “adult-oriented services,” while also limiting the number of districts that permit them.

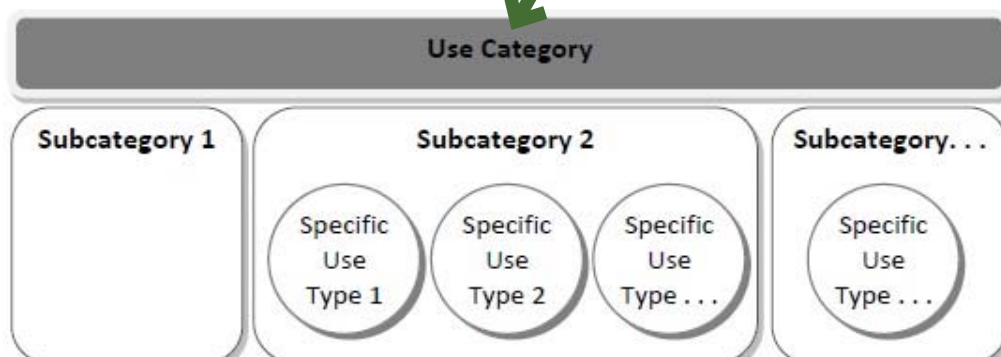
Best Practices

- Simplify use tables by using broad inclusive categories.
- Identify specific examples in each category.

The Philadelphia Code Use Categories

1. Residential
2. Parks and Open Space
3. Public, Civic, and Institutional
4. Office
5. Retail Sales
6. Commercial Services
7. Vehicle and Vehicular Equipment Sales and Services
8. Wholesale, Distribution, and Storage
9. Industrial
10. Urban Agricultural

This Zoning Code classifies principal land uses into 10 major groupings



Source: The Philadelphia Code, Zoning and Planning - Zoning Code Use Category Structure

3.6 DEVELOPMENT STANDARDS AND FORM CONTROLS

Framing The Issue

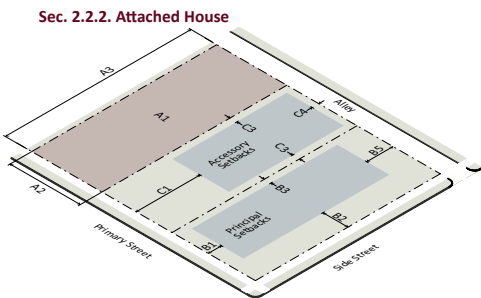
Much like the use tables and regulations, the county’s development standards are spread over many documents and plans including the zoning ordinance, master and sector plans, and overlay zone plans. No matter where the development standards reside, they are in most cases complicated, lengthy, ambiguously drafted, and made to accommodate large developments, but not always tailored for smaller development and redevelopment projects. The development standards tend to be disorganized, and they do not use standardized language across various plans and zones. Additionally, the development standards are weighed down with footnotes which, in some instances, were drafted to apply to a specific property or a few specific properties. There are no diagrams, graphics, pictures, or other alternatives to text in the zoning ordinance, which adds to the length and complexity of the document.

Best Practices

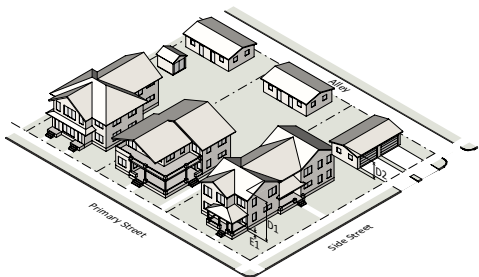
An organized, logical, and consistent format is certainly the hallmark of a modern code. In addition, the use of graphics, diagrams, and charts enables the transfer of a great deal of information in a more compact and user-friendly format. All development standards should be accessed in one place: the Zoning Ordinance. Form-based controls may be most appropriately useful in small, identifiable geographic areas with particular development objectives, such as TOD near transit stations. Form-based controls emphasize the form, mass, and heights of the buildings, as well as placement of the buildings relative to each other and to the street, and de-emphasize the focus on controlling uses within the buildings. Good examples of well-designed development standards can be found in Raleigh, North Carolina. In Raleigh; development, landscaping, signage, screening, and lighting standards include rich graphics to help define and illustrate the various standards. The code used by Woodford County, Kentucky employs illustrated charts and diagrams to convey development standards; and photos to illustrate different building types and architectural styles. Form-based controls are not usually recommended on a large geographic scale or in areas that are suburban and rural, although a form-based technique of using diagrams and graphics to depict development regulations can, and should be used to the fullest extent for all areas, including suburban and rural.

Best Practices

- Rely heavily on graphics and diagrams to illustrate standards.
- Organize development standards in one place.



	R-6	R-10
A. Lot Dimensions		
A1 Area (min)	9,000 sf	6,000 sf
A2 Width - interior lot (min)	60'	50'
A3 Width - corner lot (min)	80'	65'
A4 Depth (min)	80'	60'
A5 Density (max)	6 u/a	10 u/a
B. Principal Building Setbacks		
B1 From primary street (min)	10'	10'
B2 From side street (min)	10'	10'
B3 From side lot line (min)	5'	5'
B4 Sum of side setbacks (min)	15'	10'
B5 From rear lot line (min)	20'	20'
B6 Residential infill rules may apply (see Sec. 2.2.7.)	yes	yes
C. Accessory Structure Setbacks		
C1 From primary street (min)	50'	50'
C2 From side street (min)	20'	20'
C3 From side lot line (min)	5'	5'
C4 From rear lot line (min)	5'	5'
C5 From alley, garage only (min)	4' or 20' min	4' or 20' min



	R-6	R-10
D. Height		
D1 Principal building (max)	40'/3 stories	40'/3 stories
D2 Accessory structure (max)	25'	25'
D3 Residential infill rules may apply (see Sec. 2.2.7.)	yes	yes
E. Ground Floor Elevation		
E1 20' or less from front property line (min)	2'	2'
E1 More than 20' from front property line (min)	n/a	n/a
F. Allowed Building Elements		
Porch, stoop		
Balcony		

See Sec. 1.5.11. for specific building element requirements.

3.7 ADEQUATE PUBLIC FACILITIES

Framing The Issue

Adequate public facilities (APF) requirements, also known as the adequate public facilities ordinance (APFO) under current county Subdivision Regulations (Subtitle 24), tie subdivision approvals to the availability of infrastructure including: transportation, school, police, and fire/EMS services capacity. The transportation APF, for example, is measured by adopted levels of service (LOS). However, current APFO requirements were created for suburban areas and do not promote and fully consider the available alternate modes of transportation elements that facilitate development in urban areas. The existing APFO hinders the county's ability to attract more desirable and high quality development in certain locations such as areas around metro stations and within the Beltway. Additionally, under the county's current APFO, once a development is approved, the APF test never expires and will indefinitely be counted as part of the background traffic for determining the availability of transportation capacity for future development projects to meet APF requirements.

In some cases impact fees have been used as an alternative to APF for development projects which could not satisfy the APF requirements. Current mitigation practices lack certainty because some projects are required to pay surcharges and impact fees, while some require developers to build facilities. In addition, there is a lack of transparency in the utilization of collected funds. In certain cases, the county's Capital Improvements Program (CIP) has been used to help development projects meet required APF requirements but there is no clear criteria for eligibility and therefore there is potential for inequitable application of this tool.

Best Practices

APFOs in urbanizing jurisdictions must strike a balance between the policy of requiring adequate infrastructure and the need to revitalize an existing, built environment. In traditional; suburban "greenfield" developments; there is ample land available to build new roads, schools, and public safety facilities; and it is expected that developers will build or pay for most of the infrastructure needs they create. When revitalizing an older neighborhood, or a land around a transit station, there is rarely enough affordable land to satisfy APFO easily. Even if land is available, a road widening intended solely to satisfy APFO may be unpopular and disruptive for the community, and discourage walkability.

Contemporary APFOs recognize that road congestion may be unavoidable in a dynamic, walkable urban center. Instead of requiring free-flow traffic conditions, contemporary ordinances seek to collect fees and taxes sufficient to support mass transit as an alternative to the automobile. They also recognize that excessive APF fees may prevent redevelopment from occurring, especially in emerging real estate markets, and expect the jurisdiction's general funds to pay for some of the needed infrastructure. There is more emphasis on a multi-pronged, public-private financing strategy to build infrastructure over the long term, and less emphasis on having each development solve its own infrastructure problems. Early developments that will "prime the pump" of redevelopment may even have their infrastructure needs subsidized by the local government. If used correctly, these early subsidies are more than paid for by next phase development that grows the jurisdiction's tax base.

Best Practices

- Provide validity periods for APF tests.
- Require APF test at the earliest level of review.
- Allow options for developer to construct improvements or pay a fee in-lieu.

Another best practice is to discourage developers from “hoarding” APF capacity when they are not in fact ready to build. A modern APFO provides for validity periods for APF approvals. For example, Montgomery County, Maryland has a validity period of no less than 5 years but no more than 10 years, as determined by the Planning Board at the time of subdivision. When the validity period expires, if a site plan has not been approved the infrastructure capacity reserved for that developer is freed up for use by others. The site plan also has a validity period. Validity periods also make it less likely a developer will build on the basis of a traffic study that is many years old and no longer reflective of current traffic conditions.

According to a recent report on APFOs in six Maryland jurisdictions by the Maryland-National Capital Building Industry Association (MNC-BIA), an effective APFO should include the following elements: 1) an APF determination required at the earliest

level of review so that a developer may decide whether and/or when to proceed with project development before incurring substantial expenses; 2) an APFO should allow the developer to mitigate for capacity shortfalls by constructing improvements or paying fees-in-lieu; 3) an established mechanism to reimburse developers who pay for improvements that expand capacity in excess of the proportional requirements of the proposed development; and 4) in the event of a determination of inadequacy, a specific period of time or mitigation measures should be outlined so that developers know if and when they can proceed with the project.

33.	Public Facilities	172	PF1.4	Revise the methodology that calculates the surcharge fees for schools and public safety. Items to be evaluated are charging fees by unit type, identifying a schedule to review school construction costs, and standardized methodology for pupil yield.
34.	Public Facilities	172	PF1.8	Obtain dedication and/or reservation of land for planned public facilities through the development review process.
35.	Public Facilities	172	PF1.9	Consider alternative forms of developer contributions and financing techniques including, but not limited to, developer agreements and special assessment districts.
36.	Public Facilities	175	PF6.3	Adopt new park land, recreation, and aquatics service standards.
37.	Public Facilities	175	PF6.5	Adopt comprehensive design guidelines to provide consistent standards for publicly- and privately-developed parks and recreation facilities and promote a unified approach to park development.
38.	Public Facilities	175	PF6.7	Enact an adequate public facilities test that integrates parks with other public facility needs generated by new development.
39.	Public Facilities	175	PH6.8	Update the parkland dedication ordinance to more effectively grow the park and recreation system and reduce uncertainty in the development process.
40.	Public Facilities	176	PF10.1	Reevaluate land requirements for site acquisition and explore alternative and innovative development models for new facilities in order to improve their accessibility, enhance their integration with surrounding communities, and reflect changes in technology.
41.	Public Facilities	176	PF11.1	Review Adequate Public Facility (APF) standards and surcharge fees to encourage development in local and regional centers.
42.	Public Facilities	176	PF12.1	Evaluate the zoning ordinance to remove impediments to innovative recycling/recovery industries settling in industrial zones.
43.	Public Facilities	177	PF12.4	Examine existing, or create new, guidelines and regulations, as warranted, regarding the type, size, and location of composting facilities, backyard composting, and curb side yard and waste collection.

Plan Prince George's 2035 - Zoning Ordinance Strategy Table for Public Facilities

3.8 REDEVELOPMENT

Framing The Issue

The goal of promoting redevelopment within the county's inner Beltway areas is not only identified in the General Plan, but is also one of the top priorities of the current county administration. Zoning Ordinances and Subdivision Regulations, however, traditionally have very limited focus on redevelopment and revitalization.

Nonconformity clauses in the Zoning Ordinance currently follow the traditional Euclidean doctrine of non-expansion and non-replacement, with the ultimate goal of phasing out nonconforming uses over time. In addition, the nonconformity certification approval process in the county places a significant burden on property owners to prove continuous use, which can be quite difficult to overcome.

The Zoning Ordinance currently contains regulations which purport to promote revitalization of residential zones, but no provisions attempt to address revitalization of existing and underused highway commercial strips and shopping centers surrounded by surface parking. The Revitalization Overlay District (ROD) in the current Zoning Ordinance is actually a method for municipalities to secure a limited zoning authority over minor variances within municipal boundaries, and is not technically a zoning tool due to the absence of implementable standards aimed at facilitating redevelopment. Therefore, the ROD has not been widely used. Moreover, there are a number of financial tools authorized in other parts of the County Code which have never been coordinated with pertinent zoning and subdivision regulations to promote redevelopment in the county.

Currently the county's subdivision regulations exempt properties from the subdivision review and approval process if a certain percentage of the property has been developed. However, we currently have no urban standards in the subdivision regulations tailored for developed areas of the county which would encourage the reuse, infill, and redevelopment of developed properties and sites.

Best Practices

Redevelopment of existing areas has always been a challenge for zoning codes. Many developed areas were built prior to the implementation of modern zoning requirements and redevelopment usually triggers zoning conformance issues, especially related to parking and landscaping standards. Redevelopment may take many different forms and scales ranging from no or minimal exterior alteration of existing buildings, to a complete demolition of existing buildings and redevelopment of the site. The best zoning practices would take into consideration, and allow for, a variety of redevelopment projects and provide complementary review processes in order to promote redevelopment in existing neighborhoods.

Redevelopment with minimal exterior alteration

In some cases, a form-based approach which includes design standards that capture the prevalent development characteristics of existing neighborhoods in terms of street typologies, street fronts, densities, and architecture features may lead to successful redevelopment. Since required infrastructure is already in place in most revitalization

Best Practices

- Provide incentives for those who want to fix up distressed properties or make minor improvements and alterations such as expedited review processes (staff level review).
- Provide flexibility on use and parking standards.
- Provide by-right zoning.



Exterior Alteration Project

areas, if a redevelopment project proposes no change or only slight alterations to the exterior of the existing buildings, then the project will have minimal impact on the existing infrastructure, and no development review process may be required except safety and fire standards. The City of Philadelphia, Pennsylvania adopted this approach in its new zoning code for the downtown area. Philadelphia's new code has two mixed-use zoning districts for the city center, CMX4-Center City Commercial Mixed-Use District and CMX5-Center City Core Commercial Mixed-Use District, which permit all uses, except for non-accessory above-ground parking, to be developed by-right. Another example is the City of Chicago, Illinois, which requires no additional off-street parking or loading spaces for rehabilitation or reuse of existing buildings in the downtown area.

Major Redevelopment and Infill

Major redevelopment has potentially significant impact on existing neighborhoods because it involves partial or complete demolition of existing buildings and/or significant changes to site layouts. One of the most important considerations in reviewing redevelopment and infill projects is whether the proposed new development fits into the fabric of an existing built environment. For example, the Nashville Downtown Code (the "Downtown Code") has a fairly narrow purpose: to guide continued mixed-use growth within the context of existing urban neighborhoods. The Downtown Code does this by providing a simple form-based rubric which is applicable to a three-square-mile downtown area of Nashville, Tennessee. The Downtown Code is focused on building form, not use, as the defining characteristic of a downtown. An additional best practice calls for either exemption from parking standards or maximum parking allowed for redevelopment. Alternative transportation modalities such as public transit, bicycle, shared parking, and enhanced vehicular and pedestrian connections among various transportation modes and destinations, are tools to be implemented in conjunction with redevelopment projects. By improving pedestrian connectivity and walkability, redevelopment can be a catalyst to create a more walkable and pedestrian-friendly urban environment. The Chicago code requires a minimum of one bicycle parking space per two automobile parking spaces. The Zoning Administrator in Chicago is authorized to approve off-street parking ratio reductions of up to 25 percent under certain circumstances, and waive off-street parking requirements below certain thresholds.

In notable cases, no adequate public facilities (APF) test is required for urban redevelopment or infill in areas with extensive existing infrastructure. Additional relief from other zoning requirements like signage or landscaping standards may be granted in order to promote redevelopment. Some jurisdictions also authorize approval of redevelopment projects through an administrative process, as opposed to a discretionary one.



Large Infill Project



Hyattsville Arts District Redevelopment Project by EYA



Hyattsville Arts District Redevelopment Project by EYA

4.0

CONCLUSION

This report has identified key issues with the Prince George's County Zoning Ordinance (Subtitle 27) and Subdivision Regulations (Subtitle 24) and presented a review of important options available to Prince George's County on eight key topics affecting the new zoning ordinance. Over the next several months the Prince George's Planning Department's zoning rewrite team and the consultant team led by Clarion Associates will be evaluating the current zoning ordinance and subdivision regulations, all relevant plans and ongoing planning initiatives, and input received from residents and stakeholders in order to identify specific recommendations and strategies to address major issues discussed in this report and issues identified during the public outreach and engagement process.

Based on research and analysis conducted by the core planning team, the best zoning ordinance will be one that balances competing interests such as redevelopment and reinvestment, neighborhood protections, and smart growth in a way that is both efficient to administer and easy for the public to understand.

5.0

APPENDIX I - REFERENCES*

Prince George's County, Planning Department. Plan Prince George's 2035 Approved General Plan. 2014. Accessible from <http://www.planpgc2035.com/>

Prince George's County, Planning Department. Envision Prince George's, Phase 1: Final Report. 2014.

Prince George's County, Planning Department. Prince George's County Reformatting the Regulations. 2009, White and Smith, LLC.

Prince George's County, Title 17, the Public Local Laws of Prince George's County, Subtitle 27, Zoning. Accessible from <http://lis.princegeorgescountymd.gov/default.asp?File=&Type=TOC>

Prince George's County, Title 17, the Public Local Laws of Prince George's County, Subtitle 24, Subdivision. Accessible from <http://lis.princegeorgescountymd.gov/default.asp?File=&Type=TOC>

Prince George's County, Planning Department. New Mixed Use Zone Best Practice Analysis. 2007.

Raleigh, North Carolina, Part 10A: Unified Development Ordinance. Adopted February 18, 2013. Effective Date: September 1, 2013. Accessible from <http://www.raleighnc.gov/content/extra/Books/PlanDev/UnifiedDevelopmentOrdinance/>

City of New Orleans, Comprehensive Zoning Ordinance. 2013. Accessible from https://www.municode.com/library/la/new_orleans/codes/zoning

Zoning Ordinance, County of Arlington, Virginia. 2013. Accessible from <http://buildingarlington.s3.amazonaws.com/wp-content/uploads/2013/06/ACZO.pdf>

The Columbia Pike Special Revitalization District Form Based Code. Adopted February 25, 2003 with Amendments through July 24, 2012. Accessible from http://www.columbia-pike.org/?page_id=298

The Philadelphia Code, Title 14. Zoning and Planning 1. Approved December 22, 2011. Effective August 22, 2012. Accessible from <http://www.amlegal.com/library/pa/philadelphia.shtml>

Denver Zoning Code. 2010. Accessible from http://www.denvergov.org/Portals/646/documents/Zoning/DZC/DZC_071814-small.pdf

City of Leander Composite Zoning Ordinance. 2005. Accessible from http://www.leandertx.gov/sites/default/files/fileattachments/planning/page/338/composite_zoning_ordinance_07.17.2014.pdf

Nashville Downtown Code. 2011. Accessible from http://www.nashville.gov/Portals/0/SiteContent/Planning/docs/dtc/DTC_adopted%20document_amended_April%2002,%202013Updated.pdf

Lee County, Florida Land Development Code, Chapter 32 - Compact Communities. 2010. Accessible from <http://www.growsmartri.org/training/Municipal%20Examples%20for%20Form-Based%20Zoning/Lee%20County%20FL%20FBC%20Compact%20Communities%20Code.pdf>

The New Urban Code for Woodford County, The City of Versailles and The City of Midway. 2000. Accessible from <http://planning.woodfordcountyky.org/designwebsite/Final%20Code/Woodford%20County%20Code%20all%20chapters.pdf>

A 21st Century Land Development Code (with Freilich) (American Planning Association), 2008.

Form-Based Codes Institute Website. Accessible from <http://formbasedcodes.org/>

*Note: All online sources accessed between January 1, 2013 and June 30, 2014.

APPENDIX II - ANALYSIS

ARLINGTON COUNTY, VA

Type of Code	Hybrid: Modified Conventional with Form-Based for Columbia Pike			
Year Adopted	2003, with amendments and plans through 2012			
Population	220,000			
Size	26 square miles			
Character	High intensity urban corridors and nodes with lower density			
Zoning Code Topic	Best Practices or Weakness	Model or Innovation	Format and Graphics	Relevance to Prince George's County
Definitions and Administrative Procedures				
Definitions up front with specific typeface for specific meaning	Best practices	Small caps for words with specific definitions	Good use of typefaces	No comment
Administrative Review Team for by-right development in accord with standards.	Best practice; clearly defined process with by-right	A good model for review process	No graphic	This type of staff or committee level review process can be used by Prince George's County on certain types of projects to reduce the amount of PB and Council review.
30-day review process for by-right	Best practice	No comment	No graphic	A clear by-right process would be of great benefit to the county.
Special Exception is available for minor variations.	Best practice	No comment	No graphic	
Regulating Plans				
Building sites are coded by Street Frontage type	Best practice for form based	No comment	One graphic shows how to read the regulating plan; hatch is difficult to read.	Some potential in areas with better developed grid; difficult to use in areas where grid does not yet exist.
Hierarchy of Building Envelope Standards categorized as Main Sites, Avenue Sites, Local Sites, and Neighborhood Sites	Best practice in terms of hierarchy	No comment	No graphic	Perhaps too many types of frontage. Difference between Main St. and Avenue; Local vs. Neighborhood is not clear.
Parking is reduced; shared emphasized. Bicycle parking is required	Best practice	New on-street parking may be counted toward shared; on-site or in parking zone; required bike parking for employees	No graphic	Fee in-lieu of minimum spaces could be very helpful to creating shared parking; however a dedicated account would be needed.

Regulating Plans focus on Required Building Line, Parking Setback Line, Building Envelope Standard, Property Line, and Street Tree Alignment	Best practice in terms of elements	No comment	Graphics are a bit difficult to understand, 3D perspective view may be better	If form based approaches are used, these elements are basic to design standards.
Retail uses are listed with Primary (entertainment and shopping) and Secondary (personal services) uses. Relatively concise lists.	Best practice to designate a retail Main Street and require ground floor retail	Division into primary and secondary retail is innovative, but unclear in how each is applied	Table of retail uses	The classification into primary (entertainment and high count walk-in shops) and secondary (personal or business services) could be useful in terms of understanding the relationship between business types in a walkable shopping street.
Requires developers to construct and maintain all streetscape improvements	Weakness, can lead to lack of consistent streetscape and lack of maintenance	No comment	No graphic	Similar to county practices
Regulating Plan graphics are in separate file and under separate categories not mentioned in the code, i.e., neighborhood center, town center, and village center.	Weakness	No comment	Plan graphics are somewhat difficult to read, hatch styles refer to different frontage types.	The reference to separate plans is similar to sector plan guidelines, which should be avoided.
Building Envelope Standards				
Clear statement of guiding principles.	Best practice	No comment		
Standards are organized under Height Specifications, Siting Specifications, Elements Specifications, and Use Specifications.	Best practice	Use is de-emphasized by placing it last among other specifications.	Graphics are a bit difficult to understand, 3D perspective view may be better.	The particular specifications are quite urban, for instance addressing alleys, stoops, and street walls; very few places in the county could support this form, but the concepts can be adapted.
Minimum and Maximum Heights for Main Street and Avenue sites	No comment	No comment	Graphics do not reflect the actual standards or dimensions, for instance, on building height.	Requiring minimum heights is problematic in weak market areas of the county.
Use specifications require retail or office for Main Street; provides some flexibility for Avenue sites focused on residential and office.	Best practice	No comment	Graphic seems unnecessary	Ground floor use requirements are a good practice for the county to consider, in very specific locations.
Streetscape Standards				
Sidewalk standards refer to Master Transportation Plan; those not in that plan have a minimum of five feet.	Weakness, need to refer to other plan and five foot walks are narrow	No comment	Lack of graphic in this section is problematic.	Similar approach as in the county, however, why the streetscape on a priority corridor like Columbia Pike is being left up to the zoning code and private developers, rather than public works, is unclear.

Three sidewalk zones: shy zone, clear zone, and furniture zone	Sidewalk widths of 5 or 6 feet are narrow for a shopping street	Consideration of functional areas within the sidewalk zone is innovative.	Lacks graphic	Very few places in the county have a full streetscape with a landscape buffer and street furniture. Far too much of the county is constructed with sidewalks directly adjacent to the curb.
On-street parking 'nub' shall be incorporated consistent with the Transportation Plan.	Nubs is not defined.	No comment	Lack of graphic or definition makes it difficult to understand the requirement.	No comment
Clear street furniture standards with specific models stated.	Best practice	No comment	Lacks graphic	Main shopping streets could benefit greatly from a consistent streetscape treatment.
Squares and Civic Greens standards			Lacks graphic	The county lacks urban squares and greens, but the new parks master plan makes recommendations to create smaller open spaces.
Architectural Standards				
Building walls material and configurations are stated, but stays away from building design		Simplicity is a good model.	Good use of photos.	Applicable in some areas. Good example of how to set standards without getting overly involved in design issues; simple use of photos and one page of text.
Roofs and Parapets	Best practice	Simplicity is a good model	Good use of photos.	Few places in the county that would warrant this level of specification on roof form.
Street walls	Best practice		Good use of photos.	Street walls can help to define space, but seven feet is too high, urban, and expensive for suburban corridors
Windows and doors	Best practice		Good use of photos.	Approach is relevant.
Signage	No Comment	No Comment	Good use of photos, but could use graphics of actual standards.	County needs a better approach to sign ordinance, but this ordinance does not seem like a good model.
Lighting and mechanical	Best practice	Simplicity is a good model	Do and don't photos	Specifications may be useful on urban shopping streets.

CITY OF DENVER, CO

Type of Code: **Contextual, form and use based (Hybrid) Code**

Year Adopted: 25-Jun-10

Population: 634,265 (in 2012, 100 percent urban)

Size: 154.9 sq. miles

Character: 100 percent urban, 0 percent rural

5.0

Zoning Code Topic	Best Practice or Weakness	Model, Innovation, or Goal	Format and Graphics	Relevance to Prince George's County
Definitions and Administrative Procedures				
Definitions are located at the very end of the code as Article 13. Additional limitations on primary uses and definitions are also provided in Article 12.	Best practice based on the assumption that only land use attorney and developers will be looking into the definitions and procedures.	Additional limitations on primary uses such as home office and keeping farm animals on residential lots.	Graphics plus text to illustrate the code. Use many publication features to facilitate reading.	Definitions and administrative procedures in rewrite can be treated the same way as they are dealt with in Denver's code.
Administrative procedures are also at the end of the code.	Mix of use-based and form-based elements, including variance, SE, and text amendments. No flow charts utilized to show the procedures.	City Council only reviews and approves rezoning and text amendment applications.	Text and tables	Summary table of case types, approval authority, and notice is very helpful, easy to understand, and should be included in the new code. For most of the area in the jurisdiction, how to maintain the existing environment and make the minor improvements such as replacement of an existing sign due to change of ownership or reuse of an existing building by-right without discretionary review, should be included under the administrative procedure.
Six neighborhood context areas with a total of 106 zoning districts plus seven special context areas with another 29 districts. The special context areas include four use overlay zones, one planned unit development district and nine master planned context districts among other special districts, such as campus district. Zoning district structure is complicated and the divisions of the districts are meticulous.	Too many zones and have everything from contextual districts to overlays to MPUs	This new code is a melange of conventional use based and new form based code elements plus overlays and PUDs. Fails to achieve the goal of simplification.	Graphics plus text to illustrate the code. Use many publication features to facilitate reading	Context based approach can be used to preserve the existing neighborhoods. PUD concept can be applied to large green field development in the county; and form-based elements can be applied in the TOD areas around 15 metro stations.

Use Tables and Regulations

Primary uses are categorized into five major classes: Residential; Civic, public and institutional; Commercial sales, service and repair; Industrial, manufacturing and wholesale; and Agriculture uses. Zoning Administrator is responsible for interpreting uses not listed on the use table. Determination of unlisted use by the ZA is one of the case types. Under each of the context areas, a separate use and parking table has been used to identify contextual uses. In addition, a separate design standard table uses which use a lot of graphics to illustrate regulations	Graphics help illustrate the regulations significantly. Use tables and design standards under each contextual area seem repetitive and make the code so lengthy	More complicated than previous code in terms of use tables and design standards	Heavy graphics used to illustrate the regulations	Graphics can be very helpful; but cannot illustrate every zoning situation. Graphics should be used strategically to illustrate main ideas
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Development Standards

Development standards come at two levels-overarching (general) standards that supposed to apply in all zones and contextual specific standards that included in each context area. The standards such as parking are over detailed at the context area level that makes some standards at the City level not that relevant as intended by the way the standards are presented in the code. For example, standards regarding setback permitted encroachments should be located in Article 10 as general design standards; but it is repeated many times in each context area that makes a very lengthy code document. Moreover, too many exceptions in the general standards due to overly detailed context area standards.	For example, parking standards which should be included at the general standard level; but are shown at both levels that make the general standards not general.	Very confusing at least.	Heavy graphics	Graphics can be very helpful; but cannot illustrate every zoning situation. Graphics should be used strategically to illustrate main ideas. Parking standards have been included at both the city and context area levels that should be maintained as general standards such as signage. To organize signage by different zoning district is a better way to manage.
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Subdivision Standards

This is not a unified code and does not have specific subdivision standards. However, this code contains a lot of design standards on such as lot size, green open space that have direct impact on subdivision.				Zoning Ordinance and subdivision regulations have to be separate due to County's political structure
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THE CITY OF LEANDER, TX

Type of Code: **Composite**

Year Adopted: 5-Sep-05

Population: 20,000

Size: 7.5 square miles

Character: Suburban -contemporary forms of development

5.0

Zoning Code Topic	Best Practice or Weakness	Model or Innovation	Format and Graphics	Relevance to Prince George's County
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Definitions and Administrative Procedures

Definitions up front with specific typeface for specific meaning.	Best practice	Bold term with regular typeface of words for each specific definition	Good use of typefaces	
Planning Department is responsible for reviewing and approving site plan	Best practice; clearly defined process with by-right	A good model for review process	No graphic	This model can be used for development outside of the centers of the County where clear zoning use, site and architecture typologies are established
45-day review process for site plan	Best practice		No graphic	A clear by-right process would be of great benefit to the county
No public hearing is required for site plan	Best practice			The structure of this type of code makes it very predictable for developers and citizens as well as decision-makers
Board of Appeal handles Special Exception and Variance	Best practice		No graphic	

Zoning Districts

Each zoning district involves three elements-use, site and architecture. There are 17 use districts, five site conditions and 4 sets of architectural situation.	Include strong form elements	Innovation	Photos used to illustrate different use, site and architecture	Intended to be used in areas for contemporary development patterns where the site and building situations are simple and easily defined and categorized such as those areas outside of development centers of the county.
Use component- regular use of the property such as the way the structure is used as single-family residence	A typical zoning district comprised of just one component-a list of permitted uses and does not address the variety of site and architectural features		Photos shown the representation of major features	

Site component-the uses and features of the site such as building coverage, scale, entrance locations and disposition; parking, sidewalks, landscaping lot layers, frontage types, service area, exterior lighting, outdoor display and storage, public spaces, etc.	Best practice	Innovation	Photos used to illustrate different site features.	
Architectural component-exterior building material, roofing materials, and standards, building height, amount of glazing, the type and number of architectural features, etc..	Best practice	Innovation	Photos used to illustrate different site features.	
Development Standards				
Separate development standards for use, site and architecture at City level have been provided right after each chapter	Best practice			
District specific standards such as setbacks, building height are shown under each zoning district	Best practice		Graphics used	The particular specifications are quite urban, for instance addressing alleys and stoops and street walls; very few places in the county could support this form, but the concepts can be adapted.
Use Tables				
Two levels of use table-first level defines possible permitted combination of use, site and architecture; second level is regular use matrix with simplified use entries	Best practice for this type of code		Lack of graphic in this section is problematic	Similar approach as in the county, however, why the streetscape on a priority corridor like Columbia Pike is being left up to the zoning code and private developers, rather than public works, is unclear.
Subdivision Standards				
Under different code for subdivision		Same to the County's structure		This is not a unified code. Zoning and subdivision are under different codes.

LEE COUNTY, FL

Type of Code: **Form-based with transect concept**

Year Adopted: 8-Jun-10

Population: 645,293

Size: 1,212 square miles

Character: Compact (urban) forms of development

5.0

Zoning Code Topic	Best Practice or Weakness	Model or Innovation	Format and Graphics	Relevance to Prince George's County
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Definitions and Administrative Procedures

This code is Chapter 32 of the Land Development Code of LEE County. Definitions up front with specific typeface for specific meaning.	Best practice	Bold term with regular typeface of words for each specific definition	Good use of typefaces	
Various approval processes - Administrative Approval; Planned Development Rezoning; Optional Regulating Plan and County Initiated Rezoning	Different paths for various situations			Location related approval process can be used in the new zoning code. For development in the centers, more by-right but standards intensive review process can be used, while in other areas, larger development with big impact should be reviewed while smaller development can be approved administratively.
TDR transfer of development right and SWM requirements are included in the new code that is not very common	Not very common			

Zoning Districts

Five transect zones-Core, Center, General, Edge and Civic				
Form-based regulating plans	Identified specific important areas and prepared regulation plans within the jurisdiction	For private property owner who wants to rezone the property to the zone must have a charrette-based planning process to create the development plan as a prerequisite for administratively approval. Best practice to lay out the work up front.		For most of the zones and areas in the county, by-right development should be the predominant form of entitlement process. However, in centers and corridor notes or for larger planned development, a planning process either in the form of SMA organized by the county or charrette-based hosted by the private developer should be used as a prerequisite for getting the specific zone such as TOD.
A separate street design and parking article-Boulevard, Avenue, Streets A-F, Drive,Road, Rear Alley, Rear lane			All street cross sections are 3D graphics	Very clear 3D graphics should be used in the new code

Use Lot types instead of regular zones-15 different types of lot, such as mixed-use building lot, civic building lot, etc.		Innovation involving building element in the code		Maybe applicable to suburban area of the county where building typology is easily defined.
Development Standards				
Detailed street design standards and parking ratios for each transect zones			Use both 3D graphics and photos to illustrate the type of the development	Different parking ratios associated with transect zones is an applicable.
Building typology and the transect zones they can be developed	Best practice that makes approval more predictable for all			
Property development lot regulations for each lot type including standards for lot area, width, frontage width, lot coverage, setbacks, building heights and accessory buildings in each transect zone				
Size requirements for civic space in all transect zones including green, playground, square, community garden, plaza, farm lot, neighborhood park and preserve with site layout typology				
Regulation Plan			Graphics to illustrate	
SWM and TDR requirements are also included				
Use Tables				
Use regulations for each lot type list only 12 use entries		Zone designations take into building elements that define the form. An innovative way of establishing zoning districts.		Emphasis on form and lot types that can be applied in the centers and corridor notes.
There is a separate title for zoning (Chapter 34)				Regular use entries are there. This section of the code is form-based and with simplified uses.
Subdivision Standards				
Subdivision regulations are under different title				Not a unified code.

MONTGOMERY COUNTY, MD

Type of Code: **Modified Conventional**

Year Adopted: Adoption pending for 2014

Population: 1.005 Million

Size: 491 square miles

Character: Suburban with urban nodes and agricultural preservation areas

5.0

Zoning Code Topic	Best Practice or Weakness	Model, Innovation, or Goal	Format and Graphics	Relevance to Prince George's County
Definitions and Administrative Procedures				
Adoption of a digital zoning map	Best practice	Model (if implemented)	Not applicable	The county could benefit from the recognition that the official zoning map is the digital format.
Site Plans required for some, not all standard method development; distinction based on the intensity of the use and nature of abutting or confronting zones	Best practice to limit need for site plan	Innovative use of intensity and nature of abutting use to determine	Good use of charts	Interesting way to carve out some development away from site plan requirement.
Site Plan Enforcement is vested in the Planning Board and DPS with defined enforcement action that may be taken by the PB	Best practice to have site plan enforcement assigned to some agency, not sure it should be the PB	Goal	No graphics	This would represent a significant change for the county; currently there is no formal site plan enforcement and no assignment of agency responsibility.
Site Plan Findings clearly set forth - requires master plan "substantial conformance" AND compatibility with adjacent development	Best practice to clearly identify required findings	Clarity is a goal	No graphics	This would represent a significant substantive change for the county; currently there is no formal site plan enforcement, and master plan conformance is not required for site plans.
Fewer processes - eliminated development plans (floating zones) and project plans (CBD zones), both now require sketch plan + site plan	Best practice	Still have sketch plan, site plan, conditional use, and map amendment processes	Not applicable	Additional streamlining could be possible.
Overview of Review and Approval Authority Chart & Overview of Approvals Required Chart	Best practice	Still fairly complicated processes	Good use of charts	
Section devoted to zoning within public rights of way (ROW) including air rights and subsurface rights in ROW	Best practice	Model	Not applicable	Not clearly delineated in the current ZO.
Corrective and Administrative map adjustments are allowed	Best practice	Model	No graphics	Not clearly allowed under the current ZO
Districts				
14 different overlay zones - most of which were carried forward from the prior ZO	Weakness, too many overlay zones	Grouped overlay zones by purpose	None	The county also has a large number of existing overlay zones which must be addressed in some manner by the new ZO.

13 different Residential Zones	Weakness too many residential zones	Not applicable	No graphics	The county needs to consolidate zoning districts where it can, but not spend too much political capital on residential zones.
Commercial/Residential CR zones and Employment Zones allow some mix of residential uses	Best practice to allow mix of uses in more zones, not just in mixed use zones	Innovative - opens up traditional commercial and employment to residential uses	Not applicable	The county needs to follow the trend of allowing more zones to have a mix of uses
12 Floating Zones	Quite a lot of floating zones	Floating zones are not innovative but they can be useful	None	In order to obtain a Floating zone, an applicant must obtain approval of a Local Map Amendment application.
Floating zones are allowed both when a master plan recommends it, and when certain findings are made	Best practice	Innovative, floating zones used to be limited to only when recommended in a master plan	No graphics, some charts to indicate max density, uses allowed and open space required	Could benefit from the use of floating zones
Most Euclidean Zone are allowed to develop under standard or optional method development standards	Neutral - rather specific to MoCo	Innovative that they are expanding Optional method concept to many more zones	Good use of charts	Seems to turn on whether the standard 12.5% MPDUs are proposed, or for optional method higher numbers of MPDUs in return for increased height or density. Not clear whether this is directly applicable to the county.
Building types diagrams and types allowed by code chart	Best practice - similar to diagrams shown in many modern codes	Goal	Good use of charts and diagrams	The county needs to utilize diagrams and charts.
Measurements and standards accompanied by graphics	Best practice - standard graphics used in many modern codes	Goal	Good use of charts and diagrams	The county needs to utilize graphics in sections that deal with measurement and development standards.
Development standards by zone are presented in chart form with no graphics and with limited footnotes	Weakness - complicated, not user friendly charts	Not innovative	No graphics	The county should use this type of chart but with more graphics.
CR, Employment and Industrial Zones are presented to indicate, max and min. residential /commercial industrial FAR, Building Height	Best practice	Innovative	Good use of charts	Nice use of mixed use zones with the ability to tailor the amount of residential vs. commercial or industrial on a property by property basis without adding hundreds of pages of text.
Legacy Zones retained are mainly floating zones that depend upon an approved development plan which is part of the zoning approval for the property	Weakness	Not innovative	No graphics except development table charts	Use tables and development standards are repeated here; not sure this is the best way to deal with legacy districts.
Use Tables and Regulations				
Establishes Dept of Permitting Services (DPS) as agency to determine which use category applies	Best practice	Clarity is a goal	Not applicable	The county could benefit from having a designated official assigned to make zoning determinations.

DPS allowed to interpret uses not listed by making certain findings	Best practice	Model	Not applicable	The county would benefit from specific findings required to make use interpretations
Uses are categorized as Permitted (P), Limited (L) and Conditional (C)	Neutral	Not innovative	Not applicable	
Use table is 7 pages long with a large number of specific uses listed	Weakness	Not innovative	Good use of charts	The county needs to consolidate and generalize its use tables, but this will only work if interpretation of uses is standardized
Use definitions are located immediately after the use tables	Best practice	Model	Not applicable	The county could benefit from this format
Included in use definitions are any special licensing requirements and/or enforcement procedures	Best practice	Model	Not applicable	The county could benefit from this format
Development Standards				
Optional method development standards for MPDUs or cluster development in Rural Residential Zones, TDR overlay, CR zones, and Employment zones	Specific to MoCo.	Neutral since this is so specific to MoCo	Not applicable	The optional method works differently for each zone, but all require a sketch plan AND a site plan to be reviewed and approved.
Public Benefit Points - assigned points for provision of public amenities in return for increased height or density	Best practice	Model	Not applicable	A point system is interesting, but not directly applicable because height and density are not the incentives in Prince George's that they are in MoCo.
Parking Standards are significantly reduced from prior ordinance e.g. 25 spaces per 1000 sq.ft. of restaurant patron area to 4 -10 spaces per 1000 sq.ft. of restaurant patron area depending on the zone	Best practice	Model	Good use of charts, easy to read and follow	Parking requirements need to be reviewed and in appropriate zoning districts significantly reduced; maximum parking could also be employed in certain districts.
Compatibility Standards - apply to standard method development and appear to make exceptions to the general development standards set forth for each zone depending upon the surrounding structures and uses.	Weakness - yet another exception to the general development standards	Better than footnotes but adds a level of complexity	No graphics	Compatibility standards could be explored but should be better integrated into the general standards of the zones as opposed to yet a separate section that must be located in the document.
General Development Standards section includes: Site Access; Parking Standards; Open Space and Rec requirements; Compatibility standards; landscape and lighting; Outdoor Display/Storage; and Signs	Neutral	Not innovative however good to group all general standards together	No graphics	Locating all general standards together at the end of the code makes it easier to find them, but it requires flipping back and forth among the use standards, use tables, zone requirements and general standards. Not ideal.

NASHVILLE DOWNTOWN CODE, TN

Type of Code: **Form-Based**

Year Adopted: 2010

Population: 630,000

Size: 528 square miles (Downtown Code is limited to 1,760 acres)

Character: A growing city ranging from urban to rural character. The City of Nashville and Davidson County merged into a metropolitan government in 1963 (six small cities within Davidson County retain separate charters). The downtown is a sizable urban core of office and government buildings with some urbanized residential development. There has been recent revitalization.

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Zoning Code Topic	Best Practice or Weakness	Model, Innovation, or Goal	Format and Graphics	Relevance to Prince George's County
Definitions and Administrative Procedures				
Administrative procedures located at front of ordinance	Neither	None	No comment	Placing the procedures at the front of the Downtown Code helps the ordinance read more in the manner of an instruction manual.
Limited definitions provided within standards.	Neither	None	No comment	It appears that most of the concepts requiring definition are either specifically defined within the standards of the Downtown Code or incorporated by a reference to the general zoning code for the city.
Review bodies and review procedures for each type of case clearly identified. Processes involving variances and special exceptions not related to the Downtown Code refer back to the general ordinance for the City.	Yes	Great consolidation and simplification of processes within a defined focus area	A simple flowchart is used to show the processes.	The Downtown Code for Nashville is essentially an overlay zone subject to staff administration. Plans that meet all applicable standards of the Downtown Code or that require minor modifications can be approved at staff level, with minor modifications appealable to an appointed Design Review Committee. Plans involving major modifications can be approved by the Design Review Committee, with appeal to the Planning Commission.
Districts				
The Downtown Code does not include zoning districts; it works more like an overlay zone over the existing zoning using subdistricts, with each having a regulating plan and a set of standards	Neither	None	None	The Downtown Code promotes form over use. The general code may apply in situations where particular uses are regulated more stringently by the general code. However, it is stated that the regulating plans within the Downtown Code constitute the zoning map for each subdistrict.
No defined single-use districts (i.e., Residential Districts, etc.)	Yes	Every subdistrict in the Downtown Code allows residential uses in a mixed use context	None	One again, the Downtown Code promotes a mixed-use environment by defining form over use.

All areas allow a mix of uses.	Yes	Height and Frontage, along with Neighborhood Transition standards are creative ways of incorporating context	Each building type is illustrated with standards for the underlying zone	This is particularly where simplicity meets context. The code is concise but allows for a range of options to help shape commercial areas.
There appear to be two historic overlays that affect the area regulated by the Downtown Code. Per examination of the use table, it appears that adult entertainment is regulated under a separate overlay district	Neither	None	None	No comment, because the Downtown Code incorporates these overlays by reference only and provides no details.
Use Tables and Regulations				
Uses are organized into a separate chapter of the Downtown Code, with 155 use types in 13 categories	Not really	Uses by subdistrict are summarized into a single two-page table	None	Presuming that the use table in the Downtown Code is following the format of the use table in the general zoning code for the city, it seems too complex. It should not be necessary to consult the general zoning code for definitions of uses. With very few exceptions, the uses that are allowed in any part of downtown are allowed throughout all of downtown; some simplification would have been desirable.
Uses are classified as by-right (P), limited by-right (PC), special use (SE), accessory (A), or overlay district (O). It appears that uses not permitted have no notation. There are no definitions or references given in the use table to find definitions.	No	None	None	It seems problematic that there are no references to the general zoning code for the city. What limitations are placed on some permitted uses? What does the special exception process require?
Accessory and Temporary uses are not well-addressed. A number of uses in the use table that are classified as Permitted would seem to be accessory in nature, and a couple classified as Accessory should really be treated as a temporary permit	No	No comment	None	No comment
The Adult Entertainment use has a use classification as "Overlay District." This is the only use in that classification	No	No comment	None	There may be a good reason for this classification and it may be well-addressed in the general zoning code, but given that areas adjacent to a downtown area are generally where this type of use locates, the Downtown Code needed to address this use better and include the appropriate portions of the zoning code.

Four transportation and utility uses are allowed by Special Exception.	Maybe	No comment	None	Given that the four uses allowed by Special Exception are likely to be implemented by the government or municipality, it seems like that an extra bit of detail that does not matter.
Development Standards				
This ordinance includes form-based development standards within each subdistrict and regulating plan. There is a separate section that handles parking access, loading, street frontages, and bonus heights.	This is textbook implementation of an overlay zone	Not enough. It would have been expected that a newer code such as this one would include more in the area of green buildings and LEED.	Graphics are effective and well-used	The form-based standards are beautifully concise and clearly illustrated. There is no excess verbiage.
No parking is required within the downtown area. Parking standards within the Downtown Code are primarily limited to access and edge treatments. Loading space requirements are not included.	Yes	Pedestrian and vehicular access standards are included. As a negative, no cap or maximum on parking is included	None	While the parking standards that are included are good and applicable in our mixed-use areas, there are probably no areas of Prince George's County where a parking requirement can be completely waived. The Downtown Code did not, aside from including standards on location and screening, properly address loading space requirements; one has to go to the general zoning code to find that information.
No standards regarding signage are included.	No	No comment	None	The signage is another area where the Downtown Code should have included more material and did not.
Screening and open space standards are simple and well-illustrated.	Yes	No comment	There is some use of graphics to illustrate the open space standards and concepts	The open space standards will not supplant the Parks requirements for residential uses, but they very well illustrate the planning and design of specific types of passive open spaces that are needed in a mixed-use urban environment.
A Bonus Height Program is included. Bonus Height is allowed where a project includes public parking, public benefit features, workforce housing, integration of pervious surfaces, and LEED certification	Yes	A quality set of incentives	None	While the incentives are well-written, density and height do not currently work as incentives for development in Prince George's County.
Subdivision Processes and Standards				
N/A - This Ordinance is not regulating the subdivision process.	N/A	N/A	N/A	No comment.

CITY OF NEW ORLEANS, LA

Type of Code:

Year Adopted: Public release draft

Population: 369,250 (in 2012, 100 percent urban)

Size: 350 sq. miles

Character: 100 percent urban, 0 percent rural

Public Release Draft September 2013

5.0

Zoning Code Topic	Best Practice or Weakness	Model, Innovation, or Goal	Format and Graphics	Relevance to Prince George's County
Definitions and Administrative Procedures				
Definitions are located at the very end of the code as Article 26. Additional uses standards for specific uses under Site Development are also provided. But the administrative procedures are at the beginning of the code in Article 3	Best practice based on the assumption that only land use attorney and developers will be looking into the definitions and procedures.	Additional limitations on primary uses such as home office and keeping farm animals on residential lots	No graphics but use a lot of modern publication features with clear article, title, and subdivisions	Definitions in rewrite can be treated the same way as that of the New Orleans' code.
Administrative procedures are also at the beginning of the code, that is typical of the conventional code	Only have a total of 11 application types. Two for interpretation of text and map.	City Council is the highest authority and only reviews and approves master plans, planned unit development, zoning map and text amendment, and conditional use applications	Text and tables, in addition, the text is in plain English	Simplified case types and limited review by the City Council to important issues
Approvals and procedures are clearly described in Article 4 with streamlined processes for each application type, with clearly stated approval standards	Simplified case types and approval processes	Clear review standards. 50-day limit of scheduling hearing and 60-day decision making limit after public hearing	Flow charts are used in the code. Table used to list the standards	
Zoning Districts				
New code uses contextual districts to emphasize place making vs. traditional accumulative zoning districts. A total of 77 zoning districts including 11 overlay districts. Minimum size for a planned unit development is 5 acres. However, the standards are confusing, for example max. Residential density is six dus per acre. Clear bonus incentives are stated.	Too many zones. But the way the zones are divided is straightforward with photos to illustrate the main characters of each zone.	Context based zoning designation	Photos are used to illustrate the main character of each neighborhood character area or context	Context based approach can be used to preserve the existing neighborhoods. PUD concept can be applied to large green field development in the county; and form-based elements can be applied in the TOD areas around 15 metro stations.

Use Tables and Regulations

Use regulations show up at contextual area level and site development standards level. For each contextual district, a use table is used. For example, under Historic Core Neighborhood-Residential District, uses are grouped under Residential, Commercial, Institutional, Open space and others. There is a separate article on Use Standards that provides additional standards for 56 uses such as adult entertainment, adult day care, etc.	Use table specifically crafted for each contextual area. No master use table	Complicated than previous code in terms of use tables and design standards; but easy to understand.	No graphics but tables used	The city also has vary different areas in terms of development density. Very clear division among urban core/downtown, fringe area, suburban, rural areas.
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Development Standards

Development standards consist of standards for each specific districts and standards applicable to the entire city. At the district level, the development standards include use table, site design standards (bulk and yard setbacks), building design standards, and applicability of other standards. At the city level, there are additional use standards and on-site development standards. Use standards cover additional criteria for specific uses. The on-site standards includes adequate public facility standards, environmental performance standards, accessory structures and uses, yard encroachment standards and temporary uses standards.	Well scaled and enough details at each level	Separate use and on-site development standards at the site and city levels are recommended	Limited graphics and many tables are used	Citywide on-site development standards include standards under accessory uses for several emerging uses such as chicken coop, wind turbines, apiary, and solar panel that can be referenced for the new code.
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Subdivision Standards

This is not a unified code and does not have specific subdivision standards. However, this code contains a lot of design standards on such as lot size, green open space that have direct impact on subdivision.		Separate subdivision standards		Zoning Ordinance and subdivision regulations have to be separate due to county's political structure.
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PHILADELPHIA, PA

Type of Code: **Modified Conventional**

Year Adopted:

Population: 1.5 million

Size: 141 square miles

Character: A historic, mature East Coast city with an urban character, strong downtown and established neighborhoods.

Zoning Code Topic	Best Practice or Weakness	Model or Innovation	Format and Graphics	Relevance to Prince George's County
Definitions and Administrative Procedures				
Located in early parts of ordinance				
List of definitions provides clear descriptions that provide a basis for understanding the rest of the code.	Best practice			
Districts				
Use Based with Districts. Eight base districts: residential, commercial and mixed use, industrial, institutional, entertainment, stadium, parks, airport. Overlay districts. Special districts	Best practice			High relevance since consensus is likely to be on retaining use-based approach. Simplification and consolidation in Philadelphia code is a good example.
Residential Districts: Consolidated with only three single-family detached districts. Includes a 'residential mixed use district'	Best practice			Historic city with urban lot sizes is able to consolidate; the county has many different sizes of suburban lots which will make consolidation more difficult.
Commercial Districts: Includes district for small-scale neighborhood retail. Range of districts from narrow to broad in terms of uses, intensities and scales, from neighborhood to regional retail. Includes two auto-oriented districts				The basic approach is relevant; it is organized around context and retail markets, rather than the overly broad C-Miscellaneous or too prescriptive C-Shopping Center
Overlay Districts: A dozen overlay districts based on geography for downtown and neighborhoods; also TOD and environmental and riverfront areas	Best practice: approach to legacy issues, simple TOD overlay based on mapping not 1/2 walk circles	Sunset clauses and anti-proliferation. Lists prohibited uses without tables.		
Use Tables and Regulations				
Organized by district; one table for each of the eight base districts.	Best practice			
Simple consolidated list of uses	Best practice			

Use Categories chapter: list of ten categories does not match up with districts; categories become header rows in the use tables; includes public, civic, and institutional uses; includes separate categories for vehicles, warehouse, and industrial uses; urban agriculture uses	Best practice			
Y=Yes 'permitted as of right' N=No, use is not allowed, expressly prohibited, S=special exception approval required.	Best practice	Use of 'yes' and 'no' is innovative	Easy to read table	
Broad, inclusive use categories. Uses are quite restrictive on residential. Good categorization on restaurants: prepared, take out, and sit down. 'Visitor Accommodations' category for hotels, etc.	Best practice	Innovative on definitions of uses	A lot of jumping around in the ordinance is necessary, from use tables back to districts and definitions.	
Principal and accessory uses are defined.	Best practice, accessory uses are allowed even if not listed in the use table			
Separate chapter on use regulations	The separation of districts, use tables, use regulations, and design standards is very conventional.		Too much jumping around from chapter to chapter is required.	
Development Standards				
Stand-alone chapter	Typical, but not as easy to use a standards provided along with the districts			
Dimension tables				
Bonus system based on FAR and Height: Mixed income housing, Underground parking, and 'Green' building, Also additional height for street extensions, public art and trails				Incentives are difficult in the county given low land costs, but mixed income and green practices could be a model. Required amenities are oriented to private space, suburban PUD vs. public space.
Form and design section			Lacks graphics	
Parking: Zero spaces are required for many uses,- Commercial parking requirements are typical 4/1000 sq. ft. but decreases with additional space; Bicycle parking				

RALEIGH UNIFIED DEVELOPMENT ORDINANCE

5.0

Type of Code:	Unified Form-Based (Zoning and Subdivision) (Building/Housing Code also included as Chapter 11)
Year Adopted:	2013
Population:	425,000
Size:	145 square miles
Character:	A growing Piedmont city ranging from urban to rural character. The downtown is small but growing and redeveloping, and surrounded by established neighborhoods. Outer areas are more suburban with open space, some planned development, and commercial sprawl along major thoroughfares.

Zoning Code Topic	Best Practice or Weakness	Model, Innovation, or Goal	Format and Graphics	Relevance to Prince George's County
Definitions and Administrative Procedures				
Located at back of ordinance	Typical for a form-based ordinance	None	No comment	Placement is more of a matter of style, but is also an indication that use is secondary to form in this type of zoning code.
List of definitions provides clear descriptions that provide a basis for understanding the rest of the code.	Neither	Includes a list of abbreviations	No comment	Definitions are 17 pages versus 43 pages in the current Subtitle 27. Many definitions may be related to the Building/Housing Code. If desire is to include more definitions, this might not be a relevant model.
Review bodies and review procedures for each type of case clearly identified. Simple process for non conformities relates back to a standard process.	Yes	Consolidates and simplifies processes. Good table that summarizes review authority	Use of flowcharts to summarize review processes	Not very relevant. In Raleigh, council review is limited to zoning matters, historical landmark designation, matters related to vested rights, and subdivisions in two types of overlay districts. There is no board that handles routine development review. There is a Board of Adjustment that decides Special Use Permits and Variances, and serves as appellate body for most staff decisions on site plans, subdivisions, and other matters.
Districts				
Districts are form-based, with each base district having a conditional use counterpart: • Residential Districts • Mixed Use Districts • Special Districts • Overlay Districts	Reduction to 18 base districts is a best practice	Conditional use counterparts to each of the base districts is an innovative way of incorporating context	Considerable use of graphics to define standards and building types	This ordinance provides an elegantly simple set of districts. There are Residential Districts to protect living environments, and Special Districts are provided to segregate certain types of uses. Most commercial and institutional uses would occur within the several Mixed Use Districts, with the form of the development setting the tone for the District.

Residential Districts - Five Residential Districts - One limited to single-family detached - Three Development Options - Special standards for infill development	Yes	Use of Development Options allows development clustering	Each building type is illustrated with standards for the underlying zone	The development patterns are very much market-driven and site-driven. Development Options appear to be by-right and only subject to open space requirements; under the Conservation Development Option, attached housing types are allowed in four of the five zones. The Raleigh Ordinance strongly favors clustering and preservation of open space.
Mixed Use Districts - Seven base Mixed Use Districts - Each must have height designation - Frontage type designation is optional - Neighborhood transition required next to any Residential District	Yes, most types of commercial development would occur in a mixed use context	Height and Frontage, along with Neighborhood Transition standards are creative ways of incorporating context	Each building type is illustrated with standards for the underlying zone	This is particularly where simplicity meets context. The code is concise but allows for a range of options to help shape commercial areas.
Special Districts - Six Special Districts covering conservation, agriculture, heavy industrial, manufactured housing, campus, and planned development - The Planned Development District allows modification of form and use requirements within a defined area in the context of a prepared master plan	Yes	This is a creative way of handling certain land use types	For conservation, agriculture, and heavy industrial, each building type is illustrated with standards for the underlying zone	Concern that so few districts can properly address the range of agricultural, industrial, and mining situations that exist in this county. The Planned Development District seems like an easy way to sidestep the Ordinance, and could lead to a range of mini zoning codes with little relevance to the main Ordinance - this is a situation that we are trying to eliminate in this rewrite, and is equivalent to our DDOZ, TDOZ, and possibly the MU-TC.
Overlay Districts • 12 Overlay Districts • Five environmental overlays • Other overlays cover corridors, character protection, transit oriented development, and residential parking	These are generally good practices and appropriate uses of overlays	None	None	The overlays modify the base zone standards and limit the uses in the overlay areas. This Ordinance and its use of Overlay Districts demonstrates how zones can be consolidated within a form-based code and uses can be limited in certain sensitive areas; in this way it is very applicable to Prince George's County.
Use Tables and Regulations				
Uses are organized into a separate chapter of the Ordinance, with 82 use types in five categories	Yes	Uses by District is summarized into a single four-page table	None	This type of consolidation should be seriously considered by Prince George's County.
Uses are classified as by-right (P), limited by-right (L), special use (S), or not permitted (--). Each use in the Use Table includes a reference to a specific subsection for a definition of the use and any use standards that limit the use within a specific District.	Yes	Every use is defined later in the chapter	None	The presentation makes it easy to compare Zoning Districts, and all information is at hand. If applied to the Prince George's code, the "L" designation would seem to be a means of simplifying and replacing footnotes, and the "S" designation appears to be roughly equivalent to our Special Exceptions.

A separate article discusses Accessory Uses and Structures. Definitions, along with standards for specific accessory uses, are included.	Yes	No comment	None	The list of accessory uses with standards is very much a consolidated list, and bears further study.
A separate article discusses Temporary Uses. Definitions, along with standards for specific temporary uses, are included.	Yes	No comment	None	The list of temporary uses with standards is very much a consolidated list, and merits further study.
All Special Uses (which are roughly equivalent to a special exception in Prince George's County) are evaluated under eight criteria as outlined in the Administration chapter: - Ordinance compliance - Consistency with the Use Table - Compliance with specific Use Standards - Compatibility with adjacent uses - Mitigation or offsetting of adverse impacts - Access with regard to safety, traffic flow, and emergency service is adequate - Dedication of streets/utilities required	Yes	No comment	None	The level of simplification to the process of reviewing special exceptions should be strongly considered along these lines. We cannot do dedication under any of our processes EXCEPT subdivision processes - this is the advantage of a unified ordinance.

Development Standards

This ordinance includes form-based development standards as a part of the sub-sections regarding individual zones. There is a separate chapter that handles parking, signage, landscaping, screening, and lighting.	Yes, the inclusion of form-based standards with individual zones is very typical of a form-based code	Not enough. It would have been expected that a newer code such as this one would include more in the area of green buildings and LEED.	Graphics are effective and well-used	If we go with form-based in some areas of Prince George's County, the content and conciseness of these standards should be replicated.
Parking requirements are simple and concise. There are no loading space requirements in the ordinance; this ordinance presumes that development plans will show loading spaces when they are appropriate to the use - plus the planning director can require that a specific plan be modified to show a loading space. Specific requirement included for: - Downtown District and TOD Overlay; minimum and maximum standards plus a parking fee in lieu allowed - Mixed-Use Zones with Urban Frontage; minimum and maximum standards	Yes	Inclusion of long-term and short-term bicycle parking standards is a plus. Issue that the standards don't address structured parking well	Limited but effective	For the most part, the parking standards are well-done and quite applicable. Reductions are appropriate and can be replicated in Prince George's County. In addition to the typical items, there are standards related remote parking, valet parking, tandem parking, and developments incorporating car sharing.

Signage standards are mostly presented in graphical and tabular format	Yes	No comment	Graphics and tables are effective and well-used	This is very applicable due to the simple and graphical nature of the way the standards are presented.
Landscaping, screening, and lighting standards are simple and well-illustrated	Yes	No comment	There is considerable use of graphics to illustrate the concepts and standards	These standards merit further study to see if they might simplify the procedures used in this county. Given that lighting has emerged recently as an issue, the Raleigh ordinance devotes some attention to lighting, and it may serve as a model.
Aside from the emphasis on mixed-use and lesser requirements available for some types of mixed-use, the direct use of incentives is not prominent in this ordinance	Not clear	No comment	None	Given the history of development in Prince George's County, perhaps the use of a zoning system like Raleigh's combined with some more explicit incentives would create an effective code
Subdivision Processes and Standards				
Subdivision standards are combined with site plan standards into a single chapter of the ordinance. Other related chapters cover natural resource protection and housing and building standards.	Yes, to the extent that it is understood that this is intended to be a unified code for development	No comment	None	Not really relevant, as the organization of the Raleigh ordinance steps is not consistent with the organization that exists in Prince George's County. While having a unified code is laudable, to create something similar in our County would involve Subtitles 13, 19, 22, 23, 25, and 32 in addition to Subtitles 24 and 27. Such an endeavor would blur responsibilities and the separation of powers which exists.
Most subdivisions and site plans are processed at a staff/director level. The exceptions are: - Subdivisions involving some waiver of a subdivision standard; heard by the Board of Adjustment - Subdivisions in the Metropark Protection Overlay Districts; heard by the Council - Subdivisions in one of the Historic Overlay Districts; heard by the Council - All applications decided at a staff/director level utilize the Board of Adjustment as an appellate body - All Board of Adjustment and Council hearings, both Decision and Appellate hearings, are quasi-judicial hearings with notice	It is hard to say if this is a best practice, but it does place the majority of applications within a non-political arena.	No comment	None	While this might appear to be not relevant to Prince George's County because of the differing review/approval processes, it might be helpful to move some more of the reviews to a staff/director level. This process requires notice of staff/director action. Within 30 days, any applicant, citizen, or other stakeholder would be able to appeal the decision to a decision-making board (in our case, the Planning Board) for a full hearing. Also, note that any waiver or variation automatically moves beyond the staff/director approval to a full hearing.

<p>Infrastructure sufficiency is required for all subdivisions and site plans:</p> <ul style="list-style-type: none"> - Transportation requires LOS E as a citywide standard, and mitigation plans are required except when (a) impacts occur at a location having a capital project; (b) there is quality transit service within 1/4 mile; or (c) the property is zoned Downtown Mixed-Use - Water supply, wastewater disposal, fire suppression, and stormwater are the other facilities which are checked 	Not clear	No comment	None	<p>It appears that traffic impacts are studied in a very minimal way, but it should also be noted that a thoroughfare fee (essentially a general transportation impact fee) is charged for all development at the time of permit (\$1,619 for a 2,800 square foot SFDU, with other rates for other uses). Parks are not tested for sufficiency but pay an average \$1,200 per SFDU at the time of permit as an impact fee. There appears to be no test or fee related to other public facilities, including schools and police.</p>
<p>Many of the development standards that are typically shown in subdivision regulations are contained within the individual zones.</p> <ul style="list-style-type: none"> - Private streets rather than easements are generally employed - Easements are allowed for cross-access between properties per access standards - Water must be placed within the right-of-way; dry utilities must be underground and outside of the right-of-way - Roadway types and streetscape standards are included 	Many of these represent frequently used practices, and are provided in simple language	Ordinance includes specific layout standards, including maximum length of a dead-end street and a maximum block perimeter length	Several of the layout concepts utilize illustrations	<p>Some of the concepts are interesting and merit consideration for Prince George's County. The Blocks, Lots, and Access subsection is quite good and may be very applicable to this county. Other parts were not as clear or might not effectively address issues in this county.</p>

WOODFORD COUNTY, KY

Type of Code: **Form-based**

Year Adopted: Unclear adoption date

Population: 25,077

Size: 192 square miles

Character: Village/Towns as urban nodes, suburban and rural

Zoning Code Topic	Best Practice or Weakness	Model, Innovation, or Goal	Format and Graphics	Relevance to Prince George's County
Definitions and Administrative Procedures				
A prescriptive not proscriptive code; states what is desired instead of what is not wanted. Leads to more by-right development within stated building envelopes	Best practice	Good goal to keep in mind for PGC's re-write	Good use of charts and diagrams	The county could benefit from emphasis on prescriptive versus proscriptive policies
Building permit process is by-right development within codified building envelopes and development standards	Best practice to limit need for site plan	Goal - streamline the development process	Good use of charts	Interesting way to carve out some development away from site plan requirement.
Use of pre-design meetings with staff prior to building permit application	Best practice	Goal - early meetings with staff	No graphics	Requiring this could cut down on issues in the process.
Development plan approval process is only for three things: subdivision; re-zonings; and special exceptions	Best practice to limit full development approval process to more complex issues	Reduce the number of projects subject to full approval process	No graphics	This would represent a significant change for the county
Development plan review includes pre-design meeting with staff and 3 step process: pre-design meeting; concept plan review by staff; final plan approval by planning commission	Best practice to have pre-design meeting and concept approval at staff level	First two steps done with staff should cut down on the time approvals take	No graphics	Not sure, in the county, if public and planning board input should be saved until the end after staff "approval"
Subdivisions: preliminary advisory meeting with the planning commission is required	Best practice	Planning commission gets a preliminary view at every subdivision and can raise issues early in a non-confrontational forum	No graphics	Interesting idea that could be useful.
Districts				
Districts are not discussed in this section; but it is implied that districts didn't change upon adoption of the form based regulating plans.	N/A	N/A	N/A	N/A

5.0

Use Tables and Regulations				
No use tables; uses are discussed generally within the building envelope diagrams	Best practice for form based code	N/A	N/A	N/A
Development Standards				
Regulating plans emphasize form, building placement and build-to lines.	Best practice	N/A	Good use of charts and diagrams	This could be applicable in certain targeted areas in the county, such as certain metro station areas
Architectural standards are included but only apply to buildings that are visible from a public way	Neutral	N/A	N/A	Not sure how applicable this is to Prince George's County. Woodford County is very small compared to the county and that community seems to have a very distinctive and established architectural history.
Emphasis on creation of neighborhoods through mix of uses required for developments in excess of 15 acres - not clear whether the underlying zone makes any difference.	Best practice	Goal - require mix of uses but only in large developments	Good use of charts to establish maximum and minimum use mixes	Even though the mix of uses is required for large developments, the requirements are very flexible requiring certain minimums and maximums that are not onerous, eg. Min 2% storefront type buildings and max. 30%. That's a large spread.
Tree canopy requirement is based on the width of lot	Best practice	Easy standard	Simple standard, easy to calculate using chart	
Uses illustrated charts and diagrams to convey development standards; and photos to illustrate different building types and architectural styles	Best practice	N/A	Good not great.	Good graphics to illustrate a simple code, but Prince George's County is a lot bigger and more complicated than Woodford.

