



**Countywide Listening Session – North County (Laurel-Beltsville Senior Activity Center)
Zoning Ordinance and Subdivision Regulations Rewrite: Comprehensive Review Draft
Wednesday, October 25, 2017
7:00–9:00 p.m.**

The purpose of this discussion was to present Clarion Associates' recommendations contained in 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.

When will the Greenbelt Neighborhood Conservation Overlay Zone (NCOZ) be released?

A NCOZ for Greenbelt has been drafted, and will be released in the near future for further discussion. Councilmember Turner is responding to the City of Greenbelt and to Greenbelt Homes Incorporated (GHI). The Greenbelt NCOZ will not be part of the initial approval of the new Zoning Ordinance. The proposed ordinance includes the NCOZ and the process for creating a NCOZ, but no specific NCOZs will accompany the initial adoption. They will need to be the result of follow-up/future planning and text amendment efforts to incorporate new, specific NCOZs in the Zoning Ordinance.

In West Laurel we feel that this new ordinance will remove the citizen's voice. The theoretical pre-application neighborhood meeting would not work in the details that people need to know. People will need to make comments and see the details of the plan. Also, if text amendments are allowed, there is no predictability. Please consider property owners who will be impacted by text amendments. They should be on the M-NCPPC website. We need to know them more than three minutes before the testimony. The secrecy around text amendments is slimy.

Text amendments are necessary, as there needs to be a way to change and add to the code. However, the [Council] Council has explicitly requested that the current procedure be maintained. It is difficult to make small site plans go through the entire public hearing process. The pre-application neighborhood meeting is a good addition to the process so that the neighborhood can understand what is coming. Since the ideal meeting takes place before the developer has plans drawn and engineering complete, it is difficult to have very detailed drawings of the project. After the details and engineering are



complete, the developer has spent a lot of money and is hesitant to change the plans. Transparency is important, and it is ultimately the public who can push for more transparency.

The “call-up” (election to review) procedure is good, because the public does not always have a sense of what is going on and the council person can be the safety valve for any project.

What is the scale for notification? We would like notification for all projects, not just large projects.

There is a table in the proposed ordinance that shows all the notification requirements. Small projects may only require a sign. You can also have the online system automatically email you when a project is submitted in your neighborhood.

Beekeepers are concerned about the language regarding “aggressive” bees and “overcrowded” hives. This language does not represent any beekeeping knowledge. You can visit my beehives to better understand beekeeping. The regulations you have written are no good.

We will fix this.

What happens if a piece of land adjacent to a homeowners’ association-maintained common area is sold as a foreclosure? We cannot find out what that decision is. Can a developer turn that piece of land into a right-of-way for cars? Can eminent domain be used?

The privacy concerns around foreclosures is beyond the scope of the Zoning Ordinance. In general, eminent domain cannot be used by private companies.

Boarding/rooming houses are allowed in the RSF-A (Residential, Single-Family Attached) Zone, but not RSF-65 (Residential, Single-Family – 65). What about the R-18 (Multifamily Medium Density) Zone? Will they be allowed there?

Yes, they are proposed to be allowed in the RMF-20 (Residential Multifamily – 20), which replaces the R-18 Zone.

It would be helpful to have the zoning maps.

What is the definition of “rooming house”? Does it allow nine people plus the caretaker and their family? That could be up to five unrelated persons. This could be a single house with 14 people.

Yes, in theory this could occur.



What is the purpose of the pre-application neighborhood meeting? What are the residents giving up? What forces the developer to make a good faith effort?

The residents do not give anything up. The pre-application neighborhood meeting does not replace a public hearing. The meetings are an opportunity for the developer and the public to communicate the basics of a project, but not the details. For large projects, there are still hearings before the Planning Board.

The pre-application neighborhood meeting is to help reduce controversy during the hearing. Developers should bring enough detail to the neighborhood meeting to be able to discuss the project, but not engineering/architectural plans. If a developer misleads the public, this will come out in the process. There is nothing you can do to force the developer to change their plans. This recommended pre-application neighborhood meeting would offer more detail and opportunities for meaningful input than the public currently has.

Our community is 600 residential units on industrial land. I would like it to be rezoned as residential.

This comment refers to the Victoria Falls community near Laurel. The Countywide Map Amendment process will be out soon and it will be legally defensible, but it is designed to be as straight-forward as possible and to shift current zones to the closest new zone. Unfortunately, that means there will be no rezoning of Victoria Falls to a residential zone through the proposed decision matrix.

What will happen in the gap between the new code being proposed and the NCOZ being approved for Greenbelt? What about historic preservation?

Historic preservation is in Subtitle 29, and is not part of this project. The City of Greenbelt has the opportunity now to get everything ready for the NCOZ to submit it as soon as the new code is effective. We do not have anything at this moment to address the gap in time between the new code and the approval of the NCOZ.

Regarding early notice, Councilmember Lehman makes sure that the developer and the community meet. Not all council people do this.

Special exceptions are sometimes used to squeeze in bad projects, like power plants.

Power plants regulated by the state's Public Utilities Commission are not subject to the County's Zoning Ordinance, only the mandatory referral process. The state pre-empts local jurisdictions on utilities, and there is no way the County can prohibit them.



We need more opportunity for innovative design for architecture. The standards are too strict. Retail width of 25 feet is too wide, as are townhouses with 17-foot widths.

The [County] Council has requested that the County require a high level of development standards.

Why are plantings not required to be maintained? What about lighting too?

The Landscape Manual discusses planting maintenance. There are also lighting requirements in this ordinance.

What type of notice would a municipality receive for an amendment to a site plan? How do you appeal if you don't receive notice?

If it is a minor amendment, it would be a posted notice to the site and the Planning Director would need to issue notice of the decision for these amendments.

Are Tiny Houses included in the code?

If a house meets the building code, but is just small, it is still considered a house. If it does not meet the building code, it is not a house. Tiny Houses, per se, are not included in, or prohibited by, the proposed Zoning Ordinance.

Where are the basics of the proposed Green Building Standards? Are electric charging stations included in the scoring?

These standards are in Division 6 of the proposed Zoning Ordinance, and electric vehicle charging is included. These standards are very new for the County and are based on a combination of other efforts and standards, so please provide written comments.