



**Prince George's County Planning Department
Zoning Ordinance and Subdivision Regulations Rewrite
City of College Park – April 27, 2015**

- **Why did the previous attempts to rewrite the Zoning Ordinance fail?**
Rewriting the Zoning Ordinance is an extremely difficult and technical process. People align with ideas that they like. Strong political investment and political sway affects the outcome of the project. Community opposition, or lack of active support, plays a strong role. There has also been a tendency to slip into a lack of momentum with each prior effort that caused previous attempts to derail.
- **Assuming that the Zoning Ordinance were to go through, would this override anything in the (Central US 1 Corridor) sector plan?**
More than likely. In order to get the new zones on the ground, we would need to go through what is often called a comprehensive zoning map amendment, which would apply new zones to properties across the county. The sector plan recommendations would remain in place until a plan update is completed, but the zoning for properties within the sector plan area would likely change to some degree or other.
- **Are you saying that by 2017, the sector plan and TDDP (Transit District Development Plan) will be out the door? What advice do we give developers or interested parties who are looking to develop in that time period?**
The new Zoning Ordinance only goes into effect once it is approved by the District Council, and the new Subdivision Regulations must be jointly approved by the District Council and the County Executive; until that point, the current Zoning Ordinance and all of the overlay zones remain in play. Continue with what is on the ground. Existing developments will be grandfathered in, which is generally a best practice nationally.
- **You are trying for a reduction in the size and complexity of the Zoning Ordinance, and recommend a maximum page count 1/3rd less than the current code. Does showing the procedures through illustrations and flow-charts count towards that page limit?**
Visualizing the procedures in a flow chart would be in addition to the written procedures. Additionally, many jurisdictions create Applications Procedures Manuals, which are separate from the code to detail the procedures that staff and potential developers must follow to get from point A to point B in the legislated process. These are recommendations that Clarion has made. There is little value added to the process in legislating how staff physically moves something



from one office to another, as an example. This is better handled through an Applications Procedures Manual.

- **Is there some way that the state or delegates could allow the University of Maryland to conform to County zoning regulations?**

This is not something that this particular project can impact.

- **Could you explain “call up?”**

The term “call up” refers to a power exercised by the District Council that allows them to independently select certain development applications to review during a public hearing process. They can “reach down” to a decision made by the Planning Board, or Zoning Hearing Examiner, for example, and choose to “call” that case up for further review by the council.

This ability to “call up” cases is a very unique and controversial element of the Prince George’s County zoning regulations, and we have heard pros and cons from the community and the council members themselves. We expect this to be a very important and interesting topic to watch as we continue with the project.

- **Can County Council members call up applications that the Planning Board has made decisions on without any parties of records appealing?**

Yes, as long as the council review is requested within 30 days of the Planning Board’s decision, they may choose to hold a discretionary hearing and review of the application.

- **What did you mean by the University of Maryland not having to comply with Prince George’s County Zoning Ordinance is out of the scope of the project? Some thought should be given to what is the impact of a “super governmental authority” when it doesn’t comply with a local Zoning Ordinance.**

As a state entity, the University of Maryland is not subject to local (e.g. Prince George’s County) planning, zoning, and subdivision regulations. The University of Maryland typically participates in the county processes when it undertakes joint development ventures, and voluntarily subjects itself to county regulations.

- **The conduct of the Public Hearings bothers me, specifically Planning Board members leaving during presentations and then coming back to participate in the vote. Will Planning Board members be guided by the Zoning Ordinance and will the time of the Public Hearings be changed [will there be night meetings]?**



We have heard concern from residents about the location and time of public hearings. This is something that we are looking into. In terms of how meetings of both the Planning Board and the County/District Council are conducted, these are subject to each body's respective rules of order.

- **You said it is hard to incentivize infill development. Why is this and how can it be changed?**
 The land and infrastructure are expensive. At times the County is unable to invest in the public infrastructure which makes it more expensive for developers. Also, multiple overlay zones such as the Development District Overlay Zone (DDOZ) and Transit District Overlay Zone (TDO) make it difficult and time consuming to understand what you can do on a particular parcel. Infill development can be incentivized by making it easier to build on the land.
- **Has any jurisdiction in the State of Maryland been successful in lobbying for local authority over State-owned lands?**
 Not to our knowledge.
- **Has there been any structure in modifying the composition of the Planning Board or District Council, either by adding at-large members, increasing the number of members, or regionalizing the composition?**
 This falls into the political composition of Prince George's County and is outside the scope of the Zoning Ordinance and Subdivision Regulations Rewrite.
- **How does streamlining the process attract more developers?**
 Reducing process, shortening timelines, and making the overall process more certain reduces the risks to developers, encouraging more development within the county.
- **Even if the county streamlines the process, we need to think about the role of municipalities and if we should streamline our current processes as well.**
- **How will there be transparency in the process so that community members can be aware of what is going on?**
 We encourage everyone to stay in touch with us through our webpage (zoningpgc.pgplanning.com), Twitter site, and Facebook page.
- **Is there any way that we can request that developers pay for infrastructure development for new developments?**
 We are looking at all types of utilities with this process and we are working with workgroups to



determine how to create partnership and achieve some of the goals that the County has. Currently, developers pay for most new infrastructure.

- **Is WMATA property subject to the County’s Zoning Ordinance?**
 WMATA is considered something akin to a “quasi-state” agency that is not subject to the County’s zoning regulations. However, if a joint development occurs on WMATA property, that development is typically subject because the applicant is usually the private developer.
- **How will you allow for ensuring that other agencies complete their application deadlines on time? Would you allow an application to be submitted through a completeness check even if another agency has not provided information pertinent to the application?**
 This is something that we are looking through with our agency coordination working group. Clarion is very experienced with these kinds of situations and can offer some potential recommendations.
- **What does “neighborhood preservation” and “protecting stable neighborhoods” mean?**
 They mean different things to different people. What we’ve heard most strongly to date is a clear desire to ensure new development does not negatively impact existing single-family residential neighborhoods.
- **Is the College Park Foundation exempt from zoning? If they are not, who is paying attention to what they are buying and transferring to the University of Maryland?**
 No, this foundation is a private entity bound by the county’s zoning regulations. The honest answer to the second question is nobody. This is something we may want to look into, but there is little that can be done to prevent fee simple or donated property transfers.

Follow Up

The city council members who were present want to arrange a future meeting with the city’s Planning Advisory Committee to discuss the project.