



**Zoning Ordinance and Subdivision Regulations Rewrite
Community Learning Sessions – Sports and Learning Complex
September 13, 2016**

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

Prince George's County has 27 municipalities in addition to County land (unincorporated properties). What may be considered a minor development for the County or a larger municipality may be a major development to a smaller municipality.

It is important to reduce the number of development applications that are approved by the Planning Board. This will help streamline the process and increase the predictability of outcomes. The recommendation is that there should be minor site plans and major site plans, but the threshold of what is considered a minor site plan versus a major site plan could be changed. It is not right until it is right for Prince George's County.

What is the role of incorporated municipalities in the proposed ordinance?

Additional zoning authority cannot be granted to municipalities through this Zoning Ordinance because of state law. This proposed ordinance does not propose to restrict the existing municipal authority that has already been delegated by the District Council.

Module 3 doesn't address the root cause of the unpredictable nature of the development process. Planning Staff, the Planning Board, and the Zoning Hearing Examiners are generally consistent. The District Council, however, is very inconsistent.

The initial recommendation we made in the 2014 Evaluation and Recommendations Report was to completely remove the District Council from the site plan review process. We have heard over the past two years from many people how challenging this would be and how important a role the Council may play in Prince George's County. The proposed code now recommends allowing the applicant or an aggrieved party to appeal site plans to the District Council. We do, however, still recommend the Council step back from its ability to elect to review cases on its own motion ("call-up").

An appeal is still very easy to obtain. The Council will still be reviewing site plans.

This may be true. However, this proposed ordinance is a step forward. Many jurisdictions do not allow elected officials to second guess the Planning Board.

"Call-up" is an important tool for the Council to have. The Planning Board and staff are too close to the developers, all I have to say is "Thank God for the Council."



How do we attract new development when the existing development is no good—liquor stores, laundromats, or Walmarts? How can we get rid of ugly businesses and grandfathered buildings? One element is good design standards. Module 2 provides a good balance of strong but achievable design standards that will make new developments more appealing. The certificate of adequacy process in the proposed Subdivision Regulations will help ensure that new developments will protect existing neighborhoods from too many impacts to infrastructure such as roadways.

What happens if the developer lies to the public during the initial neighborhood meeting and builds an ugly building that is within code?

The standards in Module 2 will help ensure high-quality development. The public is allowed to submit a response to the applicant's neighborhood meeting summary. Additionally, at the Planning Board meeting (for major site plans), members of the public who attended the public meeting can speak and inform the Planning Board of what the developer had presented, if it does not match up with what was said at the neighborhood meeting.

Where is Module 2?

It is available online and a hard copy is in the reference section of all public libraries in the County.

Will "as-of-right" developments allow affordable housing?

There are no requirements proposed by Clarion at this time to provide affordable housing.

If a use is "by-right," that building or use can go directly to permit and would only be reviewed administratively. The proposed breakdown of who should review and approve applications is, generally speaking:

- 60 percent reviewed administratively
- 25 percent reviewed by the Planning Board
- 10 percent reviewed by District Council

From the perspective of the applicant, any money spent during the development process is money not spent on the physical building, so the longer and more unpredictable the process, the less there is for building quality.

What does appeal mean?

What happens when a pre-application neighborhood meeting is not required?

When a pre-application neighborhood meeting is not required, the applicant is often still required to provide public notice of their proposed development. This will help keep neighbors from being surprised when construction occurs. Applications that do not require a pre-application neighborhood meeting are either permit-level decisions or minor site plans, and will have less impact on the surrounding area.



We have had bad experiences with the elected officials. The County makes nice plans, but there is no backing legislation. The Council is too willing to draft text amendments to appease the development community.

Text amendments are perceived as a bad thing in Prince George's County. The proposed draft recommends that the Planning Board have a public meeting for new text amendments and provide a recommendation before the amendment reaches the District Council.

Is there an administrative process for re-subdivision?

As we propose in Module 3, re-subdivision is integrated into the major or minor subdivision process, dependent on the number of re-subdivided lots.

What is the "testing" process?

The consultant team will review eight test sites in the County. These will represent different types of development in the County—residential infill, shopping centers, etc. Each test case will be planned using the current code and the proposed code in order to see if the proposed code is achieving the desired results. It is recommended that local builders also test their projects against the proposed code. This testing is very important in our experience, and helps us identify what needs to change to improve the code before we prepare the Comprehensive Review Draft.

How has the special exception process changed?

Most of the special exception procedures have been carried forward and are consolidated into one procedure. The County's current special permit procedures have been consolidated into special exceptions. Minor permits are carried forward. Review standards for re-zonings and comprehensive map amendments are clarified. The comprehensive plan procedures have been consolidated into one procedure. Overall, there is more administrative review, where many cases will be reviewed and decided by the Planning Director/Staff.

A fundamental goal for the County is to use existing infrastructure to stop development in natural areas. How does the proposed code support this?

The subdivision process will help address sprawl. The proposed Subdivision Regulations and connectivity standards in the Zoning Ordinance require more access and connections than the current codes require, which will result in more connected communities and less sprawl. These standards also make it easier to do infill development, which will help encourage more development where there is existing infrastructure. There are additional environmental protection standards as well.