



# **Prince George's County Zoning Ordinance and Subdivision Regulations Rewrite**

Prince George's County Council Retreat 2018

January 3, 2018



The Maryland – National Capital Park & Planning Commission

# Agenda



- Project goals and outreach
- Review: how the Comprehensive Review Draft improved on Modules 1, 2 & 3
- Summary of comments received on the Comprehensive Review Draft: what people like and what still lacks consensus
- Possible solutions for controversial topics
- Applying the New Zoning Ordinance

# Why are we rewriting?



- Ordinance **everyone can understand**
- Citizens to know **what, when, and how**
- **Protect** the things we don't want to change
- Provide **tools to attract development** in targeted growth areas
- **Quality development** that protects our environmental and historic resources, and neighborhoods

# Community Outreach



**As of December 11, 2017, there have been:**

**343 MEETINGS**

held with Civic Associations, State & County Agencies, Non-Profit Organizations, Municipalities, and other stakeholders

**1165 FOLLOWERS**

who connected with the Zoning Ordinance and Subdivision Regulations Rewrite on Facebook, Twitter, and CiviComment

**33126 EMAILS**

sent about the Zoning Ordinance and Subdivision Regulations Rewrite and meetings since January 2015

**1506 SUBSCRIBERS**

who registered to receive email updates about the Zoning Ordinance and Subdivision Regulations Rewrite

**29 MENTIONS**

about the Prince George's Zoning Rewrite in local and regional newspapers, blogs, and media stations.

**10709 VISITORS**

to the project's website since its re-launch in **December 2014.**

# Where are we now?



**Comprehensive Review Draft Released**  
**September 26, 2017**

**Public Comment Period Closed**  
**December 15, 2017**

# Where are we now?



30

Total meetings the Zoning Rewrite team held on the Comprehensive Review Draft between September 26 and December 15, 2017.

145

Total stakeholders who weighed in on the Comprehensive Review Draft by letter, email, or CiviComment.



687

Total pages of stakeholder comments the Planning Department received on the Comprehensive Review Draft (*and counting*).





# Who did we hear from?



# Refinements in the Comprehensive Review Draft



- Updated grandfathering provisions when the new ordinance is adopted [pp. 27-1-5-7]
- Clarified procedures to allow minor flexibility in applying development standards [pp. 27-3-105-106]
- Renamed zones to start with the zone type (Residential, Commercial, etc.) [p. 27-4-1]

## Rural and Agricultural Base Zones

**ROS:** Reserved Open Space Zone

**AG:** Agriculture and Preservation Zone

**AR:** Agricultural-Residential Zone

## Residential Zones

**RE:** Residential Estate Zone

**RR:** Rural Residential Zone

**RSF-95:** Residential, Single-Family – 95 Zone

**RSF-65:** Residential, Single-Family – 65 Zone

**RSF-A:** Residential, Single-Family – Attached Zone

**RMF-12:** Residential, Multifamily-12 Zone

**RMF-20:** Residential, Multifamily-20 Zone

**RMF-48:** Residential, Multifamily-48 Zone

## Nonresidential Base Zones

**CN:** Commercial Neighborhood Zone

**CGO:** Commercial General and Office Zone



# Refinements in the Comprehensive Review Draft



- Deleted RPD-L and CAC-PD zones
- Added three new legacy zones [pp. 27-4-79-80]
- Added Military Installation Overlay Zone [pp. 27-4-129-139]
- Added Residential Mobile Home Zone [pp. 27-4-76-77]
- Required minimum amount of residential and nonresidential development (18 percent each) in TAC, LTO, and RTO core areas to achieve mix of uses [pp. 27-4-49-50]



# Refinements in the Comprehensive Review Draft



## Included new uses and use standards based on:

- Recent Council amendments (medical cannabis [pp. 27-5-50-51], urban farm [p. 27-5-28])
- Input from stakeholders (private dormitory [p. 27-5-35], pet grooming establishment [p. 27-5-45])

# Refinements in the Comprehensive Review Draft



- Added provisions for video lottery facilities [pp. 27-5-47-48]
- Added mixed-use retail standards for Commercial Neighborhood (CN) Zone [pp. 27-5-31-32]





# Refinements in the Comprehensive Review Draft



## Refined development standards

- New noise control standards [p. 27-6-76]
- New urban farm compatibility standards [pp. 27-6-102-104]
- Many minor revisions [*many locations*]



# Refinements in the Comprehensive Review Draft



## Refined subdivision regulations

- Transitional (i.e. “grandfathering”) provisions for when the new subdivision regulations are adopted  
[pp. 24-1-5-7]
- Revised threshold for minor vs. major subdivision  
[pp. 24-2-21-23]

# Refinements in the Comprehensive Review Draft



- **Public facility adequacy** -  
Revises requirements  
(certificate of adequacy  
required for transportation,  
parks and recreation facilities,  
police, fire/EMS, and schools)  
[pp. 24-3-13-14, 21-25]
- Reincorporated APF  
requirements for schools,  
police, and fire and EMS  
facilities [pp. 24-3-13-14, 21-25]





# Changes made based on Council Direction received in July 2017



- Certificate of adequacy expires 12 years after date of approval, or 12 years from effective date of rewritten regulations (for existing approvals) [pp. 24-3-14-17], unless:
  - Certain amount of development occurs or
  - Up to six year extension granted by Planning Board (only one allowed) if applicant demonstrates has reasonably pursued completion of development and there is otherwise good cause for extension, or
  - Applicant demonstrates vested rights

# Changes made based on Council Direction received in July 2017



- Added back in Council “call-up” procedure [pp. 27-3-72, 79-80, 82-84, 103, 124-125]
- Added two legacy zones (LMXT and LMUTC) for discussion [pp. 27-4-79-82]
- Refined Principal Use Table by identifying prohibited principal uses with a “X,” and listing all uses in each table [pp. 27-5-4-26]

Residential Base Zones			
RSF-95	RSF-65	RSF-A	RMF-12
X	X	X	X
P	P	P	P
X	X	X	X
X	X	X	X
X	X	X	X
P	P	P	P
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X
X	X	X	X
P	P	P	P
SE	SE	SE	X

# Changes made based on Council Direction received in July 2017



- Changed “N/A” references to language that notes there is no requirement that applies [*many locations*]
- Changed provisions so that one nonconforming use cannot replace another nonconforming use [pp. 27-7-3-4]

# What have we heard?



## Major Topics for Stakeholder Feedback

- Urban Agriculture
- Beekeeping
- NCO Zone
- Transit-Oriented Development
- Grandfathering prior approvals
- Healthy Communities
- Mandating Mixed-Use Development
- Election to Review
- Parking
- DSP Thresholds
- Making older subdivisions & apartment complexes conforming

# Comprehensive Review Draft: What People Like



- Written in plain English instead of legalese
- Lots of graphics, flow charts and illustrations
- Almost all terms have a definition
- Almost no footnotes
- Organization of the Ordinance



# Comprehensive Review Draft: What People Like



- Single-family zones left alone
- Mixed-use allowed in many more commercial zones
- New zones specifically designed for TOD have high urban design requirements
- Much simpler use table





# Comprehensive Review Draft: What People Like



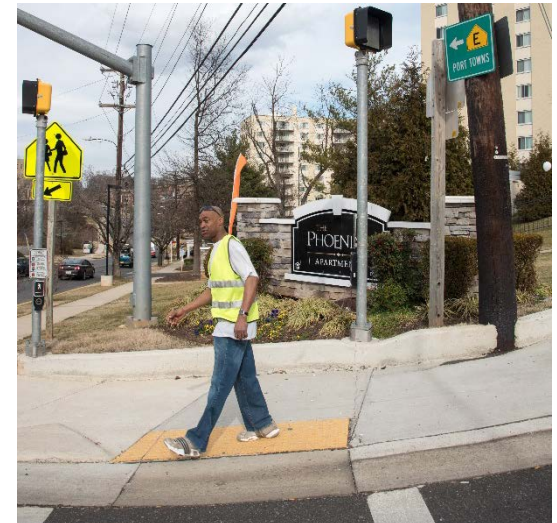
- Green building standards (some would like a green building code)
- Urban agriculture = permitted use in most zones
- Higher quality design standards for new development (some want even higher standards, some want lower)



# Comprehensive Review Draft: What People Like



- High standards for pedestrian and bicycle connectivity
- Neighborhood compatibility standards (some communities want to be exempt)



# Comprehensive Review Draft: What People Like



- Transitional and grandfathering provisions (industry wants even more grandfathering)
- Clarification of responsible parties (for mailouts, staff reports, roles in the review process, setting public hearing dates)



# Comprehensive Review Draft:

## Topics that lack consensus



- MXT: keep or replace?
- MUTC: keep or replace?
- Mixed-use zones: how do we guarantee a mix of uses?
- TOD/Activity Center Zones: ensuring the right range of densities and maximum heights



# Comprehensive Review Draft:

## Topics that lack consensus



- Re-testing old approvals for APF
- APF in the TOD zones: exempt or loosen standards?
- Have we streamlined enough?

# Comprehensive Review Draft



## Topics that the community is still debating that we believe the Council has resolved

- Process for text amendments
- Retaining Election to review (“call up”)
- Greenbelt and Mount Rainier NCO Zones: now or later?



# Comprehensive Review Draft:

## Things we will fix



- Relax Beekeeping standards
- Add Newspaper publishing facilities
- Close loophole for Liquefied Natural Gas facilities
- Reincorporate Bicycle Pedestrian Adequacy



# Resolving some of the **BIG** questions

# Resolving the BIG questions



## M-X-T Zone

### Option 1 *Staff Recommendation*

Do not retain  
M-X-T zone; rely  
instead on  
generous  
grandfathering

### Option 2

Retain M-X-T for  
properties that  
have it; impose  
sunset date

# Resolving the BIG questions



## M-U-TC Zone

### Option 1 *Staff Recommendation*

Do not retain  
M-U-TC zone;  
rely instead on  
generous  
grandfathering

### Option 2

Retain M-U-TC for  
properties that  
have it; impose  
sunset date

# Resolving the BIG questions



## Guaranteeing a mix of uses

### Option 1 *Staff Recommendation*

Five years after ordinance is effective, residential projects proposed in activity center zones must demonstrate that at least 18% of existing and/or approved development within  $\frac{1}{4}$  mile is nonresidential. If not, applicant can propose 18% of nonresidential on subject site.

### Option 2

All projects must have at least 2 categories of uses, except second use may be waived if existing and/or approved development within  $\frac{1}{4}$  mile supplies a mix of uses

# Resolving the BIG questions



## Re-testing APF for older approvals

### Option 1

#### *Staff Recommendation*

All projects  
retested after  
12 years with  
option of 6-  
year extension

### Option 2

Establish a  
shorter period

### Option 3

Establish a  
longer period



# Resolving the BIG questions



## APF in the RTO and LTO zones

### Option 1 *Staff Recommendation*

As done elsewhere in the region, exempt projects in these zones from transportation test for automobile traffic, to incentivize investment in transit-rich areas. Bike and pedestrian APF still tested

### Option 2

Exempt only projects in the core of these zones (1/4 mile walk circle).



# **Prince George's County Zoning Ordinance and Subdivision Regulations Rewrite**

***Applying the New Zoning Ordinance***



# Countywide Map Amendment

## What it is..



- Implements the comprehensive zoning update
- Takes place after the approval of the Zoning Ordinance
- Mapping exercise
- The application of new zones to each property in the County

# Countywide Map Amendment

*The intent is to...*



- Replace the current zone on each property with a similar (but better) new zone
- **NOT** be an opportunity to make drastic changes; create a “free for all”; upzone or downzone or be a substitute for comprehensive plans
- Implement zoning changes quickly
- Ensure that everyone is playing by the same rules
- Ensure zoning conversions are objective, transparent, fair, and equitable



# Questions?