



**Zoning Ordinance and Subdivision Regulations Rewrite
City of Greenbelt
October 5, 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.

Will property values be impacted negatively or positively as a result of the new Zoning Ordinance?

We can't guarantee what will occur. We think there will be few changes because most of the residential zones proposed by Clarion Associates mirror very closely our current residential zones in terms of their dimensional standards and, generally, their permitted uses.

What would change due to the new Zoning Ordinance?

Depends of the development projects that are built, their location, and their zone. For instance, if the FBI building is built at the Greenbelt site, it is likely that property values for Greenbelt and College Park in the surrounding areas will increase, but this has little to do with the Zoning Ordinance itself.

What other changes would happen?

Most changes wouldn't happen immediately. The homestead credit is on 3-year cycles so there will not be massive change all at once.

With 60 percent of the new development projects recommended to occur under administrative review, will there still need to be prior notification?

Yes, there will still be public notification for many developments. Projects that proceed directly to permit review would likely not require prior notification but we are exploring ways (such as monthly reports) to let people know what is happening in a more transparent manner.

Does that mean the property would be posted?

Yes. The type of posting is dependent on the application. See the table proposed in Module 3 for the full details of what Clarion Associates is recommending.

Will municipalities be given notice as well?

Yes. There is a 10 day posting requirement for minor site plans, and more for major site plans.

Ten days is not an adequate amount of time.

Comment noted.



When would we be notified of developments that are by-right?

There is an applicability section for each of the application types, which lists the applications that do not need site plan approval or notification.

Are any of the applications administrative in the proposed code, but are not allowed as administrative procedures today?

Minor site plans are recommended to be reviewed by planning staff and approved by the Director. While these do have site plans, they would not require public planning board hearings.

Can we require published notice to be published in the Washington Post?

The public notice requires publication in one paper of record. However, the Washington Post is not listed as a paper of public record for the County.

Will the Procedures Manual be an online or printed document?

It would be an online document mostly. It will be completed approximately 18 months from now – assuming the code is approved a year from now. It could be printed on request.

This is a frustrating process. Everything still seems to be up in the air. How significant will the municipal/public role be in reviewing the rewrite documents?

The public will be able to see staff analysis of all comments. Staff is in the process of analyzing each comment and will agree or disagree, and make recommendations on what should change in the modules as a result of community input. This will all be posted online and if the commenter feels wronged by the analysis, they can let us and their Council Member know. Once the code is submitted for legislation, all comments will be collected by the County Clerk as part of the legislative review and approval process. If there are public comments on the re-write, we will respond whenever possible.

Municipalities should balance out the County Council's input. We should be able to respond within the timeframes.

Comments and suggestions from municipalities are included in the staff analysis files. Municipalities should also submit comments directly to the County Council to ensure best consideration.

We want to make sure that all the municipalities have the opportunity to review the process and raise disagreements.

We also need to raise this concern to the District Council. We want to make sure that all comments are heard.

Will the Council hold hearings to discuss the code?

Yes, hearings will be held. However, it is not like the master plan process, where there are joint public hearings with the Planning Board. Instead, Council hearings will be part of the legislative process. We are working with the Council and their staff to discuss committee briefings and other review opportunities.



Will municipalities have the same authority over departures?

Yes. In the proposed code, they are called “adjustments,” but municipalities will have the same authority they have today (as delegated by the District Council). Moreover, there are additional adjustments that the municipality may have authority to review, and we will be looking into this question in more detail, as it pertains to the state enabling legislation.

The thresholds for minor and major site plans may be too large.

Comment noted. We have heard similar comments and will need to find consensus regarding the proper level.

Do other jurisdictions have regulations for the posted notices?

Most jurisdictions have development information on the sign in addition to contact numbers.

Can signs be placed in central areas, so that more people can see them?

Comment noted. It may be confusing to place a sign for a development case at any location other than the development site. One recommendation we’ve received is to have a robust development application map, where anyone can go online and find proposed developments in their area.

Which papers of record are required? Can the Greenbelt News Review be included?

The legislation does not specify which paper of record is to be used. The papers of record are decided by the County Charter. The code would not be able to require the local Greenbelt paper to be included.

Would the development map be an online list?

This comment refers to a mapping application produced by the Planning Department. This map is still a work-in-progress, but it is now online and could list all of the development proposals. The Planning Department wants to emphasize transparency and could, in addition to listing the active proposals, also list what stage of the process each proposal is at.

What is the definition of an aggrieved party?

Aggrieved parties are limited to those that are abutting /confronting a property or are financially impacted by the proposed development. Municipalities always have the standing to appeal a case that is within its jurisdiction. Status as an aggrieved party supersedes being a party-of-record.

What makes something appealable?

An appeal needs to be based on a mistake in how the law was carried out. Cases that have decisions which are simply not liked are not considered appealable.



When the County is re-zoned, would areas that have historic designations be considered non-conforming?

No. Being non-conforming would result in having a use, building, or lot that does not meet the requirements of the new standards. Historic areas could be non-conforming, but they would not be non-conforming because of their historic status.

Do the non-conforming residential lot regulations assume no adjustments will be needed?

Most likely. We will need to follow up.

The threshold for minor site plans is too high. The City would also like more input opportunities for minor site plans.

How do the administrative procedures allow for public input? The 30 day notice is not enough time for the city to comment on developments.

Would there be plans for by-right developments?

The development will have a plan, but it will not go through the site plan process. "Site-plan" can be a confusing term.

Will the city need to re-enable the review authority it currently has for departures?

No. However, there are new adjustment elements that could receive municipal authority. If these are indeed available for municipal delegation pursuant to state law, these additional elements would need enabling resolutions from the city and the District Council.

It is necessary that the new code explicitly state that any fee-in lieu for parks be given to the municipality, not the metropolitan district?

The Department of Parks and Recreation is exploring the possibility of changing the dedication process in favor of a surcharge or other approach. If a surcharge is used, this would need to be clarified then.

Who would pay the surcharge and who would receive the surcharge?

The surcharge would be paid by the applicant instead of dedicating a portion of their land. The surcharge would be a one-time payment. The Department of Parks and Recreation will study the appropriate levels to set the charge.

Greenbelt has always taken land instead of a surcharge.

Greenbelt believes the threshold for major and minor site plans and subdivisions should be lowered. Montgomery County may provide a guide for the levels to choose.



We want the development process to be more transparent. We also want public access and notice improved – it's apparent that submitting comments at the last minute cannot work. The city needs to be more nimble to respond to development proposals.

The online development map will be very helpful.

The city will comment that text amendments should go through the Planning Board first.

Beltway Plaza is one of the test cases. What part of Beltway Plaza and how are aesthetics taken into account?

Test case results will be shared publically, but they do not represent any real development plans. The portion of Beltway Plaza that is a test case are the pad sites and parking structure located near MD 193. There is another test case on US 1 at Knox Rd. The purpose of the test cases is to see how well the new code works. The results of the test cases will contribute to changes for the code. Aesthetics are not taken into account. The test will review height, massing, landscaping, etc., focusing on process, public input opportunities, and the proposed regulations of the new Zoning Ordinance.

The goal of the code is to be in sync with Plan 2035. Have there been any amendments for Plan 2035 since its approval?

There have been a couple, yes. The most recent is the Prince George's Plaza Transit District Development Plan.

What is the best way to protect historic areas of Greenbelt?

We will continue to coordinate with Greenbelt staff regarding a potential neighborhood conservation overlay (NCO) zone. This overlay can place a density cap. Staff is in receipt of 8 proposed goals for the NCO zone from the city staff.

Have you met with the Four Cities and the Municipal Association?

We have met with the Four Cities coalition before, and once with the Municipal Association, though not recently. There have been attempts to arrange a meeting, but the Municipal Association has been unable to find a good time that fits with their schedule.

It will be important to train the permit reviewers to assess all of the new standards.