



**Zoning Ordinance and Subdivision Regulations Rewrite
Central Coalition of Civic Associations – June 24, 2015**

Comments from the community are reflected in **bold text** and staff responses are in normal text.

- **Regarding the OpenComment on-line system, what happens when comments get ugly?**
 People who wish to participate on OpenComment have to register and provide their email address. The conversation is monitored. If the conversation is offensive, the conversation will be taken down.
- **If the County Council isn't reviewing plans, who is?**
 Regarding Minor Site Plans, applicants will submit the plan, staff will review them, and staff will make the decision. These decisions can then be taken to the Planning Board on appeal. For more major decisions the Planning Board would decide, and the case would then be appealable to the Council. Additionally, the County Council, sitting as the District Council, will still make certain decisions such as any changes in the zoning of a property.
- **One of the participants asked about the Landover Mall Sector Plan and the heights that ended up being recommended in the final plan.**
 If staff recalls correctly, a maximum building height of 16 stories was recommended in the approved sector plan.
- **Some discussion of how comments from the community are being addressed in the Zoning Ordinance and Subdivision Regulations Rewrite project.**
 Dr. Douglas Edwards, who is participating on the project's Zoning Technical Panel as one of three community representatives, indicated that in his opinion, all comments from the community are being taking into consideration and addressed in the project. The community input role in the development review process is also a key consideration of the rewrite effort.
- **With regard to the ability of the District Council to call-up cases and Clarion's recommendation that this go away, will staff and other decision makers in the new process communicate what is really desired by the community?**
 We are aware that this is a big concern among the county residents and there is a lack of trust; one consideration is that nobody can trust anybody unless we can all understand the code itself. If a lot of people believe the District Council should be making the final decisions in many development review cases and that this ability is more important to preserve at the possible expense of losing investment opportunities in the County, so be it. In most areas, however, this is not how it is done. The plans and zoning are approved by the council, but the boards and staff approve development projects in accordance with the direction of the council through the approved plans and laws.



- **The community has issues with beauty salons, fast food, etc. and does not want any more of these uses. The Council understands this, but staff is not out there, does not live in the communities, and is not involved.**
 This is a fair point with regard to staff, but it is also difficult to restrict uses that are otherwise permitted by the underlying zone.
- **When will the new Zoning Ordinance go into effect?**
 The timing for the effective date is under consideration. As a recent example, the Montgomery County Zoning Ordinance was approved in March 2014 and went into effect in October. An approach similar to this is one of the options for Prince George's County.
- **Could court challenges delay the release of the new ordinance?**
 We are talking about changing the law through the county code. It is unlikely that the new Zoning Ordinance or Subdivision Regulations will be challenged in court. It is possible that individual cases will be challenged but not the code.
- **Will existing development be grandfathered?**
 The short answer is yes. If the development is an existing development, it will be grandfathered. If the owner wants to rebuild or change the property in a significant manner, the new code will apply. One of the reasons for doing a new code is to encourage quality development.
- **We have situations where a mall was zoned one way and rezoned a different way and a business that was there before cannot conform to the new zoning. The case is before the District Council now. In this case, will the business be grandfathered?**
 If you have a building that was a legal use when it started, it should be permitted. The County's position is that if the use was not legal when it started, then it is an illegal use.
- **If the business owner was not taking care of the building, under the new code can we make the business update the building?**
 The new code will incentivize redevelopment and include property standards. The intent is that the new code will enhance property standards but the County has to enforce the property standards.
- **How will the new code affect land use?**
 The County government can tell residents what they can do with their land but the County does this through the Zoning Ordinance regulations and not by changing the rules on a case-by-case basis. The new code will encourage redevelopment. It will encourage mixed-use development. It will encourage investors to knock down outdated and decaying development and replace it with nicer development.
- **What about McMansions? Will they be allowed?**
 The proposed neighborhood conservation overlay zone that Clarion recommends may be one way



to help deal with this issue, but we should keep in mind that one person's "McMansion" is another person's "revitalization."

- **How did the County approve the Crematory that came from Virginia to Cheverly?**
Dr. Douglas Edwards provided a response to the group on this question: Mr. Edwards mentioned that he contacted the Mayors of Colmar Manor and Cheverly and obtained a response. He also mentioned that the Detailed Site Plan shows the development in District 5. However, Councilman Turner's Office, District 4, responded to Mr. Edwards and noted that they could not respond to his questions because the case is before the District Council. The final decision has not yet been reached.