



**Zoning Ordinance and Subdivision Regulations Rewrite
Town of Cheverly – Development Review Advisory Committee
October 11, 2016**

The purpose of this discussion was to present Clarion Associates' recommendations contained in Module 3 for process and administration, and to discuss the concerns and questions of the group. Questions and comments are identified by **bold text**. Responses to questions and additional presenter comments are identified by normal text.

Regarding the review authority table – could it be ordered chronologically?

Ordering the table chronologically may be challenging, because the review bodies are not necessarily in the same order, or even involved, in each review process.

If the Council initiates a plan, does the Planning Board still make a recommendation or is that step skipped?

The Planning Board will still need to review and make recommendations. Council initiation does not mean that the other steps can be skipped.

Although zoning is supposed to be a very technocratic/bureaucratic process, it is actually very political. The Council's ability to elect to review a case (also known as "call-up") is an opportunity for members of the public to have their voices heard/impact the process.

"Call-up" can be used to address the appellate "standing" that state law has reduced.

Why is there a differentiation between inside and outside the beltway?

Much of the County's older development is inside the beltway, as are 14 of the 15 metro stations and most of our transit-oriented development potential. Generally speaking, the use of the beltway as a dividing line between the most developed part of the County and the more suburban areas is a reasonable approach.

Can non-conforming uses continue to be non-conforming indefinitely?

Yes. A non-conforming use can remain as long as it chooses by not making any changes. If a non-conforming use wants to change to another non-conforming use, the proposed code would allow it, which is a new recommendation for the County.

What if the sector plan or area master plan does not recommend a non-conforming use?

There is no distinction yet for what is recommended by a comprehensive plan, and this has nothing to do with the non-conforming status of the use. As proposed, any change from one nonconforming use to another will need to obtain a special exception, allowing for a review of potential neighborhood impacts.



Can you explain billboards? What about temporary signs?

Temporary signs are permitted as proposed in Module Two. They are subject to size and duration regulations. The original ordinance to ban billboards contained a provision for removing them that expired thirty years ago. This section has been removed from the ordinance since it is no longer pertinent.

Will the rewrite increase the level of staff for enforcement?

The zoning rewrite will not directly increase the number of code enforcement officers. There is a pending bill to increase the pay scale for code enforcement officers. This will hopefully make the position more competitive in the region.

The enforcement process for removing certification of non-conforming uses may be murky.

It is possible that revisions will need to be made. If you have any specific language or concerns please let us know.

Did the consultant compile a list of code issues?

The consultant identified the major issues in the Evaluation and Recommendations Report. However, they did not create a detailed list of all issues.

The Ridges is a community nearly abutting the Landover Metro Station and is too low density for its location. Do we have a test case to look at density near Metro stations?

One of the test cases is for Suitland Manor, which is near the Suitland Metro and is a lower density residential area.

How will the test cases work? What will the results be?

The test case process is to go through the new code and the new process and identify where improvements are needed. The results will be the comparison of what was built with the old code, or what could have been built under the old code, and what could be built under the new code. The results will be posted online and we will also have public meetings to discuss them.

It seems like we are not defining the zones well enough.

The zones in the proposed code start with the goals listed in Plan 2035, then the consultant used best-practice zones from around the country and filtered/adjusted those through what the market in the County would and should support. The Planned Development (PD) zone is a floating zone that can capitalize on the market. Additionally, the new international building code now allows for wood-built structures over concrete and steel podiums at approximately 8 total stories. This will make it more affordable to build taller structures in the County without requiring concrete and steel.

Cheverly doesn't currently have Accessory Dwelling Units (ADUs). Will there be ADUs in the new code?

ADUs are proposed in the new code in Module 1.



When is the “moment of truth” to approve the code?

The legislative date is dependent upon the Council. We are looking at the next step, the Comprehensive Review Draft, coming up this winter.

Perhaps “call-up” can be phased out through term-limits.

How does this code benchmark against the region?

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