



Combined Focus Group Meeting
Zoning Ordinance and Subdivision Regulations Rewrite: Comprehensive Review Draft
Wednesday, October 25, 2017
10:00 a.m.–12:00 p.m.

The purpose of this discussion was to present Clarion Associates' recommendations contained in the Comprehensive Review Draft for the Zoning Ordinance and Subdivision Regulations and to discuss the concerns and questions of the group. Public questions and comments are identified by **bold** text. Clarion Associate's responses to questions and additional presenter comments are identified by normal text.

There are lots of communities and Prince George's County is very large. Does this code meet the needs of the full County?

Yes. The proposed ordinance encourages rural preservation and agricultural uses in rural areas and urban development in urban areas. At this point in the process, most jurisdictions succeed in adopting the ordinance.

This is change writ large. Is there a better mechanism to update the ordinance so that changes can be made more than once in a generation?

The proposed structure will make it easier to make updates in-house and consistent across the code. It is also recommended that the Planning Department bring up periodic updates to the ordinance. However, the [County] Council needs to decide upon the best process for periodically/comprehensively updating the ordinance.

WSSC's changes were not addressed in the draft process. In the preliminary plan of subdivision, applicants should go through a hydraulic analysis. The adequacy procedures do not specifically address WSSC's needs. The sewerage tier is not a good assumption. It would be beneficial to get the hydraulic analysis included in the Subdivision Regulations. WSSC would like to include the offsite improvements needed as well for sewerage.

The County uses the 10-year water-sewer plan. It is not a test, just a yes-or-no question regarding location of the development and being within a specified tier. Including WSSC submittal requirements is best suited for the Applications Manual, not the Subdivision Regulations.



The Health Department supports the WSSC statement. State law requires the Health Department to sign off on all plats.

WSSC Response: There are build-to line charts and we would like to see a statement that says there are setbacks for WSSC requirements. We would like the WSSC requirements referenced. There should be a reference to the pipeline design manual. This is not necessarily an addition to the WSSC setback already required.

Glad to see that Public Utility Easements (PUEs) are required. We want to see PUEs on both sides of the street. In practice, we find that the utilities are not good at sharing the space.

It is very unlikely that PUEs will be required on both sides of the street. PUEs on both sides of all streets substantially detract from urban character and streetscapes. It will be necessary for all the utilities to come together to figure out best urban practices for the future of Prince George's County.

Has the Residential Planned Community (R-P-C) Zone been removed? Where is the new neighborhood conservation overlay zone (NCOZ)? The NCOZ for Greenbelt was not included in the draft.

None of the specific NCOZs are included. The proposed ordinance contains the process for applying for a NCOZ. The City of Greenbelt can draft their NCOZ application and submit when the new ordinance is active.

Regarding text amendments and footnotes—how will they be carried forward? Are these developments considered conforming or nonconforming?

The footnotes will not be carried forward as the vast majority of them applied to specific situations that have already been realized. Any amendments will be in the text of the document. If a property is developed pursuant to an existing footnote, then it will be grandfathered. Staff is currently reviewing all recent footnotes (since the start of this project) and those with filed applications. If the use is deemed conforming, and wants to change, the improvements will have to meet the new standards.

Regarding the proposed requirement for 18 percent of mixed-use development in the Transit-Oriented/Activity Center base zones, is this 18 percent both on the site and within the one-quarter-mile radius, or just within the one-quarter-mile radius of the site?

It is intended to be 18 percent within a quarter-mile-radius of the site, including the proposed project.

What if something has not been built yet? Does it count towards the 18 percent? If it is planned, it assumes that developers cooperate. What if someone is sold property and is stuck with the 18



[percent] commercial requirement? This requirement will be a substantial problem for the last person developing an area inside of the transit area. It will complicate the code.

We do not know yet. It should be applicable to both built and planned development. However, that plan would need to be binding to convey and be effective.

WSSC uses MWCOG (Metropolitan Washington Council of Governments) models for future growth planning. Do the zones/uses have average expected water/sewer uses? How should we plan for expected growth?

We do not max out capacity expectations. There is scenario planning that is used for COG projections. This is an issue with “uncapped” zones such as the current M-U-I (Mixed-Use Infill) Zone, which has no density maximum if a mix of uses is provided; it is impossible to project water and sewer usage in these zones unless one relies on an average of built projects in the zone or similar approaches.

Is “call-up” (election to review) canceled?

No. It has been restored to several procedures.

Is there a Legacy M-U-I (LMUI) Zone? Will the Legacy M-X-T (LMXT) Zone be applied to Metro station areas?

There is no LMUI proposed, nor do we think there should be. It is recommended that the proposed Transit-Oriented/Activity Center zones be applied to the centers identified in the general plan, even if M-X-T exists in those centers, so the center develops cohesively under the same zoning and procedures.

If you have an approved entitlement under the M-X-T Zone, the transitional provisions that have been proposed can be built out under the initial approvals/current Zoning Ordinance, but also have the opportunity to develop under the new Zoning Ordinance. If LMXT is approved, you will be stuck with that zoning.

The proposed zones do not have the same densities as M-X-T. The densities should be district wide, not property by property.

Residential densities have been doubled for the Transit-Oriented/Activity Center base zones based on the test cases conducted by the consultant team. Right now, the M-X-T Zone has a maximum FAR (Floor Area Ratio) of 8.0 under the optional method of development, but we believe this maximum is essentially impossible to obtain. The planned development zones would allow for higher densities.



Would the LMXT have a validity period for Conceptual Site Plans (CSPs)? Right now, the proposed Zoning Ordinance recommends all CSPs be associated with a 10-year validity period.

Are sector plans still valid?

The plan portion of a sector plan or master plan is still valid. However, the SMA portion that is published with the plan will be superseded by the upcoming Countywide Map Amendment.

When are maps coming out?

What are the parking standards outside of the TOD areas? Is there any goal of reducing existing commercial properties and standards being applied to them?

There is sliding scale regarding the improvements needed for an expansion of an existing building. It is only necessary to improve the parking area by the percentage improvement/expansion of the original building. There are also parking reductions allowed for transit proximity.

The current residential parking ratios are two cars per dwelling. This is not the reality. How does the code reflect the change in behavior and income?

The County is divided into inside/outside the beltway and TOD areas, which all have their own levels of parking requirements. According to Clarion, few if any jurisdictions require more than two cars per single-family dwelling.

Lot coverage ratios have not been changed, but the definition/calculation of lot coverage has changed. Is lot coverage designed to limit impervious surface or over-building?

Right now, lot coverage is used primarily to stop impervious surface. Many inner-Beltway communities have lots that are completely paved over with “patios,” but are parking spaces. We can adjust the definitions to better address drainage vs over-building.

Health impact assessments were mandated by Council to review projects for any detrimental health impacts of development. Is there opportunity in zoning to help address chronic disease? If it is in zoning, can it connect to funding? The Health Department does scientific research for walkability and bikeability and access to healthy food. Who is the best to do that evaluation?

The [County] Council bill for health impact assessments was well intended, but there are no standards than can be tied to development regulations at the scale of individual development applications. Health advocates should discuss these standards and how they can be included in the code. The ordinance is a “health in all policies” ordinance. There is a need and desire for standards, but we need to understand



many of the elements covered by the health impact assessments, such as air quality, are super-regional issues that cannot be improved by a single developer.

The public also wants the health impact assessment. If there are no standards, then they should be included. There should be a way for the Health Department, Department of the Environment, and Planning Department to review plans for health issues.

Before there can be a review, standards need to be approved. We need to identify the rules for assessment.

Is there a way to designate an entire area for cumulative impact? Instead of looking at each project individually? Not everyone is happy with the existing health standards. Where is the applications manual?

The applications manual will be completed after the code is adopted. It is difficult to draft the manual in high-detail if the process is not known. Clarion Associates urged participants not to let perfection be the enemy of the good.

Signage. Have temporary real estate signs changed? What about temporary signs?

Temporary signs—real estate, garage, etc.—are allowed in the proposed ordinance. The language in the code needs to be content neutral, but this is outside the scope of the current project and will be a follow-up effort.

Why does the home-based business use only have four uses?

Clothing donation containers should be prohibited.

Car repair with 48-hour holding of automobiles is too short.