

Zoning Rewrite Fact Sheet

February 2017

How will the County's Permitted Use Tables Change?

About the Zoning Rewrite

Prince George's County's zoning code is 50 years old, over 1,000 pages long, and filled with obsolete and inconsistent provisions. The County needs a completely new zoning code to attract jobs, economic development, and protect the quality of life in County neighborhoods. Under the direction of the County Council, the Planning Department is drafting a new, 21st century code. Our competitors in the region have already reformed their codes, and we want ours to be the very best. This is one of a series of fact sheets discussing major issues the Council must consider to create a better code.

What This Fact Sheet Covers

This fact sheet looks at uses, or activities, allowed in the various zoning districts. All land in the County is placed in a zone, and that zone determines what uses are allowed. Our current zoning ordinance includes seven permitted use tables for residential, commercial, industrial, comprehensive design, and mixed-use zones. In addition, nearly all the County's 18 development district and transit district overlay zones contain separate, modified permitted use tables. The proposed zoning ordinance greatly simplifies the use tables, reduces the total number of uses, and adds a more logical format.

What is a Use? What is a Use Table?

Generally, a use is an activity, occupation, business, or operation occurring in a building or on a parcel of land within a specific zoning district. It is very important to understand that uses *do not* address the form of the buildings or the design quality of a neighborhood. Uses are controlled by the zoning of the property, and one of the easiest and most user-friendly ways to show which uses are permitted on a parcel of land, within a building, or on a structure is to develop a table showing which uses are allowed within each zone, based on the purpose of the zone.

Organization of Use Tables

Our current zoning ordinance mixes different types of uses (principal, accessory, and temporary) into seven use tables in multiple sections of the code, including the zone sections, temporary use section, and the definitions section; eighteen overlay zones, many of which have their own separate modified use tables; and four Mixed-Use Town Center development plans that have different versions of the same use tables. This organizational approach makes it very difficult for members of the public, the development community, staff, and decision makers to determine if a particular use is permitted in a particular zone in Prince George's County.

Zoning Rewrite Fact Sheet

How will the County's Permitted Use Tables Change?

The proposed zoning ordinance clearly distinguishes between the three major types of uses – principal uses, accessory uses, and temporary uses – by using separate use tables for each type. This results in just three use tables. Moreover, these use tables have also been consolidated into one location (Division 4) of the new zoning ordinance, and each specific use is defined. This makes it substantially easier to understand the organization, and in turn, better understand the uses.

Consolidation of the Uses

Today's multiple use tables result in repetition of uses while creating slight variations of the same basic use. Throughout the hundreds of pages of use regulation in the code and the hundreds more in separate documents, there are over 1,100 uses, making it very difficult for the public and potential County investors to make sense of the code.

The proposed zoning ordinance consolidates duplicated uses, removes obsolete uses, and classifies all the uses into a straightforward organization in one location of the code. Proposed in the ordinance are recommendations for approximately 220 uses. This consolidation recognizes that small differences among similar uses can be broadly grouped together, because they function similarly.

People have strong opinions about which uses should be allowed in their neighborhoods, and the proposed consolidation may require further refinement, both in separating uses and further consolidation of other uses. The permitted uses tables are not right for Prince George's County until the County Council decides they are right for our community.

Special Exceptions and Use Specific Standards

A Special Exception is a permitted use that necessitates certain additional findings and/or design requirements that must be satisfied and approved by the Zoning Hearing Examiner and/or the County Council before development can begin. The current zoning ordinance contains an entire part devoted to Special Exception criteria and identifies more than 125 Special Exception uses, with specific additional requirements.

The proposed zoning ordinance includes many of the same Special Exception uses as the current code, but also revises others to be permitted as a matter of right. Importantly, most of these uses – regardless of being permitted by right or requiring a Special Exception process – are subject to additional development standards designed to mitigate any potential impacts of the use.

New Uses and Interpretations

No matter how many uses the code defines, innovative residents, entrepreneurs, and investors in the County routinely propose businesses and projects that do not neatly fit into any of the listed uses. In these instances, the proposed development must wait for County Council approval through the legislative process, which can be time consuming and onerous. The draft zoning ordinance contains proposals for more general use categories which allow new uses to be more easily categorized. The proposed ordinance also recommends an interpretation process at an administrative level that allows uses to be categorized efficiently and consistently.