

Transitioning Prince George's County to a New Zoning Code

A Discussion Paper

Prince George's County Planning Department

March 2016

Executive Summary

While collaborating with the County's zoning consultant team led by Clarion Associates during calendar year 2015, Planning Department staff identified several topics that would benefit from additional research and consideration prior to any decisions that would need to be made. In September 2015, the Planning, Zoning, and Economic Development Committee of the County Council requested additional information regarding the relationship of active County comprehensive plans and zoning to any future rezoning that would be necessary to implement a new Zoning Ordinance. This request was reiterated, along with additional requests, in November 2015 by the County Council, sitting as the District Council.

In direct response to the District Council's questions regarding what will happen to our current comprehensive plans when new zones are put in place, staff can confidently state that:

1. A Countywide Map Amendment is necessary to implement the new Zoning Ordinance. Countywide or comprehensive map amendments to implement new zoning codes are common and have demonstrated success throughout the United States. **There is every reason to expect that this exercise will run smoothly and reach a successful conclusion in Prince George's County.**
2. **All comprehensive plans** – including the General Plan, all functional master plans, all subregion plans, all master plans, all sector plans, and the portions of all transit district development plans that deal with the vision, land use, functional elements (e.g. transportation, environmental infrastructure, public facilities), and implementation recommendations **that are approved and still valid at the time of the approval of the new Zoning Ordinance and Countywide Map Amendment will remain in-place, will remain valid, and will continue to offer policy guidance for Prince George's County.**
3. Nearly 92 percent of Prince George's County—including nearly all residential property—should transition smoothly on a one-to-one relationship from the current zone to the new zone that most closely corresponds to the current zone. **Most of the County should be extremely easy to rezone.**
4. The remaining eight percent of Prince George's County will require further consideration. A menu of alternative rezoning options will be developed and incorporated in the "decision tree" presented to the District Council for review and approval prior to or at the initiation of the Countywide Map Amendment. **Rezoning this eight percent of the County following the guidance of the "decision tree" is intended to minimize controversy during the remapping process by providing a clear and credible process that all stakeholders will understand.**

Staff recommends that the initiation resolution for the Countywide Map Amendment clearly indicate which Sectional Map Amendments are to be replaced, identify the portions of the five transit district development plans that will be replaced, and confirm the portions that would remain in effect as the comprehensive plans for the transit districts. **At the same time, and perhaps even as part of the initiation resolution itself, the District Council should approve a "decision tree" or matrix that will establish the outcomes of rezoning property through the Countywide Map Amendment.**

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

Comprehensive Plans

In Maryland, as in most states, all planning originates with a general, comprehensive plan. The General Plan is the foundation of all land use planning in Prince George's County and is amended, in turn, by Area Master Plans (which have evolved over the years and now include subregion plans for multiple planning areas, master plans, sector plans, and transit district development plans) and Functional Master Plans which focus on a specific area of planning, such as the environment or transportation.

The 2002 General Plan shifted the focus of planning and investment to designated centers within the County and created a three-tiered preferred development pattern (the Developed, Developing, and Rural Tiers) that influenced not only legislation and policy, but was also easily recognizable as a point of reference for County residents. The current General Plan, the *Plan Prince George's 2035 Approved General Plan* (hereinafter referred to as Plan 2035), was adopted in 2014 and continues the focus on concentrating future growth to key centers throughout the County but eliminates the three-tiered development pattern.

Functional Master Plans

Functional master plans are usually developed by the Planning Department in partnership with other agencies of the County government. They vary in scope, size, and complexity and may include operational recommendations beyond the purview of the Planning Board's authority. There are currently nine applicable functional master plans for the County.

Area Master Plans

Between 2002 and 2013, most of the County received new master or sector plans, with approximately 89 percent of the land area of Prince George's County subject to a new comprehensive plan during that time. However, portions of Planning Areas 65-69, 73, and 76A are still subject to Area Master Plans developed prior to the 2002 General Plan. These plans are broadly considered to be obsolete and much of their plan areas have since been superseded by sector plans or transit district development plans. Most of the still-applicable sections of these older Area Master Plans largely cover stable single-family detached residential neighborhoods where redevelopment is unlikely or not envisioned.

Sector Plans

The 2000 *Approved Sector Plan for the Addison Road Metro Town Center and Vicinity* was the first sector plan, and it represented a sea change in the County's approach to comprehensive planning. Of the 29 comprehensive plans approved since October 1, 2000, 22 were sector plans and only 7 were full Area Master Plans covering one or more complete Planning Areas. No two sector plans can be considered **alike**. The sector plans vary in their level of detail, with some sector plans containing broad goals for a geographic area and others containing conceptual plans for specific properties, and everything in between.

Unfortunately, the flexibility of the sector plan approach has led to several complex situations where sector plans overlap, or where they overlap recently-approved Area Master Plans. This may be because sector plans are often perceived as faster, more context-sensitive solutions to emerging planning and zoning opportunities or issues, resulting in an increased desire to apply a new sector plan to address the situation.

Transit District Development Plans

The Transit District Overlay Zone (TDOZ) was created in 1984 to facilitate the development of location-specific, transit-supportive zoning regulations that respected urban design and architecture, and to allow the creation of walkable urban districts in an otherwise heavily-suburban Zoning Ordinance. The TDOZ is applied to property through a Transit District Overlay Zoning Map Amendment (TDOZMA) and always includes a transit district development plan, which establishes the land use, transportation, public facilities, and urban design recommendations for the TDOZ boundary.

TDOZMAs and transit district development plans are approved through a different process than Area Master Plans and sector plans. Beginning in 2006 with the *Approved West Hyattsville Transit District Development Plan*, these documents began to resemble sector plans. As time went on, the public, stakeholders, and even staff and the decision makers began to blur the differences between transit district development plans and sector plans. **Legislation was passed in 2014 to formally allow transit district development plans to amend the General Plan, Area Master Plans, sector plans, and functional master plans.** By not incorporating an effective approval date as a baseline, this legislation applies retroactively to transit district development plans passed prior to 2014.

Mixed-Use Town Center Development Plans

Each established Mixed-Use Town Center (M-U-TC) Zone/community incorporates a Town Center Development Plan which creates “a flexible framework for reviewing and approving future development” in the M-U-TC Zone. Section 27-546.13(a) of the Zoning Ordinance states that “[t]he Development Standards and Guidelines adopted in the Plan are intended to be flexibly applied and broadly interpreted to promote local revitalization efforts.”

Town Center Development Plans are not comprehensive plans, and not only were they never intended to replace or amend Area Master Plans or functional master plans, legally they cannot do so since they are the zoning regulations of the M-U-TC Zone for each given area in the County zoned M-U-TC. The M-U-TC Zone and the Town Center Development Plans go hand-in-hand and **cannot be separated**. However, because they are called “plans” and because they contain a variety of policies, strategies, and recommendations for land use in addition to the actual development standards and approval processes required by the Zoning Ordinance, they are often inaccurately considered by stakeholders to be the applicable master plan for areas zoned M-U-TC.

How Property is Rezoned Today

The primary method of implementing the County’s comprehensive plans is through zoning, the legal regulation of land use. The reclassification of property from one zone to another, including the application of an overlay zone, is a legislative act of the District Council and is commonly referred to as “rezoning.”

In Maryland there are three methods of rezoning property. A comprehensive map amendment, a piecemeal zoning map amendment subject to the “change or mistake rule,” and a zoning text amendment which amends the text of the Zoning Ordinance.

Comprehensive Rezoning

A comprehensive map amendment, authorized by Md. Land Use Art. §22-104(a)(2), is a legislative function of the District Council. As stated in *Mayor & Council of Rockville v. Rylyns Enterprises*, 372 Md. 514, 535 (2002) (citations omitted):

“[t]he requirements which must be met for an act of zoning to qualify as proper comprehensive zoning are that the legislative act of zoning must: 1) cover a substantial area; 2) be the product of careful study and consideration; 3) control and direct the use of land and development according to present and planned future conditions, consistent with the public interest; and, 4) set forth and regulate all permitted land uses in all or substantially all of a given political subdivision, though it need not zone or rezone all of the land in the jurisdiction.”

As a legislative act, comprehensive zoning is not subject to a showing of evidence to support the choice of particular zones for specific properties, and comprehensive rezonings are exceedingly difficult to challenge in court as they carry a strong presumption of correctness and validity. While specific requests by property owners are often considered during comprehensive rezonings, the method and extent of consideration of individual requests is solely within the discretion of the legislative body, e.g. the Prince George’s County Council sitting as the District Council.

Sectional Map Amendment

The accepted practice for comprehensive rezoning in Prince George’s County is the Sectional Map Amendment. A Sectional Map Amendment may be applied countywide or to sections of the County. A Sectional Map Amendment applies a base zone (and overlay zones, if applicable) to every property within its boundary. Each Sectional Map Amendment effectively rezones every property within its boundary; in practice, anywhere from a handful to a few hundred properties are affected by a change in zoning classification in a Sectional Map Amendment.

Piecemeal Rezoning (Zoning Map Amendment)

A piecemeal rezoning is a quasi-judicial (on-the-record) action under state law, subject to evidence of either a change in the character of the neighborhood or a mistake in the prior comprehensive rezoning in order for the District Council to approve a change in zoning for a particular property (this is commonly referred to as the “change or mistake rule”). The burden to prove change or mistake is on the applicant or property owner.

Because zoning necessarily impacts the economic uses to which land may be put, and thus impacts the economic return to the property owner, the requirement that there be uniformity within each zone throughout the County is an important safeguard of the right to fair and equal treatment of the landowners at the hands of the local zoning authority. The requirement of uniformity serves to protect the landowner from favoritism towards certain landowners within a zone by the grant of less onerous restrictions than are applied to others within the same zone elsewhere in the district, and also serves to prevent the use of zoning as a form of leverage by the local government seeking land concession,

transfers, or other consideration in return for more favorable zoning treatment. Rylins Enterprises, 372 Md. 514, 536 (citations omitted).

The sole exception to the “change or mistake rule” is a floating zone, which must be authorized in the local jurisdiction’s Zoning Ordinance and must contain required findings, development standards, and locational standards.

In Prince George’s County, the District Council has traditionally performed piecemeal rezoning through an array of approaches, with **no fewer than nine separate Zoning Map Amendment processes defined in today’s Zoning Ordinance**. The methods currently used in Prince George’s County for piecemeal rezoning are described below:

Type of Zone(s) Involved	Type of Zone(s) Involved	Does the “Change or Mistake Rule” Apply?
Conventional Zones	Euclidean	Yes
Residential Planned Community Zone	Floating	No
Comprehensive Design Zones	Floating	No
Mixed-Use Town Center Map Amendment	Floating	No
Mixed-Use Zone (M-X-T or M-X-C)	Floating	No
Transit District Overlay Zoning Map Amendment	Overlay	No
Chesapeake Bay Critical Area Overlay Zoning Map Amendment	Overlay	No
Architectural Conservation Overlay Zone	Overlay	No
Military Installation Overlay Zoning Map Amendment	Overlay	No

Zoning Text Amendment

The final method to rezone property in Maryland is the zoning text amendment. A zoning text amendment simply means a change to the local jurisdiction’s Zoning Ordinance and is also a legislative act which is authorized by Md. Land Use Art. §22-104(a)(1). Zoning text amendments are subject to the same procedural requirements of any other legislative enactment, except they are not subject to executive veto since they are within the sole province of the District Council.

Some might argue that a zoning text amendment is not a “true” rezoning. After all, the name of the zone does not change; what changes are the rules applicable to development in that zone. However, the amendment may be useful only to the property targeted by that amendment. This is achieved by careful legislative drafting, so that only a few properties—including the targeted property—can make use of the new rule. The end result can be very similar to rezoning a single property.

Clarion Associates’ Recommendations

To briefly summarize key takeaways from Module 1 (zones, zone regulations, and uses) and the December 2014 Evaluation and Recommendations Report, Clarion Associates is suggesting the County needs three types of zones: base zones, floating zones (Planned Development zones), and overlay zones. Perhaps more importantly, Clarion Associates sees the need for just four types of rezoning procedures:

- Comprehensive map amendments and zoning text amendments
- Parcel-specific map amendments (zoning map amendments)
- Planned Development map amendments (floating zones)
- Chesapeake Bay Critical Area Overlay map amendments

They further recommend that we eliminate zone-specific map amendments because they are unnecessary and redundant, streamline the master plan process and place most details in a procedures manual that would not be codified in the County Code. In the future, they also recommend, the requirement that development regulations be properly enacted in the Zoning Ordinance or Subdivision Regulations, and not placed in comprehensive master plans (master plans offer guidance, and are not regulatory in nature) or Sectional Map Amendments.

What Happens to the Plans?

One of the central questions that staff continue to hear from the District Council, municipalities, residents, and property owners as we engage in our saturation outreach efforts to replace the Zoning Ordinance and Subdivision Regulations is

“what will happen to the current plan(s) through this process?” There are a large number of active comprehensive plans within Prince George’s County, starting with the Plan 2035 General Plan and including functional master plans (parks and recreation, historic sites and districts, transportation, green infrastructure, etc.), Subregion master plans, area master plans, sector plans, and transit district development plans, which highlights the importance of this question and its answer.

All approved comprehensive plans—including the General Plan, all functional master plans, all subregion plans, all master plans, all sector plans, and the portions of all transit district development plans that deal with the vision, land use, functional elements (e.g. transportation, environmental infrastructure, public facilities), and implementation recommendations, that are approved and still valid at the time of the approval of the new Zoning Ordinance and Countywide Map Amendment will remain in-place, will remain valid, and will continue to offer policy guidance for Prince George’s County.

The transit district development plan is a bit of a different animal. Since the transit district development plans are a confused mixture of planning and zoning (since, legally speaking, they are the product of a form of Zoning Map Amendment), they have long been treated in a unique manner. In recognition of their evolution over time, the District Council adopted legislation in 2014 that legitimized long-standing practice, formally granting these plans the ability to amend other comprehensive plans and serve, themselves, as the applicable comprehensive master plan for the portion of the County subject to any given transit district development plan.

This means that, in effect, the policy area elements and recommendations of the five transit district development plans that will be in place at the time the Countywide Map Amendment is approved will remain valid and in effect, while the development standards, applicability section, Transit District Overlay Zoning Map Amendment zoning changes, and use tables of the five transit district development plans will be superseded by the new zones approved by the District Council with the approval of the new Zoning Ordinance.

What About the M-U-TC Town Center Development Plans?

As discussed above, Town Center Development Plans produced as a result of a Zoning Map Amendment to rezone land to the M-U-TC Zone are not comprehensive master plans and would not be carried forward. The 2014 *Southern Green Line Station Area Sector Plan* is the applicable master plan for the Suitland Town Center M-U-TC area. The 2004 *Gateway Arts District Sector Plan* is the applicable master plan for the Brentwood and Mount Rainier M-U-TC areas. The 1994 *Planning Area 68 Master Plan* and 1989 *Langley Park-College Park-Greenbelt Master Plan* are the applicable master plans for the Riverdale Park M-U-TC area. Should the District Council choose to replace the M-U-TC Zone in the new Zoning Ordinance, the four existing Town Center Development Plans would be superseded in their entirety by the Countywide Map Amendment.

The Countywide Map Amendment

The only way a jurisdiction can begin to use a new Zoning Ordinance is to have its zones applied to the property within that jurisdiction. Everything—the uses, the development standards, the review process—starts with the zoning. And the only way to ensure the new zoning is in place is through a comprehensive map amendment. For Prince George’s County, we will need to develop and approve a Countywide Map Amendment.

Staff envisions the Countywide Map Amendment as a unique form of the comprehensive map amendment process that will include clear regulatory and procedural guidance. Scoping of this Countywide Map Amendment has already begun, and staff’s recommendations will be presented to the District Council in early 2017 for consideration and ultimate approval prior to, or concurrent with, the initiation of the Countywide Map Amendment itself.

Assuming the major zoning recommendations of Clarion Associates are adopted, staff expects that key aspects of the Countywide Map Amendment will include:

- District Council approval of the methodology to be followed in making rezoning recommendations at the staff and Planning Board levels, and decisions at the District Council level
- A public outreach process including a countywide mailing at the time of initiation, public forums and other meetings; a robust online presence; and a second countywide mailing following approval of the map amendment
- Full compliance with state affidavit requirements
- Replacement of all current Sectional Map Amendments
- Replacement of all existing Transit District Development Plan rezoning and standards chapters
- A comprehensive update of the County’s official zoning map

In terms of the anticipated timeframe, scoping the Countywide Map Amendment and background research will take place during the rest of calendar year 2016. Staff will seek initiation of the Countywide Map Amendment by the District Council immediately following the approval of the new Zoning Ordinance, currently expected to occur in March 2017.

The Zoning Ordinance and Subdivision Regulations rewrite builds in a six-month period following approval before these codes take effect to provide time for education, prepare new application forms, and conduct other related tasks. During this period, the rezoning recommendations will be developed, and the draft zoning maps prepared. The target date for the approval of the Countywide Map Amendment will be designed to fall on the same day the new Zoning Ordinance and Subdivision Regulations become effective.

How Will the New Zones Really Replace the Current Zones?

According to geographic information systems analysis of the current County zoning map conducted in December 2015, 92.17 percent of the County is currently placed in a Euclidean Zone—residential, commercial, or industrial. Less than 8 percent of the County is located in a floating zone, with almost 5 percent in a Comprehensive Design Zone and 2.87 percent in a Planned Community or Mixed-Use Zone.

Type of Zone	Acreage	Percentage of County Land
Residential (Euclidean)	237,350.18	85.05
Commercial (Euclidean)	5,729.81	2.05
Industrial (Euclidean)	14,152.06	5.07
Total Percent of County in Euclidean Zoning		92.17
Comprehensive Design (Floating)	13,843.23	4.96
Planned Community (Floating)	79.87	0.03
Mixed-Use (Floating)	7,912.03	2.84
Total Percent of County in Floating Zoning		7.83
		279,067.18
		100.00

One of the major goals of any comprehensive map amendment impacting an entire jurisdiction, particularly one as large and complicated as Prince George’s County, is to minimize confusion and controversy by ensuring the new zones are as close as possible to the current zones and by reducing the opportunities for unexpected outcomes. Staff proposes that a “decision tree” or matrix be approved by the District Council prior to or concurrent with the initiation of the Countywide Map Amendment.

This “decision tree” will guide all rezoning decisions that are expected to occur during the remapping exercise and is a common approach taken by most jurisdictions that choose to update their zoning codes.

In addition, staff recommends the initiation resolution for the Countywide Map Amendment clearly identify each Sectional Map Amendment that is to be replaced, as well as the elements of each Transit District Development Plan that are to remain in effect (and those that are to be superseded).

Euclidean Rezoning

The “decision tree” envisioned by staff will ensure that the majority of Euclidean zones will move directly to the new zone that is closest in density, character, and purpose to the current zone in as much of a one-to-one relationship as feasible. In this manner, nearly 92 percent of Prince George’s County should move directly to the nearest corresponding zone with no discussion necessary. The use of a “decision tree” should minimize controversy during the remapping by providing a clear, credible process that can be understood by all stakeholders.

For example, if a property is located in the R-20 Zone today, it would automatically be placed in the SFR-A Zone in the remapping. Similarly, if a property is located in the C-S-C Zone today, it would automatically be placed in the GCO Zone. While there may be need to consider alternatives in some locations and situations (to be determined in the pre-planning and research work leading to the Countywide Map Amendment and incorporated in the “decision tree”), **the vast majority of the County’s properties should be extremely easy to rezone in this manner.**

The most important Euclidean rezoning decisions facing the District Council focus on the Regional Transit Districts and Local Centers designated by the *Plan Prince George's 2035 Approved General Plan*. Clarion Associates' recommended zoning tools include five transit-oriented/activity center base zones (NAC, TAC, LTO, RTO-L, and RTO-H), which are Euclidean zones designed to implement the County's vision for transit-oriented, mixed-use, urbanized development at targeted locations which can serve as focal points for communities and economic engines for the County.

Additional locations within the County, including part of the Innovation Corridor; along US 1 in College Park and Greenbelt Road in Greenbelt, and US 1 in Hyattsville, North Brentwood, Brentwood, and Mount Rainier; may also be appropriate locations for transit-oriented/activity center base zones—despite not being located within Plan 2035's designated centers—due to their existing scale of development, valid development approvals, and emerging market conditions. These additional locations will be identified in the preparation of the “decision tree,” and staff will offer rezoning options as may be appropriate for the District Council's consideration.

Floating Zone Rezoning

Staff anticipates that most of the decisions and potential zoning changes that will require additional consideration will fall within the eight percent of the County currently placed in a Comprehensive Design, Planned Community, or Mixed Use zone. The “decision tree” is likely to involve multiple approaches and paths to converting these zones to those contained in the new zoning ordinance due mainly to the complexity inherent in these zones today and the wide range of development patterns that have resulted over time.

Clarion Associates' recommended set of zoning tools offers the County a flexible approach to address the County's Comprehensive Design, Planned Community, and Mixed-Use zones. These tools include multifamily and nonresidential Euclidean zones that would allow for a modest mix of uses by right and which could be suitable replacements to some current zones; the five proposed transit-oriented/activity center base zones which would be applied to property located in designated Regional Transit Districts and Local Centers; and ten Planned Development floating zones designed to “encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other County goals and objectives.”

It is important to note that as of this writing, the ten proposed planned development zones are envisioned as application-only zones at the discretion of the property owner, and would not be applied by—or accepted for processing by—the County through the Countywide Map Amendment. Staff will continue to coordinate with Clarion Associates about the pros and cons of the County having the discretion to apply planned development zones through comprehensive rezoning.

Mixed-Use Zone Rezoning

A majority of the County's mixed-use zones are located within the Regional Transit Districts and Local Centers designated by Plan 2035. In some rare situations, these designated centers also include one or more comprehensive design zone within the center boundaries. It is anticipated that the transit-oriented/activity center base zones would replace these mixed-use and comprehensive design zones wherever they may occur within designated centers.

For mixed-use zones located outside of designated centers, the “decision tree” would likely start with two potential paths for rezoning. The first path could be to rezone these properties to either one of the Multifamily Residential (MFR) zones or the General Commercial and Office (GCO) Zone, depending on their predominant character or recommended land use. The second path that could be available is Clarion's recommended Mixed-Use Planned Development (MU-PD) Zone, which is a floating mixed-use zone intended for application outside of designated centers.

The five proposed transit-oriented/activity center planned development zones would offer applicants, developers, and property owners additional flexibility for property primarily located in designated centers. Each of these zones is associated with locational criteria that will limit their applicability within the County. Another key zoning rewrite decision facing the District Council is ensuring these locational criteria strike the correct balance between flexibility and limitation.

As mentioned above, some locations within Prince George's County may be well-suited for one of these planned development zones even when they are not located within a designated center. The flip side of the coin is that overly broad application of these zones will detract from the County's ability to leverage transit investment and economic development opportunities at our most desirable locations to maximize our tax base. If everything is a priority, nothing is.

Overlay Zone Rezoning

The County's current overlay zones can be distilled into two basic categories: policy overlay zones intended to meet specific policy objectives dictated at the federal, state, or County level, and design overlay zones intended to improve the quality of development at designated locations. A short discussion of each category follows.

The policy overlay zones – the Chesapeake Bay Critical Area (CBCA), Aviation Policy Areas (A-P-A), and Military Installation Overlay (M-I-O) – are the result of clear policy direction to protect the tributary waters of the Chesapeake Bay; ensure resident safety and compatible land uses around general aviation airports; and protect the health, safety, and welfare of residents, patrons, and citizens affected by the accident potential zones and high noise effects pertaining to aircraft operations at Joint Base Andrews, respectively. All three of these policy overlay zones are recommended to carry forward to the new Zoning Ordinance in Clarion's proposal, and staff assumes the M-I-O Zoning Map Amendment will be complete prior to the initiation of the Countywide Map Amendment. **Therefore, all three of these overlay zones will be retained in the Countywide Map Amendment with few to no changes anticipated.**

Two of the design overlay zones—the Development District Overlay (D-D-O) and Transit District Overlay (T-D-O)—are very complex and are sometimes seen as ineffective at achieving their desired purposes and goals. After they are approved and go into effect, these design overlay zones typically contain many hundreds of detailed design standards, many of which are outdated or even inappropriate for regulation through zoning tools. For example, some of these design overlay zones require washers and dryers to be installed in every dwelling unit in a development, which has nothing to do with zoning or the development quality. The development community often cites these design overlay zones as disincentives to investment in Prince George's County due to the rigidity and volume of these development standards, compounded by the uncertainty involved with the development review process.

Clarion Associates recommends replacing these two design overlay zones with the transit-oriented/activity center base and Planned Development zones, other base zones that would allow for more flexibility in terms of mixed-use development, and strengthened development regulations contained in the new zoning ordinance.

The Countywide Map Amendment will replace all approved D-D-O and T-D-O Zones in Prince George's County. There are currently 18 approved design overlay zones with one update that will be approved before the Countywide Map Amendment is initiated (the Prince George's Plaza Transit District Development Plan).

Two other overlay zones are also addressed by Clarion Associates' recommendations. The Revitalization Overlay District (R-O-D) was intended to delegate municipalities limited development review responsibilities but has been superseded in effect by Part 17, Division 2 of the current Zoning Ordinance. Therefore, the R-O-D Zone is viewed by Clarion as unnecessary for a new zoning ordinance. The final design overlay zone in the current Zoning Ordinance is the Architectural Conservation Overlay (A-C-O). Clarion's proposal includes a recommended replacement to the A-C-O Zone: the Neighborhood Conservation Overlay (NCO) Zone.

What About the M-U-TC Zone?

The Mixed-Use Town Center (M-U-TC) Zone is a unique zone that warrants separate discussion. There are four approved M-U-TC Development Plans in Prince George's County, covering historically commercial portions of the Town of Riverdale Park, Town of Brentwood, City of Mount Rainier, and the unincorporated Suitland community. There are 393.91 acres of M-U-TC zoned properties accounting for 0.14 percent of the County's total acreage. However, the importance of the M-U-TC Zone to the affected communities is much greater than these numbers suggest. Two of these communities—the Town of Riverdale Park and the City of Mount Rainier—have already submitted written position statements requesting the retention of the M-U-TC Zone in the new zoning ordinance.

Clarion Associates recommends deletion of the M-U-TC Zone in favor of a combination of potential replacement zones drawn from traditional base zones, transit-oriented/activity center base zones, consideration of the MU-PD Planned Development Zone, and the potential application of the NCO Overlay Zone. Each of these potential alternatives would be supplemented by strengthened development regulations contained in the zoning ordinance.

Staff anticipates the fate of the M-U-TC Zone will be one of the key decisions facing the District Council when it acts on the new zoning ordinance and subdivision regulations in early 2017. Staff will continue coordination with the Clarion Associates team to fully explore the pros and cons of the available alternatives to the M-U-TC Zone and will offer its recommendations with the "decision tree."

**Appendix A: Index of Currently Effective County Plans and Comprehensive Zoning
February 11, 2016**

Year of Approval	Plan Name	Plan Type	Comprehensive Zoning
1989/1990	Langley Park-College Park-Greenbelt	Master Plan	SMA
1990	Largo-Lottsford	Master Plan	SMA
1994	PA 68	Master Plan	SMA
1994	Bladensburg, New Carrollton, and Vicinity	Master Plan	SMA
1998	Prince George's Plaza	TDDP	TDOZMA
2000	Addison Road Metro Town Center	Sector Plan	SMA/DDOZ
2000	The Heights and Vicinity	Master Plan	SMA
2001	Greenbelt Metro Area	Sector Plan	SMA/DDOZ
2004	Morgan Boulevard and Largo Town Center	Sector Plan	SMA/DDOZ
2004	Gateway Arts District	Sector Plan	SMA/DDOZ
2005	Tuxedo Road/Arbor Street/Cheverly	Sector Plan	SMA/DDOZ
2006	West Hyattsville	TDDP	TDOZMA
2006	Bowie and Vicinity	Master Plan	SMA/DDOZ
2006	Henson Creek-South Potomac	Master Plan	SMA
2006	East Glenn Dale	Sector Plan	SMA
2007	Westphalia	Sector Plan	SMA
2008	Branch Avenue	Sector Plan	SMA
2008	Capitol Heights	TDDP	TDOZMA
2009	Port Towns	Sector Plan	SMA/DDOZ
2009	Marlboro Pike	Sector Plan	SMA/DDOZ
2009	Landover Gateway	Sector Plan	SMA
2009	Takoma-Langley Crossroads	Sector Plan	N/A
2010	Glenn Dale/Seabrook/Lanham	Sector Plan	SMA
2010	Central US 1 Corridor	Sector Plan	SMA/DDOZ
2010	Subregion 1	Master Plan	SMA
2010	Bowie MARC Station	Sector Plan	SMA
2010	Central Annapolis Road	Sector Plan	SMA/DDOZ
2010	New Carrollton Metro	TDDP	TDOZMA
2010	Subregion 4	Master Plan	SMA/DDOZ
2013	Subregion 5	Master Plan	SMA
2013	Subregion 6	Master Plan	SMA
2013	Central Branch Avenue Sector Plan	Sector Plan	N/A
2013	Greenbelt Metro Area and MD 193 Corridor	Sector Plan	SMA/DDOZ
2013	Largo Town Center	Sector Plan	SMA/DDOZ
2014	Eastover/Forest Heights/Glassmanor	Sector Plan	SMA
2014	Southern Green Line	Sector Plan	SMA/DDOZ
2014	Landover Metro Area	Sector Plan	SMA
2015	College Park-Riverdale Park	TDDP	TDOZMA

- Notes: 1. Takoma/Langley Crossroads and Central Branch Avenue are not associated with comprehensive rezoning at the date of this compilation.
2. M-U-TC Development Plans are not listed above since they do not provide master plan-level guidance. They do constitute ZMAs, however.

Appendix B: Proposed Zone Transition Chart, Clarion Associates, October 2015

Current and Proposed Zones		
Current Zones		Proposed Zones
Base Zones		
Agricultural and Open Space Base Zones		
R-O-S: Reserved Open Space	PL: Public Land	
O-S: Open Space	AL: Agriculture – Large Lot	
R-A: Residential-Agricultural	AR: Agriculture Residential	
R-E: Residential Estate	<i>(moved to Residential)</i>	
Residential Base Zones		
<i>(moved from Agricultural and Open Space)</i>	RE: Residential Estate	
R-R: Rural Residential	RR: Rural Residential	
R-80: One-Family Detached Residential	SFR-4.6: Single-Family Residential-4.6	
R-55: One-Family Detached Residential	SFR-6.7: Single-Family Residential-6.7	
R-35: One-Family Semidetached & Two-Family Detached	SFR-A: Single-Family Residential – Attached Zone [CONSOLIDATED]	
R-20: One-Family Triple-Attached Residential		
R-T: Townhouse	MFR-12: Multifamily Residential-12 [CONSOLIDATED]	
R-30: Multifamily Low Density Residential		
R-30C: Multifamily Low Density Residential – Condominium		
R-18: Multifamily Medium Density Residential	MFR-20: Multifamily Residential-20 [CONSOLIDATED]	
R-18C: Multifamily Medium Density Residential - Condominium		
R-10: Multifamily High Density Residential	MFR-48: Multifamily Residential-48 [CONSOLIDATED]	
R-10A: Multifamily High Density Residential - Efficiency		
R-H: Multifamily High-Rise Residential		
Transit-Oriented/Activity Center Base Zones		
	NAC: Neighborhood Activity Center [NEW]	
	TAC: Town Activity Center [NEW]	Core
		Edge
	LTO: Local Transit-Oriented [NEW]	Core
		Edge
	RTO-L: Regional Transit-Oriented - Low-Intensity [NEW]	Core
		Edge
	RTO-H: Regional Transit-Oriented - High Intensity [NEW]	Core
		Edge
Nonresidential Base Zones		
	NC: Neighborhood Commercial [NEW]	
C-O: Commercial Office	GCO: General Commercial and Office [CONSOLIDATED]	
C-A: Commercial Ancillary		
C-S-C: Commercial Shopping Center		
C-1: Existing Local Commercial		
C-2: Existing General Commercial		
C-G: Existing General Commercial		
C-C: Existing Community Commercial		
C-W: Commercial Waterfront		
C-M: Commercial Miscellaneous	SC: Service Commercial [CONSOLIDATED]	
C-H: Existing Highway Commercial		
C-R-C: Commercial Regional Center	[DELETED]	

Current and Proposed Zones

I-1: Light Industrial		IE: Industrial/Employment [CONSOLIDATED]
I-3: Planned Industrial/ Employment		
I-4: Limited Intensity Industrial		
U-L-I: Urban Light Industrial		
I-2: Heavy Industrial		HI: Heavy Industrial
Planned Development Zones		
Planned Residential Zones		
R-L: Residential Low Development	0.5	R-PD-L: Residential Planned Development – Low Intensity
	1.0	
		R-PD: Residential Planned Development [NEW]
R-M-H: Planned Mobile Home Community		MH-PD: Mobile Home Planned Development
R-S: Residential Suburban Development	1.6	[DELETED]

Current and Proposed Zones

	2.7	[DELETED]
	3.6	[DELETED]
	5.8	[DELETED]
	8.0	[DELETED]
	12.0	[DELETED]
Transit-Oriented/Activity Center Planned Development Zones		
		NAC-PD: Neighborhood Activity Center Planned Development [NEW]
		CAC-PD: Campus Activity Center Planned Development [NEW]
		TAC-PD: Town Activity Center Planned Development [NEW]
		LTO-PD: Local Transit-Oriented Planned Development [NEW]
		RTO-PD: Regional Transit-Oriented Planned Development [NEW]
V-L Village-Low		[DELETED]
V-M: Village-Medium		[DELETED]
L-A-C (N): Local Activity Center (Neighborhood)		[DELETED]
L-A-C (V): Local Activity Center (Village)		[DELETED]
L-A-C (C): Local Activity Center (Community)		[DELETED]
M-A-C (NC): Major Activity Center (New Town or Corridor City)		[DELETED]
M-A-C (NC): Major Activity Center (Major Metro Center)		[DELETED]
R-P-C: Planned Community		[DELETED]
M-X-T: Mixed Use – Transportation Oriented		[DELETED]
M-X-C: Mixed Use Community		[DELETED]
M-U-T-C: Mixed-Use Town Center		[DELETED]
M-U-I: Mixed-Use Infill		[DELETED]
UC-4: Corridor Node		[DELETED]
UC-3: Community Urban Center		[DELETED]
UC-2: Regional Urban Center		[DELETED]
UC-1: Metropolitan Urban Center		[DELETED]
Other Planned Development Zones		
		MU-PD: Mixed-Use Planned Development [NEW]
E-I-A: Employment & Institutional Area		IE-PD: Industrial/Employment Planned Development
Overlay Zones		
Chesapeake Bay Critical Area Overlay Zones		
R-C-O: Resource Conservation		RCO: Resource Conservation Overlay

Current and Proposed Zones

L-D-O: Limited Development Overlay	LDO: Limited Development Overlay
I-D-O: Intense Development Overlay	IDO: Intense Development Overlay
Aviation Policy Area Overlay Zones	
APA-1: Runway Protection	APA-1: Runway Protection Zone
APA-2: Inner Safety	APA-2: Inner Safety Zone
APA-3S: Small Airport Inner Turning Area	APA-3S: Small Airport Inner Turning Area
APA- 3M: Medium Airport Inner Turning Area	APA- 3M: Medium Airport Inner Turning Area
APA-4: Outer Safety	APA-4: Outer Safety Zone
APA-5: Sideline Safety	APA-5: Sideline Safety Zone
APA-6: Traffic Pattern Area	APA-6: Traffic Pattern Area
Other Overlay Zones	
R-O-D: Revitalization Overlay District	[DELETED]
A-C-O Architectural Conservation Overlay	NCO: Neighborhood Conservation Overlay
T-D-O: Transit District Overlay	[DELETED]
D-D-O: Development District Overlay	[DELETED]

Appendix C: Sample “Decision Tree,” Montgomery County, MD

APPROVED						
Zone Translation						
Commercial Zones						
Current Zone				Notes	Proposed Zone	
Symbol	Name	Max. FAR	Max. Height		Symbol	Name
C-T	Commercial Transitional	.50	35'		CRN-0.5 C-0.5 R-0.25 H-35	Commercial Residential Neighborhood
O-M	Office Building, Moderate Intensity	1.50	72'	Of lot is less than 1/2 acre, then convert to:	EOF-1.5 H-60	Employment Office
				If lot is greater than 1/2 acre, then convert to:	EOF-1.5 H-75	Employment Office
C-O	Commercial, Office Building	3.00	97'		EOF-3.0 H-100	Employment Office
C-P	Commercial, Office Park	none	50'; if building is greater than 300' from property line, then no limit		EOF-1.25 H-150	Employment Office
C-1	Convenience Commercial	none	30' to 45' (based on grade finish)	If site abuts or confronts R-150 or less intense zone (vacant or residential use) OR site is 5+ acres or contiguous with 5+ acres zoned C-1 OR site is in a master plan designated historic district, then convert to:	NR-0.75 H-45	Neighborhood Retail
				If site abuts or confronts R-40, R-60, or R-90 zone (vacant or residential use), then convert to:	CRT-0.75 C-0.75 R-0.25 H-45	Commercial Residential Town
				If site abuts or confronts RT or more intense zone, then convert to:	CRT-0.75 C-0.75 R-0.25 H-45	Commercial Residential Town
C-2	General Commercial	1.5 commercial; 2.5 for mixed use	3 stories or 45'; 5 stories or 60' for expansions with a special exception; or 75' for mixed use not near residential	If site abuts or confronts R-150 or less intense zone (vacant or residential use) OR is a regional mall, then convert to:	GR-1.5 H-45	General Retail
				If site abuts or confronts R-40, R-60, or R-90 zone (vacant or residential use), then convert to:	CRT-1.5 C-1.5 R-0.5 H-45	Commercial Residential Town
				If site abuts or confronts RT or more Intense zone, and is less than 300' from a Detached Residential zone, then convert to:	CRT-2.25 C-1.5 R-0.75 H-45	Commercial Residential Town
				If site abuts or confronts RT or more intense zone, and is more than 300' from Detached Residential zone, then convert to:	CRT-2.25 C-1.5 R-0.75 H-75	Commercial Residential Town

APPROVED

Zone Translation

Commercial Zones

C-3	Highway Commercial	none	42' (except for arena or stadium); or 84' for auto sales and service where recommended in master plan	If master plan recommends height greater than 42' for an auto sales use, then convert to:	GR-1.5 H-85	General Retail
				Otherwise convert to:	GR-1.5 H-45	General Retail
C-4	Limited Commercial	0.75 (except 1.5 allowed for large retail uses near Metro)	40' (except 75' allowed for large retail uses near Metro)	If contiguous C-4 zoned area is less than 2 acres, or the master plan recommends low intensity, then convert to:	CRT-0.25 C-0.25 R-0.25 H-35	Commercial Residential Town
				If contiguous C-4 zoned area is 2 acres or more, and master plan does not recommend against greater density, then convert to:	CRT-0.75 C-0.75 R-0.5 H-40	Commercial Residential Town
				If contiguous C-4 zoned area is 2 acres or more, and the master plan does not recommend against greater density, then convert to:	CRT-1.5 C-1.0 R-1.0 H-75	Commercial Residential
C-5	Low-density, office commercial	No land zoned C-5			N/A	
C-6	Low-Density, Regional Commercial	0.50	100'	All land with C-6 Zone is in the White Oak Science Gateway Master Plan area and is currently under study	GR-0.5 H-100	General Retail
H-M	Hotel-Motel	1.00	15 Stories		CR-1.0 C-1.0 R-0.5 H-160	Commercial Residential
C-INN	Country Inn	none	2.5 stories		Translates to zoning preceding the creation of the C-INN zone. Existing country inns will be grandfathered, and country inns will become a conditional use.	

NOTES: Most Overlay Zones will be retained with similar standards. Transferable Development Rights Zones are translated in a TDR Overlay Zone.

Master plan recommendations may decrease proposed density or height.