

HEALTH AND ZONING IN PRINCE GEORGE'S COUNTY

CREATING A 21ST CENTURY ZONING ORDINANCE FOR PRINCE GEORGE'S COUNTY

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INTRODUCTION

“At the heart of any community’s success and prosperity is the health of its residents. When people have safe neighborhoods, a clean environment, access to physical activity, recreation, nutritious foods, affordable health care, and other resources that contribute to a healthy lifestyle, they are more equipped to excel in school, thrive in the workforce and fulfill their civic responsibilities.” – *Prince George’s County Health Improvement Plan 2011 to 2014: Blueprint for a Healthier County*

As part of the effort to create a new Zoning Ordinance and Subdivision Regulations for Prince George’s County, staff have identified health concerns that could be affected by land use decisions and the need to evaluate the role zoning regulations may play in improving the public health of communities within Prince George’s County.

Prompted through meetings with project stakeholders, including the Prince George’s County Food Equity Council and the Health Policy Research Consortium, this discussion paper examines the relationship between land use regulations and improving community health, explores critical health concerns in Prince George’s County, reviews recent policy impacting the health of County residents, and investigates key practices enacted by neighboring jurisdictions in an attempt to remedy public health concerns through updating their Zoning Ordinances. Finally, staff provides additional recommendations for how the County should proceed in its work to create a 21st Century Zoning Ordinance that contributes to healthier environments for the citizens of Prince George’s County.

Staff reminds the reader that, at the time of this writing, the Planning Department, Planning Board, and District Council have not taken positions regarding the proposals presented by Clarion Associates, project consultants for the Zoning Ordinance and Subdivision Regulations Rewrite. Nothing in this discussion paper should be viewed as endorsement or adoption of any recommendation made by Clarion.

The Zoning Rewrite team has made several efforts to learn more about the impacts of zoning on the physical and psychological wellness of a community and the modern responses to these challenges. Some of these include:

- Attending the Urban Land Institute conference on Health and the Built Environment.
- Meeting with the Prince George’s County Health Department to learn about Health Impact Assessments, Health in All Policies, and current County priorities as it relates to health challenges.
- Meeting with the Pedestrian Safety Workgroup of the Prince George’s County Healthcare Action Coalition.
- Meeting with the Prince George’s County Food Equity Council to learn more about the Prince George’s County food production system and emerging trends in urban agriculture.
- Meeting with the Port Towns Community Health Partnership to learn about Eco-Districts, and community recommendations for re-use of vacant industrial and warehouse properties.
- Meeting with the Health Policy Research Consortium to better understand national initiatives that are working to address health challenges in Prince George’s County.
- Researching best practices and national practices for addressing health in zoning and meeting with local jurisdictions.

LAND USE REGULATIONS AND HEALTH

Protecting public health is the most central foundation of zoning and land-use policy. In 1926, the United States Supreme Court upheld rulings by lower courts in the landmark case *Village of Euclid, Ohio v. Ambler Realty Co.* In this case, the Town of Euclid developed a zoning ordinance based upon six classes of use, three classes of height, and four classes of area. The intent of Euclid’s zoning ordinance was to prevent industrial development and the associated nuisances and ill health effects for the residential community by creating zones that restrict incompatible land uses.

This Supreme Court decision established precedent that a local government is acting constitutionally when it establishes a zoning ordinance so long as this zoning has a rational public purpose related to

public health, safety, or welfare. While the origin of zones emphasized the separation of uses deemed detrimental to human life and living spaces as a primary way to protect the public health and welfare, zoning and land use regulation have evolved to recognize that human health is an outcome of many factors. These include the form and character of development, the proximity of goods, employment, and services to one's home, environmental protection laws associated with clean air and water, noise, the availability of sufficient water and sewerage services, and many other elements that go well beyond separation of uses.

Zoning determines how land is used, where buildings can be placed on a site, how large they may be, and what types of uses are allowed in a community. In Prince George's County, the Zoning Ordinance and Subdivision Regulations establish fundamental support for the protection of human health through the legal techniques of zoning and subdivision and by incorporating development regulations. In combination with the policy direction offered by comprehensive plans, the health, safety, and welfare of Prince Georgians is assured—but only if the vision, goals, and regulations of the plans are actually implemented. Therefore, one of the major goals of the Zoning Ordinance and Subdivision Regulations rewrite is to simplify the regulations so they are more easily understandable, implementable, and enforceable in order to achieve the County's health and wellness policies.

Looking to other jurisdictions for insight, staff studied the 2010 analysis of health for the City of Baltimore. It provides guidance on how the Prince George's County Zoning Ordinance and the County's Zoning Map can play a significant role in achieving healthy outcomes. It states that:

“The zoning code and zoning map can impact health through the following ways:

Use through regulation of the purposes for which private property is used (e.g. commercial or residential) and through creation of districts where particular collections of uses are allowed.

Form through regulation of aesthetic and design elements of how private property can look (e.g., building height or appearance of street-level windows).

Location through creation of maps specifying where uses and districts are allowed throughout a City because use, form, and location can affect health behaviors and outcomes, there is growing interest among public health officials and researchers in exploring how zoning can be used to facilitate the development of healthy communities.”¹

Additional aspects of planning, zoning, and subdivision that help establish the foundation for healthy communities includes the provision of green area and open spaces to provide areas for outdoor enjoyment, recreational facilities, natural lighting, and fresh air. Regulations contribute to the creation of a public realm including sidewalks, bicycle facilities, parks, trails, playgrounds, and other recreational uses that encourage healthy lifestyles. An important tangential benefit to these elements in the physical environment is they also tend to add financial value to both individual developments and communities, helping the County diversify and increase its tax base.

HEALTH RELATED CHALLENGES IN PRINCE GEORGE'S COUNTY

Prince George's County is the third most populous jurisdiction in the Washington metropolitan area—more than 900,000 individuals live within the County's 498 square miles. The County boasts the second highest number of Metrorail stations in the Washington, DC region and has more than 90 miles of trails in its park system. The Maryland-National Capital Park and Planning Commission owns over 27,000 acres of parkland. The median household income for County residents far exceeds the national average of \$51,914, with households earning an average of \$71,260.² Despite the health-positive infrastructure within the County, the relationship between County residents' socioeconomic status and health defies national trends that wealthier communities are healthier communities.

¹ Thornton R, Fichtenberg C, Greiner A, Feingold B, Ellen J, Jennings J, et al. Zoning for a Healthy Baltimore: A Health Impact Assessment of the TransForm Baltimore Comprehensive Zoning Code Rewrite. Baltimore; Johns Hopkins University Center for Child and Community Health Research, 2010.

² Maryland-National Park and Planning Commission, Prince George's Planning Department, 2014 Plan Prince George's 2035 Approved General Plan.

Chronic Diseases and Obesity-related Illnesses

Death from chronic disease in Prince George’s County is high in comparison with other counties, the state, and the nation. Inner-Beltway communities have the most elevated levels of mortality from chronic diseases in Prince George’s County. Moreover, the Johns Hopkins Center for a Livable Future reports that there are high rates of mortality from chronic diseases including diabetes and heart disease in parts of central and southern Prince George’s County.³

The 2015 *Health Department Annual Report* concluded that heart disease, cancer, stroke, and diabetes contributes to nearly 60 percent of all deaths in the County. The age-adjusted death rates for both diabetes and heart disease in Prince George’s County ranks number 4 among the 24 Maryland jurisdictions (23 counties and Baltimore City) for highest number of ‘premature deaths’ in persons of all ages.⁴ It is believed that heart disease, diabetes, and other diet-related chronic diseases can be linked to the consumption of readily available unhealthy foods, combined with a sedentary lifestyle.

Access to Fresh Fruits and Vegetables

Areas with limited access to affordable and nutritious food, particularly in predominantly lower income neighborhoods and communities or areas where residents do not have adequate access to a food outlet that sells an ample variety of fresh, healthy food items, are often referred to as food deserts. The original United States Department of Agriculture (USDA) measurement identifies food deserts as “low-income census tracts where a significant number or share of residents is more than 1 mile (urban) or 10 miles (rural) from the nearest supermarket.” Using this measurement, nearly 14 percent of Prince George’s County census tracts—almost all of whom are located inside the [b]eltway—struggle with this issue.⁵

In contrast to food deserts, an area with an abundance of convenience stores and fast food restaurants is defined as a “food swamp.” Plan 2035 indicates that an estimated 71 percent of all food establishments in Prince George’s County are fast food establishments, serving prepared foods or foods of convenience. There are areas of the County where there is a concentration of fast food establishments, particularly inside the Growth Boundary and along transportation corridors that are only accessible by car. Food deserts and food swamps are not mutually exclusive, and both terms may often describe the same area.

While there is ongoing debate about the true impact of food deserts and food swamps on food consumption behavior, all communities should have similarly good access to healthy, quality foods at comparable prices, and should not be inundated with unhealthy food outlets. The American Journal of Preventive Medicine uncovered a clear link between communities with access to supermarkets and lower obesity rates in children. In addition, persons not consuming recommended quantities of food in key food groups that meet basic nutrition requirements are at risk for developing heart disease, diabetes, hypertension, osteoporosis, and certain cancers.

The availability of healthy and unhealthy foods in a community is fundamentally driven by a number of factors:

- Proximity of food outlets to schools and residential areas.
- Prevalence and types of food outlets available in neighborhoods.
- The presence of food and nutrition programs in a community.
- Local policy and regulatory framework, for example food policy councils, food charters, local plan-making, zoning regulations, design regulations, and other standards.

Crime and the Fear of Crime

Two of the most pressing psychological quality of life issues facing any community are public safety and the perception of safety. Individuals want to, and should, feel safe. The prevalence of crime—or even the

³ Johns Hopkins Center for a Livable Future. 2012. Maryland Food System Map. Edited by Johns Hopkins Bloomberg School of Public Health. www.mdfoodsystemmap.org.

⁴ Lurie, Nicole, Katherine M. Harris, Regina A. Shih, Teague Ruder, Amber Price, Linda G. Martin, Joie Acosta, and C. Janice Blanchard. 2009. *Assessing Health and*. Arlington: RAND Corporation.

⁵ Plan Prince George’s 2035.

perception of crime—can impact an individual’s decision to drive to a close destination rather than walk, jog, or bicycle there. How safe people feel in a particular location and environment often determines where they choose to live, work, shop, and play. High crime rates and targeted media coverage of criminal activity may fuel perceptions that an entire community is unsafe despite crime being isolated or concentrated in specific areas.

Based on the Federal Bureau of Investigation’s 2014 *Uniform Crime Report*, crime in Prince George’s County has decreased on many levels over the prior five years. However, additional public safety manpower and resources are needed to further reduce crime and mitigate negative perceptions of safety in Prince George’s County.

Pedestrian Fatalities

In Prince George’s County, there were 18 pedestrian fatalities in 2015. There were 23 pedestrian fatalities in 2014. Although the number of pedestrian fatalities between 2014 and 2015 has declined, Prince George’s County has the highest number of reported pedestrian traffic fatalities of all counties within the State of Maryland. Contributing factors to the high pedestrian fatality rate in Prince George’s County are the lack of pedestrian infrastructure in the physical environment, the quantity of high speed arterial roads, and unsafe driver/pedestrian behavior.

Making streets safer by combating crime and the perception of crime; educating the community about pedestrian, bicyclist, and motorist safety; and improving connectivity and access to public spaces and places are essential to a community’s health.

21ST CENTURY APPROACHES TO IMPROVING HEALTH THROUGH ZONING

Current national trends relating to improving health through the use of zoning and subdivision as regulatory tools include mandatory green area requirements, mandatory recreational areas for all development, increasing the use of alternative modes of transportation and reducing the use of single occupancy vehicles, and promoting urban agriculture. Several broad tools that local jurisdictions are increasingly using to better address human health through land use regulations are discussed below.

Updating Zoning Ordinances

“Archaic zoning and cumbersome land development codes have now become major barriers to the design and construction of Smart Growth projects and more physically active communities.”⁶ Single-use, also known as Euclidean, zoning assisted in the creation of suburban communities that were automobile-centric and made walking for daily trips or physical exercise more difficult and even, in many cases, dangerous.

There are many urban, rural, and transit-oriented development success stories in the County. County-approved area master plans and sector plans have set a high bar for urban, suburban, and rural development. But many of the new plans have been developed under various sets of goals, guiding principles, and development standards, with 18 separate, current overlay zones containing regulatory development standards that are in addition to the County’s Zoning Ordinance and Subdivision Regulations, and another 4 Mixed-Use Town Center Development Plans adding to the mix. While valuable to understanding community’s desires, these numerous plans have made it more difficult to implement the General Plan and achieve smart growth and economic development, thereby negatively affecting healthy outcomes.

Areas that surround Metrorail stations have not developed according to local area plans. It should be noted that while federal and state government tenants in the County have positively changed some Metrorail station areas, and provided a local catalyst for development and redevelopment, the change has been slow and the County lags behind the region in the number of federal and state tenants. Some communities have deteriorating commercial strip centers, aging garden apartments and single-family

⁶ Schilling, JD, LL.M., Joseph, and JD, MPH, Leslie S. Linton. 2005. “The Public Health Roots of Zoning: In Search of Active Living’s Legal Genealogy.” *American Journal of Preventive Medicine* 28 (2): 96-104.

housing stock, a dearth of senior and active-adult housing, and insufficient or missing sidewalks along many streets.

Nationally, many jurisdictions are using the opportunity of updating their Zoning Ordinances to encourage a built environment that promotes healthy communities by allowing for a more natural mixing of uses. Since 2010, local jurisdictions including Montgomery County, MD; Baltimore, MD (still in progress); and Washington, DC have all rewritten and modernized their zoning ordinances and developed intentional strategies to address public health in these regulations.

For example:

- The new Zoning Ordinance for Montgomery County encourages compact, walkable, and high-density residential and mixed-use development in appropriate locations that will have positive impacts to public health. The County's new Zoning Ordinance is using the concept of incentive density (also known as "bonus density") in order to promote many public benefits including greater connectivity, mobility, more protection, and enhancement of the natural environment.
- The City of Baltimore, with support from the Robert Wood Johnson Foundation and Johns Hopkins University School of Medicine, conducted a Health Impact Assessment on the draft proposal of their new zoning code. This was done to maximize the potential of the new legislation to help prevent obesity and other adverse health outcomes and reduce inequities in these outcomes among children and adolescents.
- The District of Columbia (DC) has developed a Green Area Ratio, which is an environmental sustainability zoning regulation that sets standards for landscape and site design to help reduce stormwater runoff, improve air quality, and keep the city cooler.

Some of the policies and regulations adopted by local jurisdictions may merit consideration for Prince George's County, while others may not be appropriate at this time. In particular, the green area ratio is an emerging best practice that may be particularly suited for incorporation in the County's Zoning Ordinance and which could continue to build on the County's reputation as a national leader in environmental preservation. However, incentive density may be more difficult to implement in Prince George's County, as current density maximums are not being met in many of the mixed-use and urban areas.

Health in All Policies

Health in All Policies has been described as a collaborative approach that integrates and articulates health considerations into policy making across sectors, and at all levels, to improve the health of all communities and people.⁷ This approach to policy development can be implemented in a variety of ways depending on the project, scope, and community initiatives. Generally, a Health in All Policies strategy has five key elements:

- Promote health, equity, and sustainability
- Support intersectional collaboration
- Benefit multiple partners
- Engage stakeholders
- Create structural or procedural change

Intrinsic to the goals and development of 21st Century zoning codes are elements of inter-agency coordination, environmental preservation, public health, and public participation.

Health Impact Assessments

Research demonstrates the use of Health Impact Assessments (HIAs), as a tool to inform recommendations about land development, is increasing in the United States.⁸ HIAs are data driven

⁷ Association of State and Territorial Health Officials. 2016. Health in All Policies, State Public Health. Accessed February 5, 2016. <http://www.astho.org/Programs/HiAP/>.

⁸ Salkin, Patricia and Ko, Pamela, The Effective Use of Health Impact Assessment (HIA) in Land-Use Decision Making (October 1, 2011). Zoning Practice, October 2011; Albany Law School Research Paper No. 33 of 2011-2012.

evaluations that assist policy-maker's decisions about the health consequences, positive or negative, of a proposed legislation, project, or plan. "HIAs can be a valuable tool for use in a Health in All Policies approach to decision-making."⁹

According to the University of California, Los Angeles (UCLA) Health Impact Assessment Clearinghouse Learning and Information Center, the overall methodology of health impact assessment includes the following:

- Phase 1:** Screening – Determination by stakeholders and experts whether an HIA for a given policy or project proposal is warranted and feasible.
- Phase 2:** Scoping – Identification of which issues should be considered and which populations are impacted.
- Phase 3:** Assessment – Collecting evidence and data on the effects of the policy or program on health determinants and health outcomes.
- Phase 4:** Reporting/Evaluation – Providing a usable synthesis of the findings of an HIA and conducting follow-up evaluations to provide lessons for future HIAs.

Currently, the County does not comply with this best practice methodology for health impact assessment. Instead of beginning with screening and scoping, the County simply requires HIAs to be conducted for all major development applications and for every comprehensive master plan. There are procedural and logistical difficulties associated with today's practices.

Crime Prevention through Environmental Design

Increasingly, since the 1970s, jurisdictions have been attempting to combat crime through the physical and spatial layout of a community. Crime Prevention through Environmental Design, commonly referred to as CPTED, is a development philosophy that aims to deter criminal activity through the design of places and buildings. CPTED looks to four central principles: natural surveillance, natural access control, territorial reinforcement, and maintenance. Consideration of these principles during design, construction, and operation creates places where people feel a sense of safety.

CPTED strategies rely on restricting opportunities to commit criminal activities by increasing "eyes on the street," and defining public and private places. Examples of CPTED strategies include:

- Designing streets to increase pedestrian and bicycle traffic.
- Avoiding too-bright lighting that obstructs the view of potential observers.
- Placing seating within common areas in commercial or institutional spaces.
- Providing front yard fencing, stoops, and porches to reinforce the relationship of public and private space.

RECENT PRINCE GEORGE'S COUNTY HEALTH AND ZONING POLICIES

In recent years, Prince George's County has incorporated several specific approaches to provide for healthy communities. The basic foundation of the County's health in relationship to zoning is highlighted in the first stated purpose of the current Prince George's County Zoning Ordinance, specified in Section 27-102(a)(1):

"To protect and promote the health, safety, morals comfort, convenience, and welfare of the present and future inhabitants of the County."

Throughout the current Zoning Ordinance, it is evident that the County Council has, over the years, embraced the need "to protect and promote" the health of the County's residents. This is apparent in several locations throughout the code. For example, the language included for zoning map amendments requires the applicant to state "factual reasons showing why approval of the request will not be detrimental to the public health, safety, and welfare," while Special Exception applications require the finding that "the proposed use will not adversely affect the health, safety, or welfare of residents or workers in the area." In addition to these efforts, Prince George's County agencies have worked

⁹ Center for Disease Control and Prevention, National Center for Environmental Health. 2015. CDC - Healthy Places - Health Impact Assessments. March 19. <http://www.cdc.gov/healthyplaces/hia.htm>.

collaboratively to prepare a variety of strategies designed to increase positive health outcomes and minimize adverse health outcomes on the community.

Prince George's County Health Improvement Plan

In 2011, the Prince George's County Health Department completed a Countywide Health Improvement Plan. The Public Health Accreditation Board defines a community health improvement plan as a long-term, systematic effort to address public health problems on the basis of the results of community health assessment activities and the community health improvement process. The *Prince George's County Health Improvement Plan 2011 to 2014: Blueprint for a Healthier County* was prepared with input from a range of stakeholders and provides a framework for addressing the County's most pressing health needs, as well as overarching concerns from the health community.

In addition to identifying County health priorities and implementation strategies, the Health Improvement Plan also includes measurable targets over a ten-year time frame (through 2020). The plan relies extensively on leveraging new and existing partnerships to achieve the activities listed and provides suggestions on how land-use regulations can be used to implement specific strategies of improving health for residents.

The Health Department is currently conducting a Community Health Needs Assessment (expected to be completed by the end of 2016) to determine if adjustments need to be made to the Health Improvement Plan.

Legislation CB-41-2011

On November 11, 2011, The Prince George's County Council passed CB-41-2011, legislation mandating the Prince George's County Health Department to conduct Health Impact Assessments (HIAs) for new development applications requiring Conceptual Site Plans (CSP), Detailed Site Plans (DSP), Comprehensive Design Plans (CDP), Specific Design Plans (SDP), and for master plan proposals. This legislation was intended to protect and promote community health through policies and tools that reduce the incidence of preventable diseases and injuries.

Since the legislation went into effect in 2012, the Prince George's County Health Department has conducted approximately 200 project-specific HIAs in association with the development review process and master planning processes. Nevertheless, this review has been deemed challenging for both development review staff and Health Department HIA assessors. Both review parties indicate that recommendations cannot be substantive to the point where they can truly impact the individual developments and improve health outcomes.

Plan 2035 recommends reevaluating this process to improve its effectiveness and to provide consideration as to whether additional legislation is necessary to address specific health impacts; this recommendation should be addressed through the zoning rewrite project.

Legislation CB-29-2011

With the passage of CB-29-2011, the Prince George's County Council legally required the Planning Department to refer all development applications requiring Detailed Site Plans and Specific Design Plans to the Prince George's County Police Department to ensure implementation of the principles of CPTED. Occasionally, recommendations provided by the Health Department and Police Department conflict, and in some instances it is a challenge to fully incorporate the suggestions of both agencies.

While specific strategies are not explicitly addressed in the County's Code, many CPTED principles are integrated during staff level reviews in Application Review Process and during the sector planning process.

The Zoning Ordinance language added by CB-29-2011 and CB-41-2011 was amended by CB-65-2013.

Formula 2040

In 2013, the Prince George's County Council adopted *Formula 2040: Functional Master Plan for Parks, Recreation and Open Space in Prince George's County*. Formula 2040 establishes a framework for future parks and recreation programmatic and facility needs. Implementation strategies of Formula

2040 specifically address making changes to the Zoning Ordinance and Subdivision Regulations, such as modifying the Adequate Public Facilities test to integrate urban parks and seeking to revise the calculations for parkland dedication and fees-in-lieu of dedication to provide additional flexibility to meet identified needs.

The development of urban parks will provide much needed recreational opportunities in the County's inner-Beltway communities, thereby improving health in those neighborhoods for residents of all ages, ethnicities, and economic status.

Plan Prince George's 2035

In 2014, the Prince George's County Council adopted the *Plan Prince George's 2035 Approved General Plan* (Plan 2035). Plan 2035 is the County's new General Plan guiding the growth and development of the County through 2035. The new General Plan emphasizes prioritization, economic development, sustainability, transit-oriented development, multimodal transportation networks, the protection of the environment, and public safety.

The General Plan identifies two factors as key predictors of the aforementioned public health conditions impacting residents of Prince George's County: access to healthy food and levels of daily physical activity. Plan 2035 sets forth four key policy recommendations for addressing these concerns:

- Integrate community health into the master plan and development review processes.
- Improve residents' access to fresh foods, in particular for households living in low-income areas with limited transportation options, and promote sources of fresh foods countywide.
- Educate and build awareness of health and wellness initiatives that prevent and control chronic disease.
- Improve access to health services and programs.

STAFF RECOMMENDATIONS

The zoning rewrite team is committed to creating healthy communities for Prince George's County residents while also balancing the County's desire for economic development and community revitalization. With these outcomes in mind, staff has encouraged Clarion Associates to incorporate health-oriented policies into the Zoning Ordinance and Subdivision Regulations. These recommendations include:

- Incorporating health objectives and clear purpose statements into zoning, agriculture, transportation, and planning regulations.
- Revising Health Impact Assessment requirements in accordance with national best practices.
- Ensuring zoning and subdivision continue to incorporate Health in All Policies approaches.
- Increasing flexibility for grocery stores and other healthy food retailers to allow for the expansion of healthy food outlets within the County.
- Ensuring that zoning regulations are not so flexible as to result in unintended consequences (such as the expansion of general retail services into stable residential neighborhoods where such services are not desired).
- Incorporating CPTED best practices and policies from jurisdictions similar to Prince George's County.
- Providing active and passive recreational facilities in urban areas, employment areas, and multifamily developments.
- Promoting pedestrian and cyclist safety by encouraging development that supports multi-modal transportation, street connectivity, and pedestrian and cyclist infrastructure.
- Expanding agricultural uses throughout the County, and providing clear regulatory guidance for urban agriculture.
- Expanding the conservation subdivision concepts in the Rural and Agricultural area of the County, and exploring the feasibility of promoting conservation subdivision elsewhere.
- Evaluating primary, accessory, and temporary uses to maximize opportunities for healthy food access, such as providing for year-round farmers' markets in appropriate locations.

NEXT STEPS

- Compile a list/spreadsheet of the health and zoning recommendations that have been made in Prince George's Plan 2035, Prince George's County Health Improvement Plan, and other recently published materials and determine whether and how these polices can be addressed in the Zoning Ordinance and Subdivision Regulations.
- Continue to research health and zoning practices from local jurisdictions and communities that have recently undergone a Zoning Ordinance update.
- Continue collaboration with the Prince George's County Health Department and other health-based organizations to discuss specific recommendations that can be included in the revised Zoning Ordinance and Subdivision Regulations.
- Conduct visits and walking tours of local communities, noting access and transportation deficiencies, recreational opportunities, land uses, and food offerings.
- Develop data visualization tools to assist with identification of places of concern.
- Incorporate health objectives into zoning, agriculture, and transportation policies/planning practices.

APPENDIX A: HEALTH AND ZONING MATRIX

Over the past decade, the Prince George’s County Planning Department, Prince George’s County Department of Parks and Recreation, Prince George’s County Health Department, non-profit organizations, state and national government agencies, and local research institutions have conducted numerous studies on the health and wellness of County residents. A list of these documents are referenced in Appendix B.

The following matrix identifies the major health objectives of these prior studies and initial Clarion Associates proposals that are most directly related to zoning and subdivision, classified under two key health goals that were recurring themes in accomplishing the County’s priorities to prevent and control chronic disease and to ensure that physical environments are safe and support physical and psychological health: improve food access for Prince George’s County residents, and promote active lifestyles by creating safe physical environments. The matrix includes policy recommendations, the rationale and discussion of the recommendations, and the potential location where the new Zoning Ordinance should address the recommendations. Staff notes not all of these recommendations may be incorporated in the new Zoning Ordinance and Subdivision Regulations.

Goal 1: Improve Food Access for Prince George’s County Residents

Objective	Policy Recommendation for Zoning Ordinance/Subdivision Regulations	Rationale and Limitations	Section of Zoning Ordinance
<p>1. Increase the number of grocery stores in areas designated as food deserts</p>	<p>Define grocery store as a specific use.</p>	<p>A grocery store is currently defined as a type of food and beverage store. This definition can include a range of retail establishments including convenience stores, that may not necessarily carry a variety of fresh produce, meats, and grains. Whole food options are typically provided by grocery stores.</p>	<p>Use Regulations; Definitions</p>
	<p>Provide incentives (additional floor area, reduced parking requirements, etc...) when a grocery store is included in a new building or expansion or conversion of an existing building.</p>	<p>Zoning related incentives can encourage the development of more full-line grocery stores.</p> <p>Zoning related incentives such as added density or reduced parking are difficult to implement in Prince George’s County, as current development is not meeting or exceeding the density maximums.</p> <p>Additional incentives can be explored such as tax incentives in “food desert” areas of the County; however, this is beyond the purview of the Zoning Ordinance.</p>	<p>Development Standards</p>
	<p>Allow grocery stores (with standards relating to size) in all residential, commercial, industrial and mixed-use zones.</p>	<p>Allowing grocery stores in all zones will allow the market to determine the locations of food stores and eliminate any zoning related deterrents.</p> <p>However, a majority of the residents who have offered input to the zoning rewrite have indicated they are not supportive of quite this level of flexibility for retail uses within residential communities. There are also some market challenges that make this recommendation somewhat difficult to implement.</p>	<p>Use Regulations; Development Standards</p>
	<p>Establish mini-grocery stores as new grocery stores as infill development within existing residential areas or part of new subdivisions.</p>	<p>Could be incorporated in residential areas with local or community-oriented commercial properties. Also could be a good fit for the proposed Neighborhood Commercial Zone.</p> <p>The retail market typically dictates the demand and potential provision of mini- or full-sized grocery stores.</p>	<p>Use Regulations</p>
<p>2. Reduce concentration of fast food restaurants in food swamps</p>	<p>Prohibit restaurants with drive-through window service in the Transit-Oriented/Activity Center zones, and the Neighborhood Commercial Zone.</p>	<p>Uses with drive-through window service are viewed as detrimental to fostering pedestrian-oriented communities and encourage automobile use in areas where transit and other modes of travel are available. Drive-through uses may also have negative impacts on surrounding residential neighborhoods if located on commercial properties within those neighborhoods.</p>	<p>Use Regulations</p>

Goal 1: Improve Food Access for Prince George’s County Residents

Objective	Policy Recommendation for Zoning Ordinance/Subdivision Regulations	Rationale and Limitations	Section of Zoning Ordinance
3. Protection of existing rural and agricultural lands	Create a low-density agriculture zone (5 or more acres).	The County currently lacks a true agricultural zone; without such a zone, development pressure, particularly for residential development, is heightened in rural and agricultural areas.	Zone Districts
	Use conservation subdivision for agricultural protection.	Conservation subdivision is a land development approach that is intended to conserve environmental or agricultural features, and could be expanded within the County.	Subdivision
	Require a buffer between new residential developments when constructed next to an existing farm.	The County’s farming community has expressed numerous concerns regarding the impact of new residential development adjacent to existing, operating farms. Buffering and fencing are measures that could reduce tensions and protect both the farms and the residential communities.	Development Standards
4. Increased opportunity for practicing existing and emerging forms of urban agriculture	Define urban agriculture separate from community garden.	Community Gardens are a form of urban agriculture, but are generally understood as a volunteer community-supported operation, with much of its harvest given to members of the Community Garden or distributed for free. Urban Agriculture includes private farms operating for the sole purpose of selling produce.	Use Regulations
	Remove any permitting restrictions for community gardens.	Reduces the burden for community to start-up local operations	Use Regulations
	Allow community gardens by-right in all zones.	Provides additional opportunities for access to local fresh produce.	Use Regulations
	Provide incentives such as increased density for new development or redevelopment of multifamily or commercial properties that include rooftop agriculture.	May be difficult to accomplish given the current market in Prince George’s County.	Process and Administration; Development Standards
	Allow backyard hens (no roosters) in all single-family residential zones.	The zoning rewrite team has encountered a strong desire to permit backyard hens from residents and communities where lots are significantly smaller than 20,000 sq. ft.	Use Regulations

Goal 1: Improve Food Access for Prince George’s County Residents

Objective	Policy Recommendation for Zoning Ordinance/Subdivision Regulations	Rationale and Limitations	Section of Zoning Ordinance
5. Increased sale and distribution of locally-grown produce direct to consumer	Define Farmers’ Market as a separate use in the Zoning Ordinance.	Within the current Zoning Ordinance, a Farmers’ Market is classified as a Flea Market.	Definitions
	Allow Farmers’ Markets to operate for at least 52 non-consecutive days or one day per week.	In current Zoning Ordinance, Farmers’ Markets as a temporary use are only allowed to operate 50 days, restricting it to a maximum of 50 weeks. Staff is aware of pending legislation to increase this time of operation to more than 100 days per year.	Use Regulations
	Allow Farmers’ Markets as a temporary indoor use (pop-up shop) in vacant buildings year-round.	Provides additional opportunities for access to local fresh produce	Use Regulations

Goal 2: Promote active lifestyles by creating safe physical environments

Objective	Policy Recommendation for Zoning Ordinance	Reasoning/Limitations	Section of Zoning Ordinance
1. Increased access to green area/ open space in high density and transit-oriented urban communities.	Implement a green area ratio to set minimum lot-coverage standards for landscape and site design features for new and redeveloping multifamily and commercial properties.	Technique to encourage innovative green building practices and mitigate environmental impacts on development.	Development Standards; Zone District
	Provide incentives (additional floor area, reduced parking requirements, etc...) when a vegetated roof, community garden, or other form of urban agriculture is included in a new building or expansion or conversion of an existing building.	Technique to encourage innovative green building practices. Encourages desired outcomes but reduces the financial burden on developers and County. May be difficult to accomplish given the current market in Prince George’s County.	Process and Administration; Development Standards
2. Increased street connectivity for pedestrians	Require continuous sidewalks on both sides of the streets where appropriate, such as within 1.5 mile from a school.	Provides for additional connectivity between new and existing development.	Development Standards
	Require connectivity to building entrances from the public right-of-way so that pedestrians can safely access businesses.	Reduces vehicular and pedestrian conflicts.	Development Standards
	Require a maximum setback distance for buildings along the public-right of way to promote the relationship of the residents, workers, etc., and to promote “eyes on the street.”	Ensures shorter trips through parking lots to pedestrian entrances. Effective in some zone districts in the current ordinance but viewed for expansion through the new code.	Development Standards

Goal 2: Promote active lifestyles by creating safe physical environments			
Objective	Policy Recommendation for Zoning Ordinance	Reasoning/Limitations	Section of Zoning Ordinance
3. Increased street connectivity for cyclists	Create minimum standards for bicycle parking accommodations at multifamily, commercial and workplace destinations.	Added infrastructure for cyclists.	Development Standards
	Require bike lanes on private roadways.	DPW&T and SHA require the implementation of bike lanes along their roadways. However, the current code does not require that private roadways provide for bike lanes. This would be appropriate in communities where the bike lane would connect to a public street which has or of which there is planned bikeways in the future for commuting purposes.	Development Standards
4. Incentivize non-automobile transportation in urban areas	Allow for greater integration and mixed-use development by right.	Brings residential and commercial areas closer together, thereby decreasing distance barriers for biking and walking.	Zone Districts; Use Regulations
	Increase flexibility on the required number of car parking spaces in order to limit parking lot size and improve the pedestrian environment.	Reduces costly and environmentally-detrimental expanses of impervious surfaces.	Development Standards
	Downgrade road Level of Service in Transit-Oriented/Activity Center Zones	Downgrading Level of Service would: (1) allow for road diets with possible bike lanes and wider sidewalks with buffer strips (2) reduce speed of automobile traffic.	Subdivision; Adequate Public Facilities
5. Improve Streetscapes	Plant street trees along all rights-of-way between the roadway and the pedestrian walkway, incorporate amenities, provide connections to parks and building entrances, encourage public art, etc.		Development Standards

APPENDIX B: REFERENCES

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