



**Prince George's County**  
**Zoning Ordinance and Subdivision Regulations Rewrite**  
**County Council Retreat**  
*Notification and Community Involvement*  
*Process and Administration*

**March 2, 2017**



The Maryland – National Capital Park & Planning Commission

# Worksessions Schedule



	Topic	Date
✓	Zone Structure	January 31, 2017
✓	Uses	February 7, 2017
✓	Standards	February 14, 2017
→	Notification and Community Involvement Process and Administration	March 2, 2017 (retreat)
	Subdivision Regulation	March 13, 2017
	Countywide Map Amendment	

# Worksession Goals



1. Identify the key “Big Picture” Issues on **Notification and Community Involvement** and **Process and Administration**
2. Answer questions and address concerns
3. Provide Planning staff direction on key issues

# Agenda



**Part 1:** Notification and  
Community Involvement

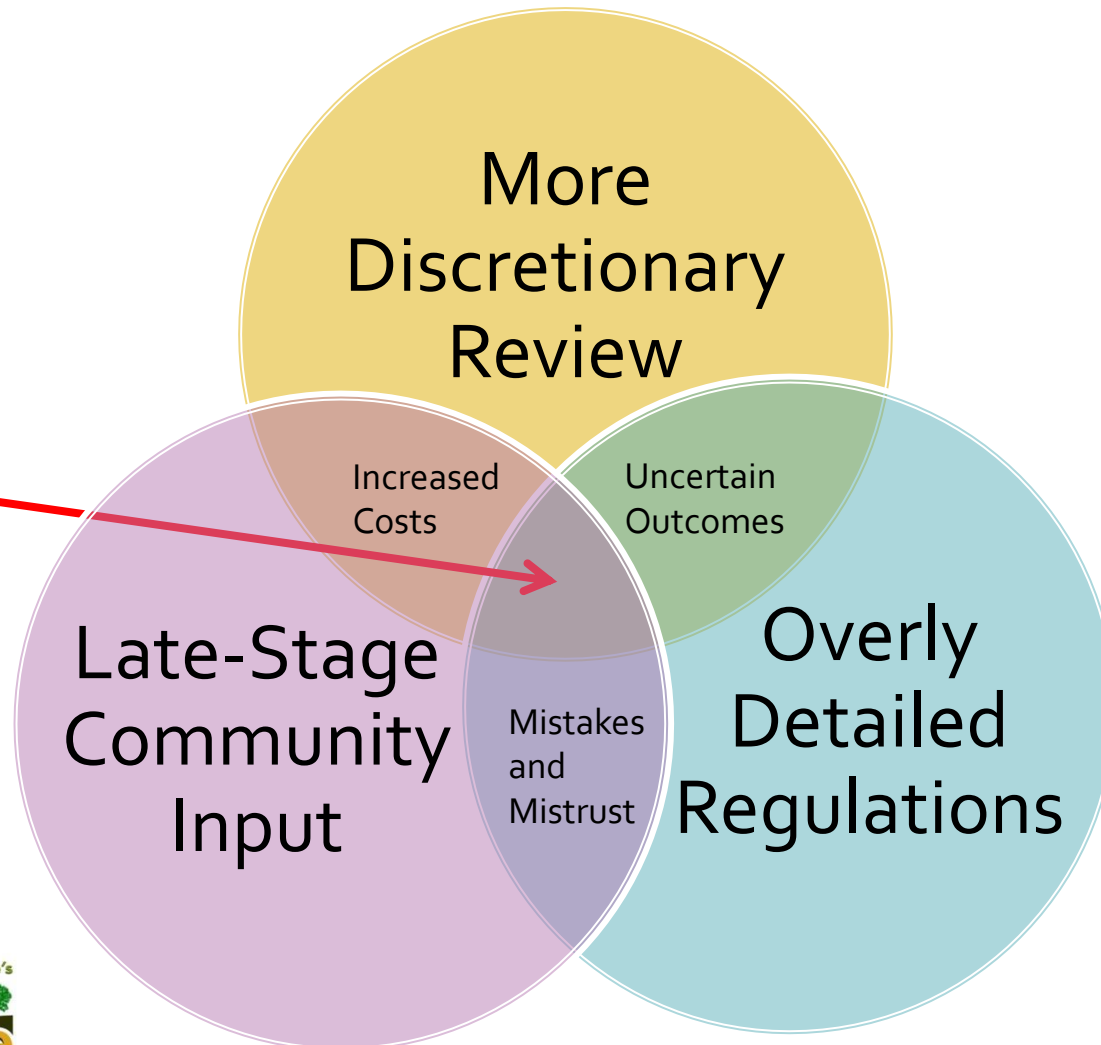
**Part 2:** Development Application  
Procedures

**Part 3:** Development Review Authority

# Current Process



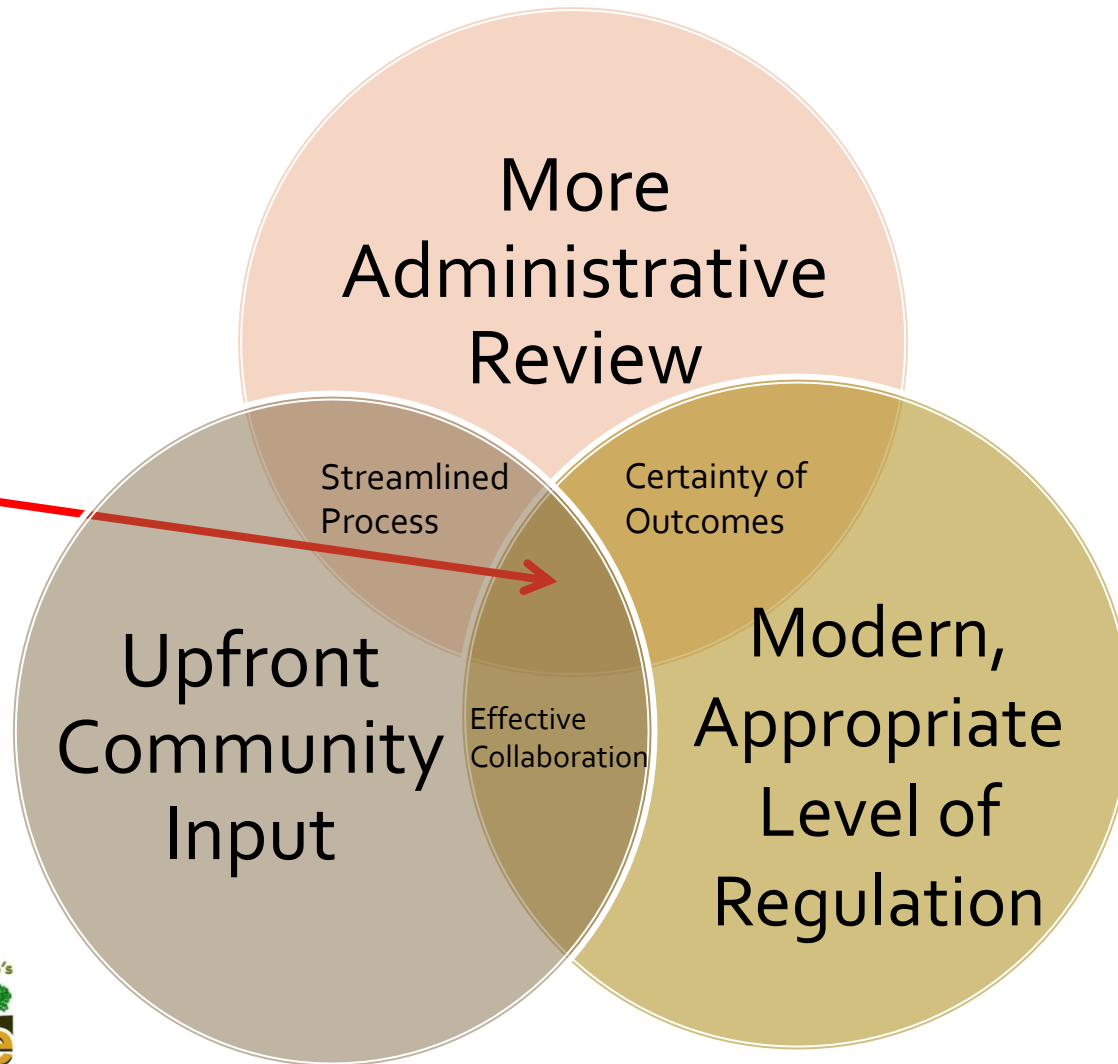
Disincentive to  
Investment in  
Prince George's  
County



# Proposed Process



Successful  
Communities and  
Increased Investment





**Prince George's County**  
**Zoning Ordinance and Subdivision Regulations Rewrite**  
**County Council Retreat – Part 1**  
***Notification and Community Involvement***



The Maryland – National Capital Park & Planning Commission



# *Notification and Community Involvement*



## **Topics of Discussion**

- Public Notice and Participation
- Pre-Application Neighborhood Meeting



# *Notification and Community Involvement*



- Located in Module 3 on Pages 27-2-11 through 27-2-24
- Assure stakeholders are provided opportunities to voice their opinion
- Create development that reflects the values and priorities of stakeholders
- Provide more meaningful public engagement upfront

# Notification and Community Involvement

## Sec. 27-400: Standard Review Procedures



### Early and meaningful public involvement:

- New Ordinance is **logically organized** and more understandable
- **New neighborhood meeting** requirement to allow citizen input on major projects before applications are submitted
- **Civic organizations register** to receive notice of neighborhood meetings, application submission, and public hearings on applications
- Consolidating and clarifying all **public notification requirements in a table**



# Notification and Community Involvement



## Required Public Notice Table

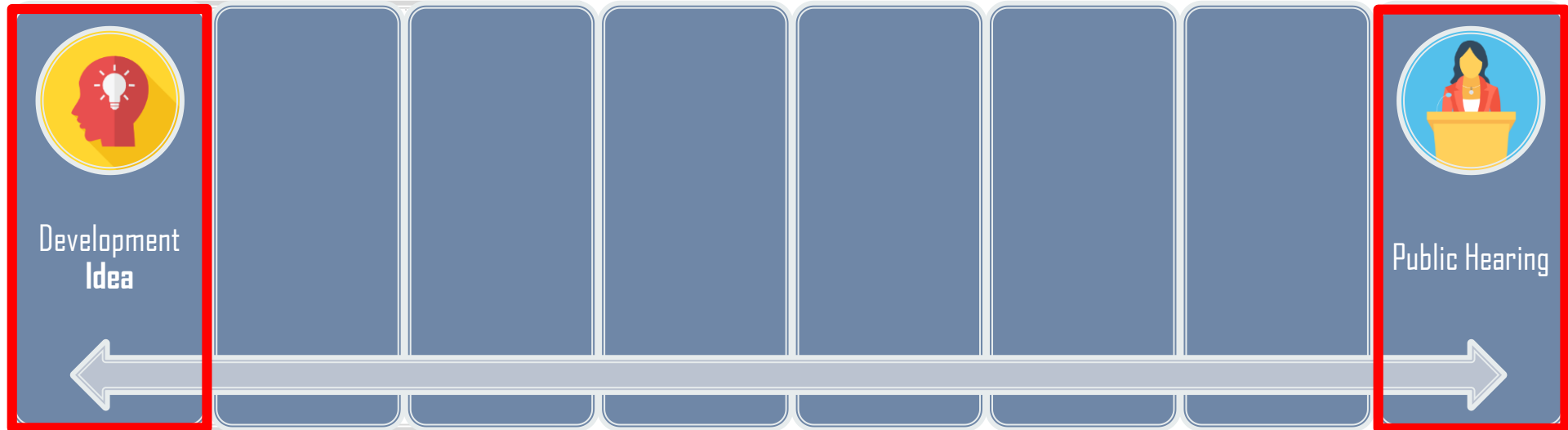
- Public notification requirements in one subsection
- Timing and duration of notices:
  - Mailed
  - Published
  - Posted
- Content of notices addressed in text

Table: 27-2.407.B: Required Public Notice			
Required Timing and Specific Recipients [1]			
Application Type	Mail	Publication	Posting
<b>Comprehensive Plans</b>			
Comprehensive Plans and Amendments (General Plan, Area Master Plan, and Sector Plans)	30 days prior to the joint hearing, to: <ul style="list-style-type: none"> <li>All owners of land for which a change in zoning is proposed, if a sectional map amendment is included [2]</li> </ul>	30 days prior to the joint hearing(s)	N/A
<b>Amendments and Planned Developments</b>			
Text Amendment	N/A	30 days prior to the hearing	N/A
Sectional Map Amendment	30 days prior to the District Council hearing to: <ul style="list-style-type: none"> <li>All owners of land for which a change in zoning is proposed [2]</li> </ul>	30 days prior to the hearing	N/A
Parcel-Specific Map Amendment Planned Development (PD) Map Amendment		30 days prior to the hearing	30 days prior to the hearing
<b>Chesapeake Bay Critical Area Overlay (CBCA-O) Zone Map Amendment</b>			
Planning Board Hearing	30 days prior to the hearing, to: <ul style="list-style-type: none"> <li>All owners of land within the boundaries of the proposed overlay zones;</li> <li>Any municipality lying, wholly or in part, within, or within one mile of, the boundaries of the proposed overlay zones; and</li> <li>All persons of record, and all other persons who requested (in writing) a copy of the Technical Staff Report</li> </ul> 60 days prior to the hearing, to: <ul style="list-style-type: none"> <li>All public agencies and municipalities with operational or planning responsibilities within the boundaries of the proposed overlay zones; and</li> <li>The Historic Preservation Commission, if any land within the proposed overlay zones is an identified historic resource. [3]</li> </ul>	30 days prior to the hearing	30 days prior to the hearing
ZHE Hearing	30 days prior to the hearing to persons of record		30 days prior to the hearing
District Council Hearing	30 days prior to the hearing, to: <ul style="list-style-type: none"> <li>All owners of land and any municipality lying, wholly or in part, within, or within one mile of, the boundaries of the proposed overlay zones; and</li> <li>Persons of record.</li> </ul>	30 days prior to the hearing	30 days prior to the hearing
<b>Use Permits</b>			
Special Exception	30 days prior to the hearing to: <ul style="list-style-type: none"> <li>Parties of record;</li> <li>Owners of land adjoining, across the street from, on the same block as, or in the general vicinity of the land subject to the application; and</li> <li>Every municipality located within one mile of the land subject to the application.</li> </ul>		30 days prior to the hearing
<b>Site Plans</b>			
Minor Site Plan	Appeal only: 30 days prior to the hearing to: <ul style="list-style-type: none"> <li>Parties of record;</li> <li>Owners of land adjoining, across the street from, on the same block as, or in the general vicinity of the land subject to the application; and</li> <li>Every municipality located within one mile of the land subject to the application.</li> </ul>		10 days prior to the date of Planning Director's decision
Major Site Plan	30 days prior to the hearing to:		30 days prior to the hearing

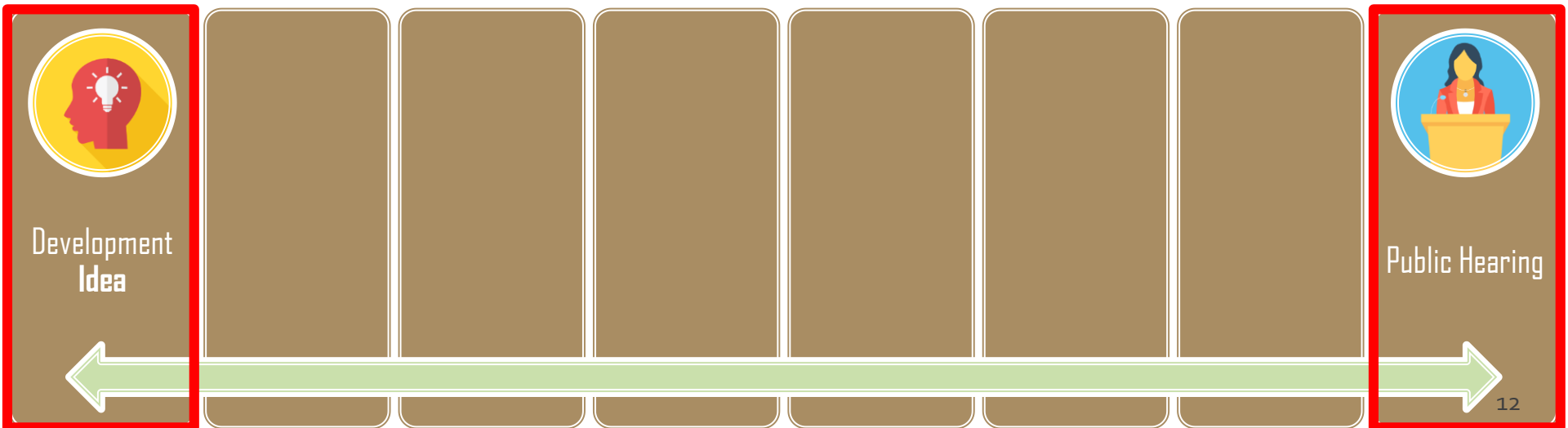
# Required Public Notice

*Current* (Detailed Site Plan) vs. *Proposed* (Major Site Plan)

## Current Ordinance (Detailed Site Plan)



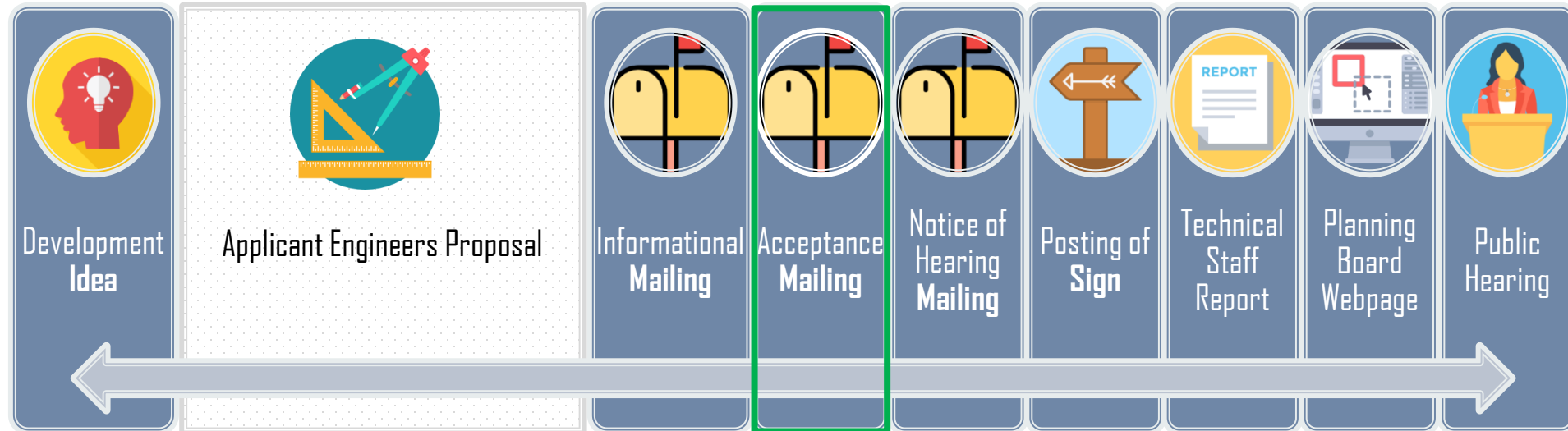
## Proposed (Major Site Plan)



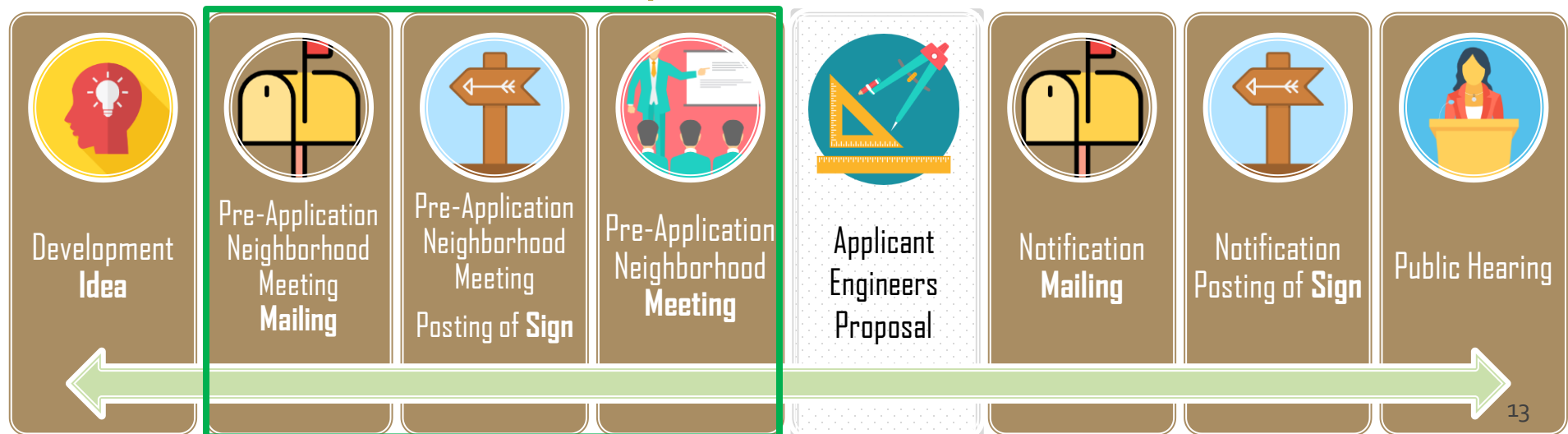
# Required Public Notice

*Current* (Detailed Site Plan) vs. **Proposed** (Major Site Plan)

## Current Ordinance (Detailed Site Plan)



## Proposed (Major Site Plan)





# Notification and Community Involvement



## Pre-Application Neighborhood meeting

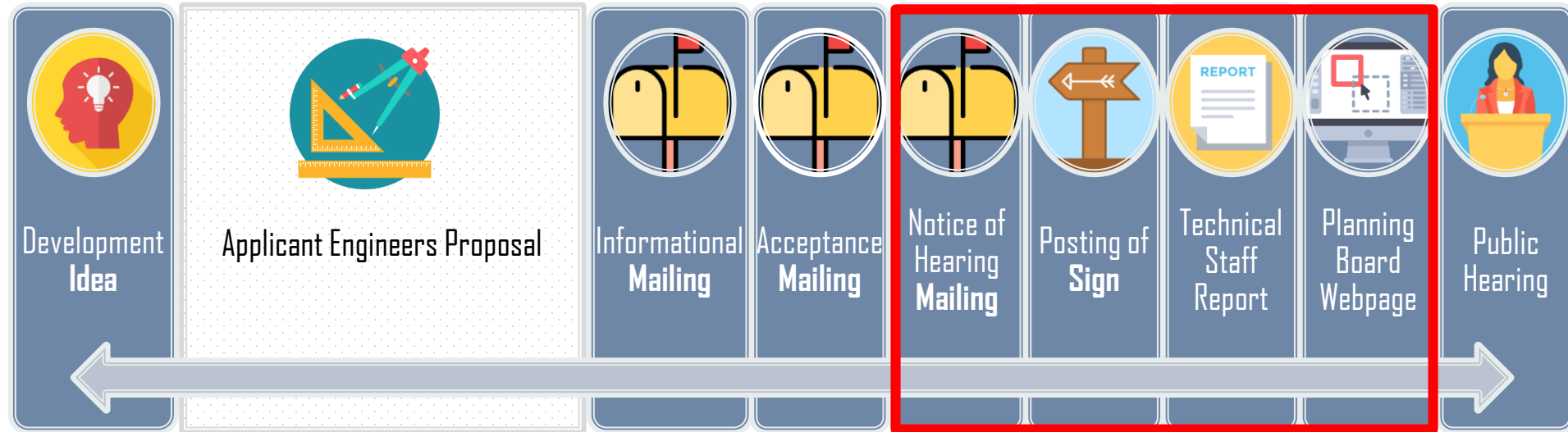
- **Encouraged** for many applications
- **Required** before application submitted for:
  - Parcel-specific map amendments
  - Planned development (PD) map amendments
  - Chesapeake Bay Critical Area Overlay Zone map amendments
  - Special exceptions
  - Major site plans
  - Major adjustments
- **Notice posted** and **mailed** 10 days in advance to adjacent landowners and civic organizations



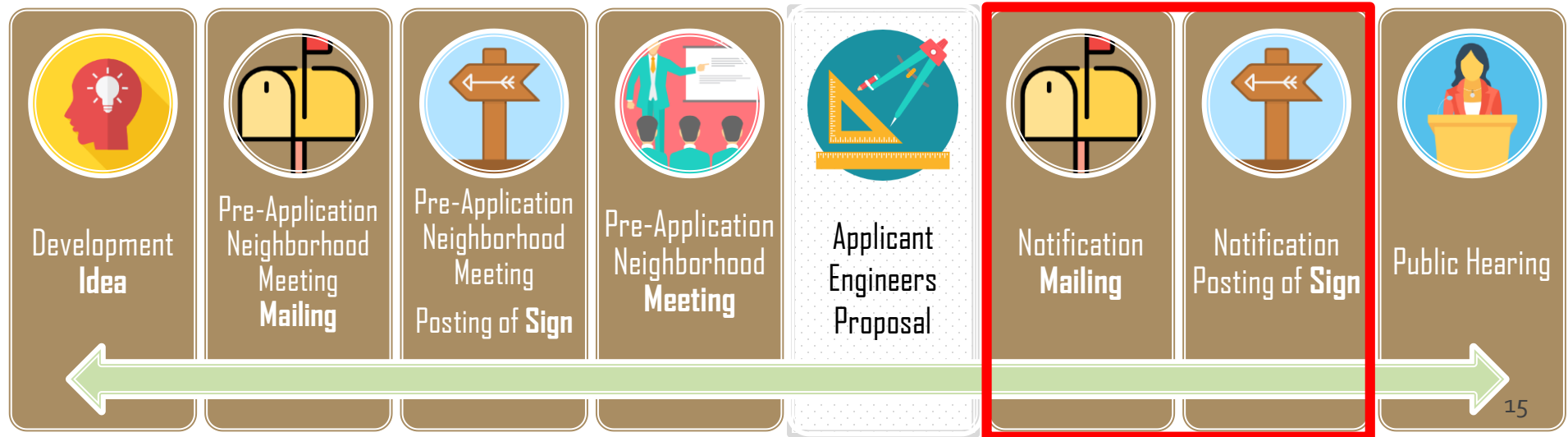
# Required Public Notice

*Current* (Detailed Site Plan) vs. **Proposed** (Major Site Plan)

## Current Ordinance (Detailed Site Plan)



## Proposed (Major Site Plan)





# Notification and Community Involvement



## Strengthens opportunities for public involvement:

- Requiring posting of notice on land
- Retaining public hearings
- Civic organizations register to receive notice on applications
- Public notification requirements in a table
- Recommending a new Applications Manual to incorporate administrative aspects of the application process that will:
  - Improve online information on applications
  - Require Technical Staff Reports to include a summary of citizen comments
  - Improve information included in public notices



# Notification and Community Involvement



- Do you agree with the Pre-Application Neighborhood Meetings?
- Are there other public participation or notice measures you would like to include?



This concludes the staff presentation on notification and community involvement input.

# Questions?



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

***County Council Retreat– Part 2  
Development Application Procedures***



# *Development Application Procedures*



## **Topics of Discussion**

- Overview
- Master Plans
- Rezoning
- Text Amendments
- Site Plan
- Planned Development
- Special Exceptions
- Variances
- Adjustments



# Development Application Procedures



The **current** ordinance outlines approximately **67** procedures.  
Key procedures include:

- **Master Plans**
- **Amendments**
  - Sectional map amendment
  - Zoning map amendments
  - Text amendments
- **Special Exceptions**
- **Site Plans**
  - Conceptual Site Plan
  - Detailed Site Plan
  - Comprehensive Design Plans
- **Relief Procedures**
  - Variances
  - Departures
  - Alternative Compliance

# *Development Application Procedures*



The **proposed** ordinance outlines **20** procedures.

Key procedures include:

- Master Plans
- Amendments and Planned Developments
- Special Exceptions
- Site Plans
- Permits and Certificates
- Relief Procedures



# Development Application Procedures



All proposed development application procedures follow a **standard review procedure.**

Figure 27-2.508.E: Major Site Plan Procedure



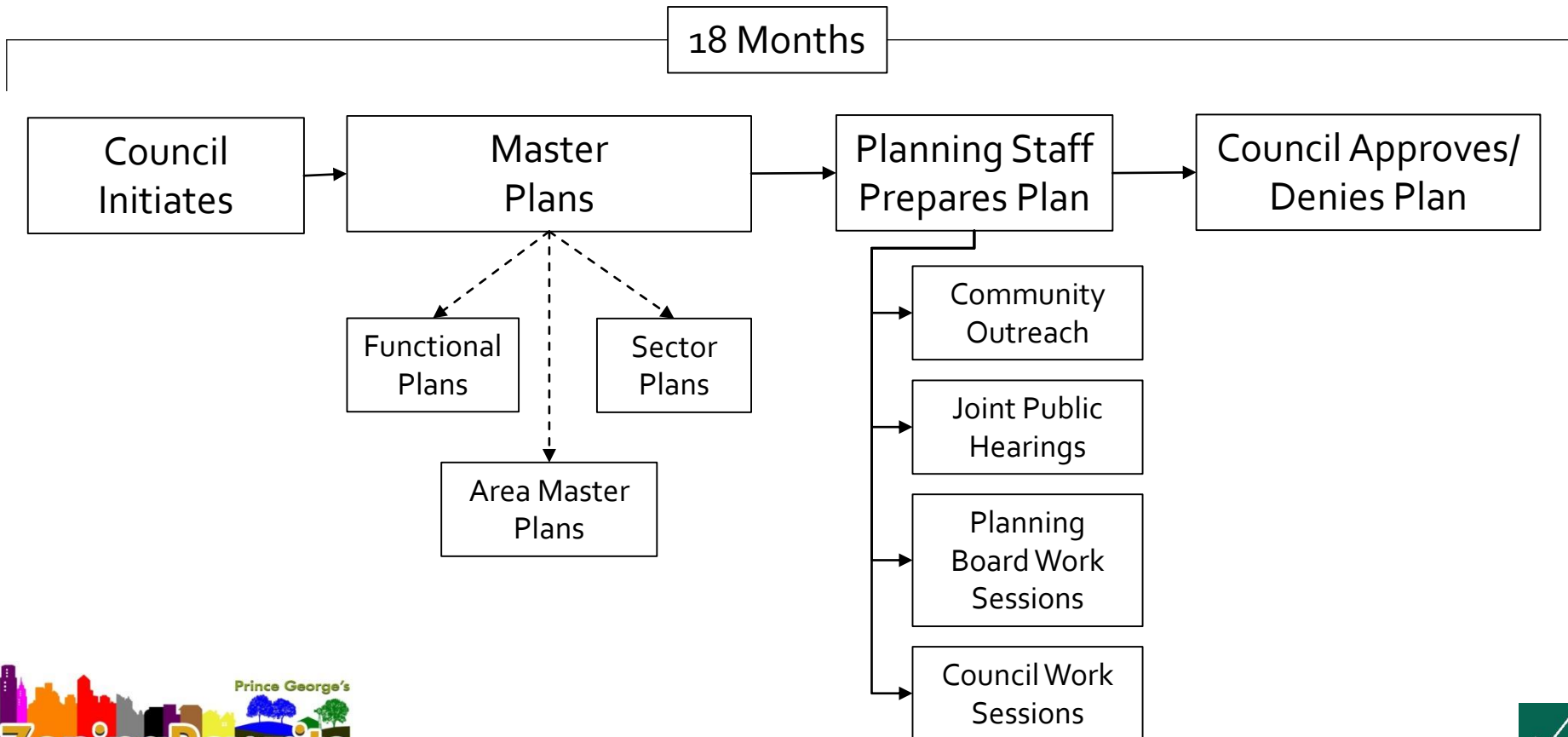


# Master Plan Procedures

# Master Plans



## What happens now:



# Master Plans



## What is proposed:

- **No Changes**, except
- Replacing the 18-month time frame with a flexible schedule to be determined by the District Council.

# *Master Plans*



# Questions?

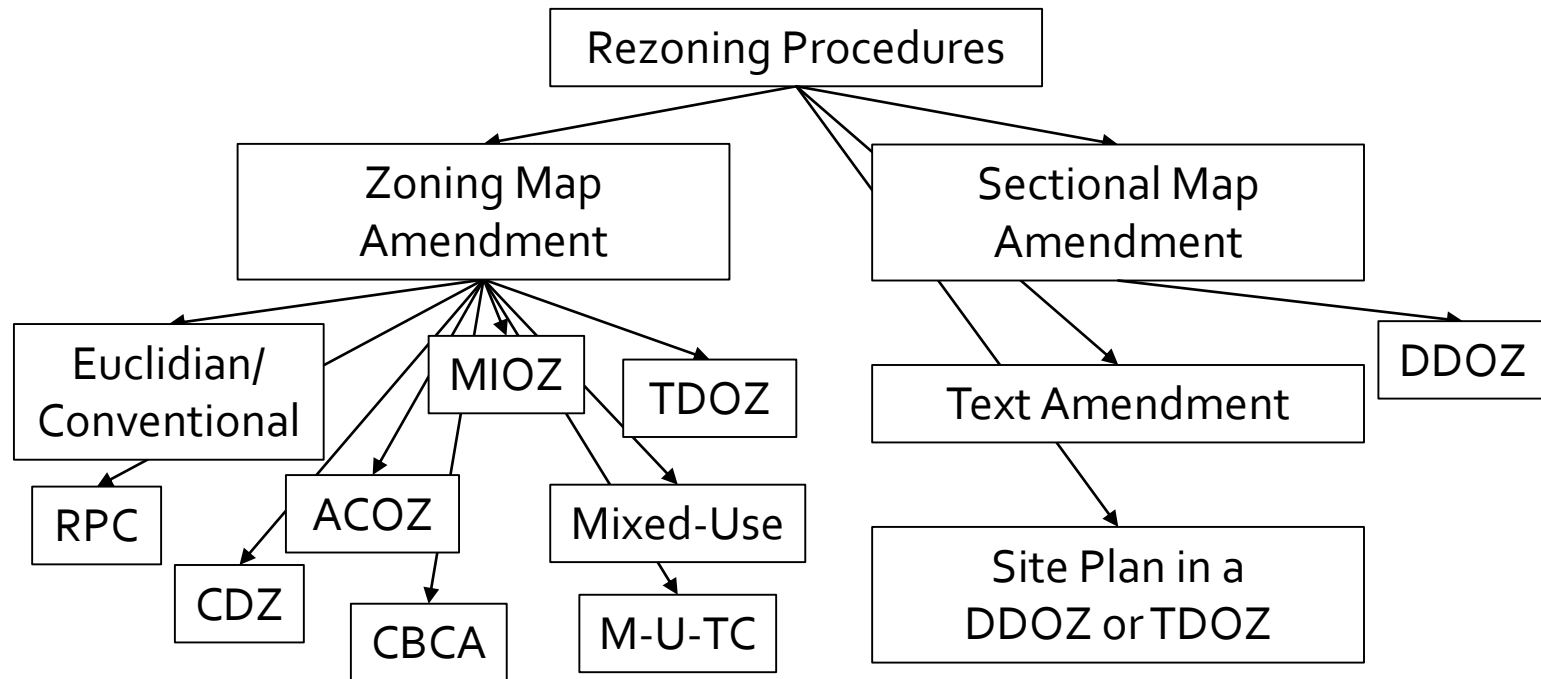


# Rezoning Procedures

# Rezoning



## Current Ordinance:

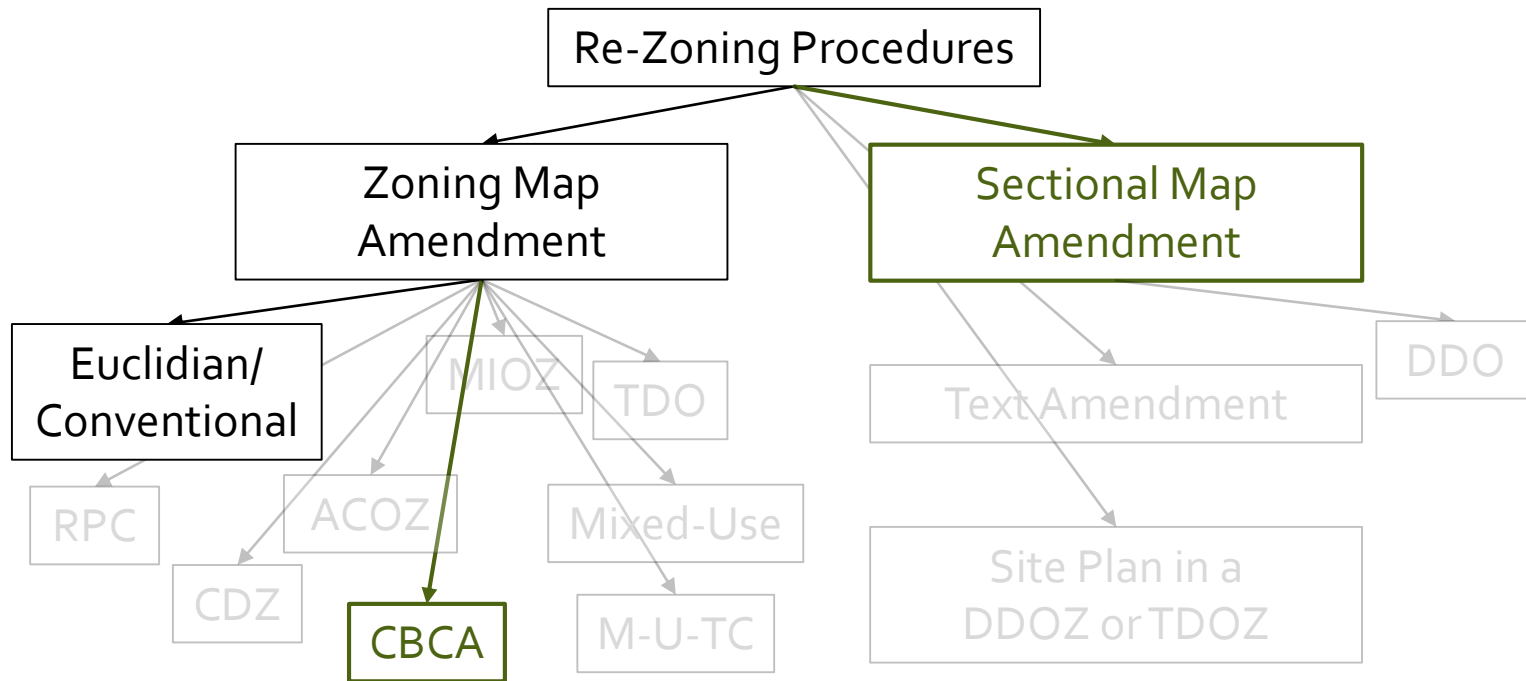




# Rezoning



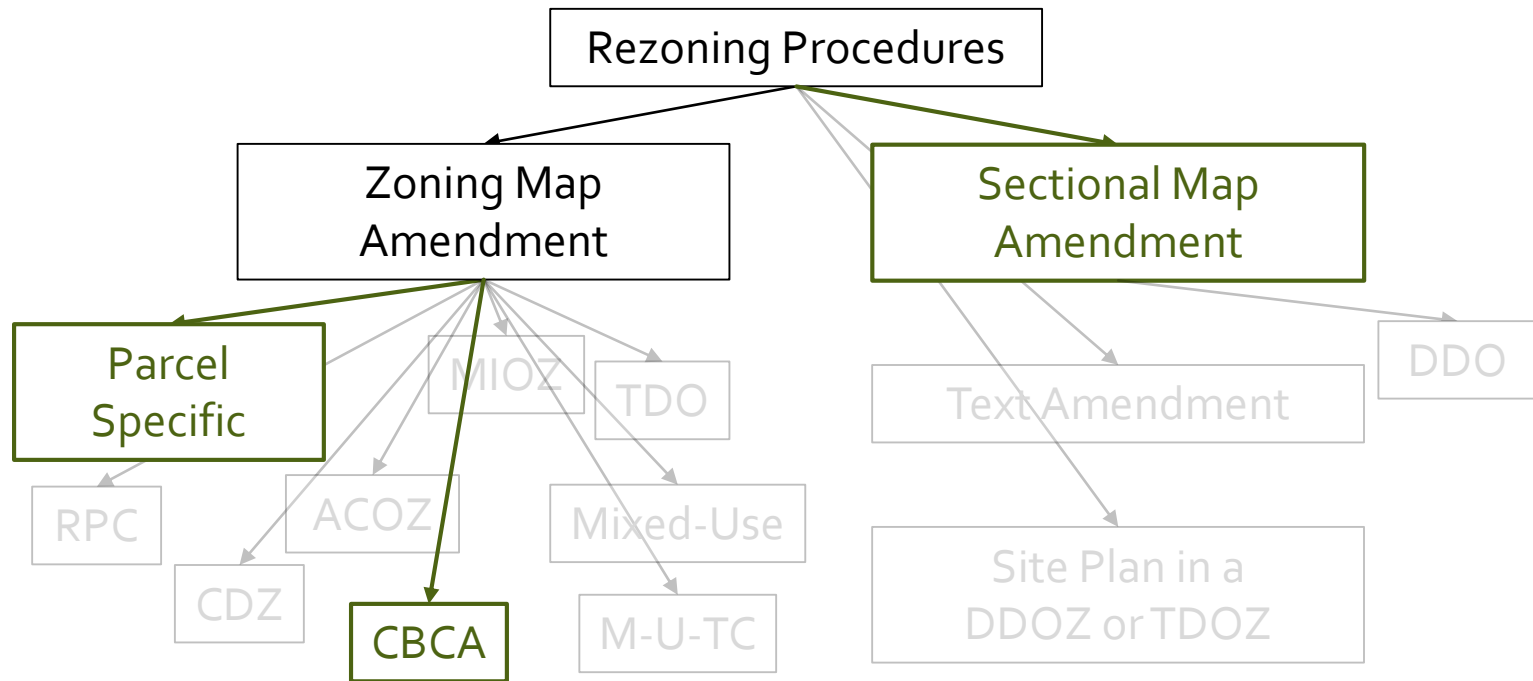
Proposed:



# Rezoning



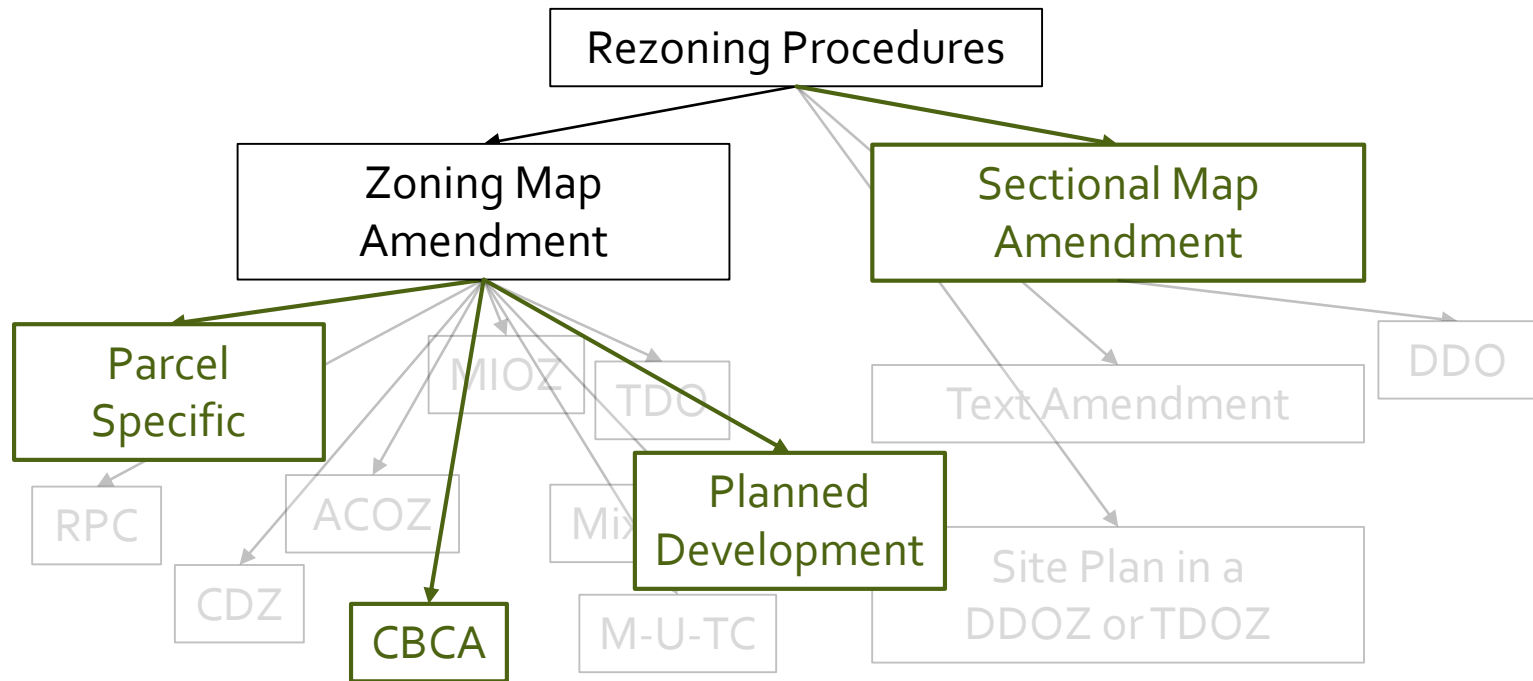
Proposed:



# Rezoning



Proposed:



# Rezoning



## What is proposed:

- Consolidating 13 procedures into 4
- **No changes** to SMA and CBCA Map Amendments
- Euclidian zoning amendments become Parcel-Specific Map Amendment; still require “Change or Mistake” finding.
- Planned Development zones are new, but are very similar to CDZs.

# Rezoning



# Questions?

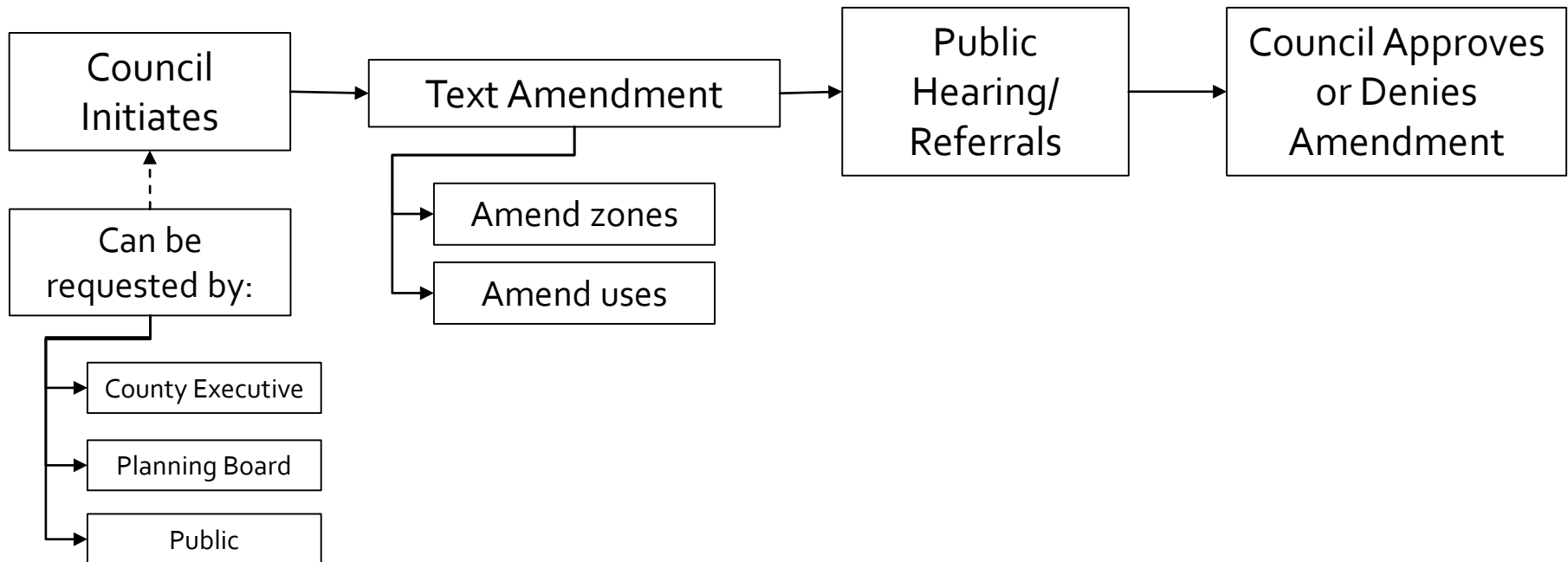


# Text Amendment Procedures

# Text Amendments



## What happens now:

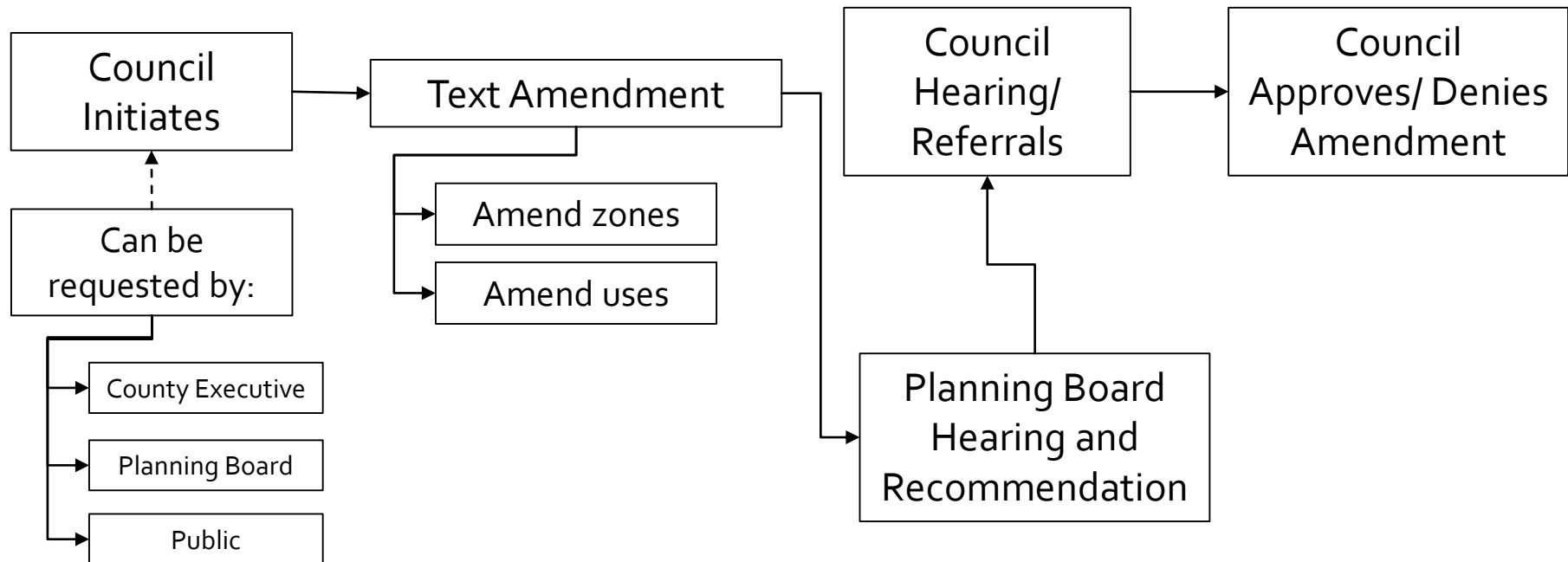




# Text Amendments



## What is proposed:



# Text Amendments



- Per Council guidance -

**No changes.** Text Amendments will continue to be determined solely by the District Council.

# *Text Amendments*



# Questions?



# Site Plan Procedures

# Site Plans



Site Plan review **currently** includes the following:

- Conceptual Site Plan
- Comprehensive Design Plan
- Detailed Site Plan
- Specific Design Plan

# Site Plans



**Proposed** site plan review include the following:

- Minor Site Plan
- Major Site Plan

The Major and Minor Site Plans are similar to the Detailed Site Plan (DSP). The proposed procedures no longer include the Conceptual Site Plan (CSP).

Additionally, deletion of the Comprehensive Design Zones results in deletion of the Comprehensive and Specific Design Plans.



# Site Plans



## Removal of the Conceptual Site Plan:

- The CSP implies that there is a logical sequence and direct relationship between the CSP and the DSP. However, this is not necessarily true, particularly in the event of market changes.
- Clarion suggests that removal of the CSP would result in:
  - Consolidation
  - Cost and time savings for the applicant and County
  - Streamlining
  - Simplification of the site plan review process

# Site Plans



Site Plan review is **currently** required by either:

- **The zoning district** *e.g. R-T, R-10, and M-X-T*
- **The use tables** *e.g. day care center, churches and consolidated storage, or recreational community developments*
- **Through other regulatory tools** as a condition of approval of a Zoning Map Amendment, Special Exception, or a Preliminary Plan of Subdivision.

# Site Plans



Site Plan review is **proposed** to be required by the size of the project - number of dwelling units and/or the amount of square footage proposed for the development, as follows:

- For attached housing and multifamily – over a certain number of dwelling units
- For nonresidential – over a certain amount of square footage
- For mixed-use development – over a certain size (sq. ft. of nonresidential) and number of dwelling units

# Site Plans



## Exemptions from Site Plan Review (permit review process):

Development that is exempt from site plan review (per Sec. 27-2.508.C.1.b) will be required to file for appropriate permits and demonstrate compliance with the regulations of the proposed Zoning Ordinance.

# Site Plans



## Examples of exemptions from Minor and Major site plan review (per 27-2.508.C.1.b) include:

- Alteration of a building with no increase in GFA
- Changes in use and occupancy
- Single-family detached dwellings
- Townhouses or multifamily development of less than 10 dwelling units
- Nonresidential development less than 100,000 square feet of GFA
- Mixed-use development less than 50,000 square feet of GFA and less than 50 dwellings
- Grading that include installation of infrastructure including streets, utilities, or storm water management

# Site Plans



**Minor Site Plan** review is proposed to be required with the construction, expansion, or alteration of:

- Townhouse or multifamily development between 10-75 dwellings,
- Nonresidential development between 100,000 and 150,000 square feet of GFA, and
- Mixed-use development between 50,000 and 250,000 square feet of GFA and less than 90 dwellings.

# Site Plans



**Major Site Plan** review is proposed to be required with the construction, expansion, or alteration of:

- All development that is not exempted per Sec. 27-2.508.C.1.b **and** which exceeds the thresholds for minor site plan review.



# Site Plans



## Project size thresholds for each level of **Site Plan** review:

	<b>Residential</b> (Multi-Family and Townhouse Dwelling Units)	<b>Nonresidential</b> (Gross Floor Area)	<b>Mixed</b> (Gross Floor Area & Multi-Family and Townhouse Dwelling Units)
<b>Permit Review Only</b>	0 - 9	0 - 99,999	0 - 49,999 GFA 0 - 49 DU
<b>Minor Site Plan</b>	10 - 75	100,000 - 149,999	50,000 - 249,999 GFA 50 - 89 DU
<b>Major Site Plan</b>	76 +	150,000 +	250,000 + GFA 90 + DU

# Site Plans



## Decision Standards

**Current** decision standards for site plans are being carried over except for one substantial change.

- Today's code requires conformance to the **design guidelines**, which are not binding.
- The proposed decision standards require conformance to the **development standards**, which are mandatory.

# Site Plans



- Does the Council agree with eliminating the Conceptual Site Plan procedure?
- Does the Council agree with linking the requirement of site plan review with the size (and potential impact) of the proposed development?



# Planned Development Procedures

# Planned Developments



**Currently** – CDZs include Basic Plan/CDP/SDP

**Proposed – Planned Development** zones are similar to today's CDZs. A Planned Development first requires a rezoning and concurrent approval of a PD Basic Plan.

The second step for development within a Planned Development zone follows the procedures for any other development, depending on the size:

- Permit review,
- Minor Site Plan, or
- Major Site Plan

# *Planned Developments*



# Questions?



# Special Exceptions Procedures



# *Special Exceptions*



**Current** - Planning Board review is optional.

**Proposed** - Planning Board review is mandatory.

- Staff does not agree with this proposal and recommends codifying current procedure.
- ZHE review creates the record of hearing.

# *Special Exceptions*



## **Current revision process to an approved SE (ROSP):**

- Major changes are processed per the original approval of the SE
- Minor changes are processed by either the Planning Board or the Planning Director, depending on the extent of the changes

# Special Exceptions



## Proposed revision process to an approved SE:

Major changes to SE –

- The text as proposed is silent, but staff assumes that these would be processed according to the original application procedure.

Minor changes to SE –

- ZHE – Up to 15% increase in GFA or land area covered
- Planning Director –
  - Up to 10% increase in GFA or land area covered,
  - Compliance with Subtitle 32,
  - Redesign of parking and loading area, or
  - Redesign of landscaping.

# *Special Exceptions*



# Questions?



# Variance Procedures

# Variances



## What happens now:

Review of a variance by the Board of Zoning Appeals, unless the application is in conjunction with an application with final decision-making authority lying with the Planning Board, ZHE or District Council, in which case that authority also makes the final decision relating to the variance.

# Variances



## What is proposed:

**All** variance requests would be heard and decided by the BZA.

What staff has directed:

Restore the current Variance procedures, which grant the body reviewing and deciding the parent application the authority to approve a requested variance.



# Variances



## Decision Standards

Variance decision standards are slightly different than the current code language:

### Current language:

- (1) A specific parcel of land has exceptional narrowness, shallowness, or shape, exceptional topographic conditions, or other extraordinary situations or conditions;
- (2) The strict application of this Subtitle will result in peculiar and unusual practical difficulties to, or exceptional or undue hardship upon, the owner of the property; and
- (3) The variance will not substantially impair the intent, purpose, or integrity of the General Plan or Master Plan.

# Variances



## Decision Standards

### Proposed language:

1. Strict application of the ordinance would result in exceptional practical difficulty for, or exceptional or undue hardship on, the owner of the land because of the exceptional shape of the land at the time of the enactment of this Ordinance or any amendment, thereto, or because of the exceptional situation of topographical conditions of the land; and
2. Authorization of the variance will not cause a substantial impairment of the intent, purpose, and integrity of the zone where the proposed variance is located.

# Variances



# Questions?

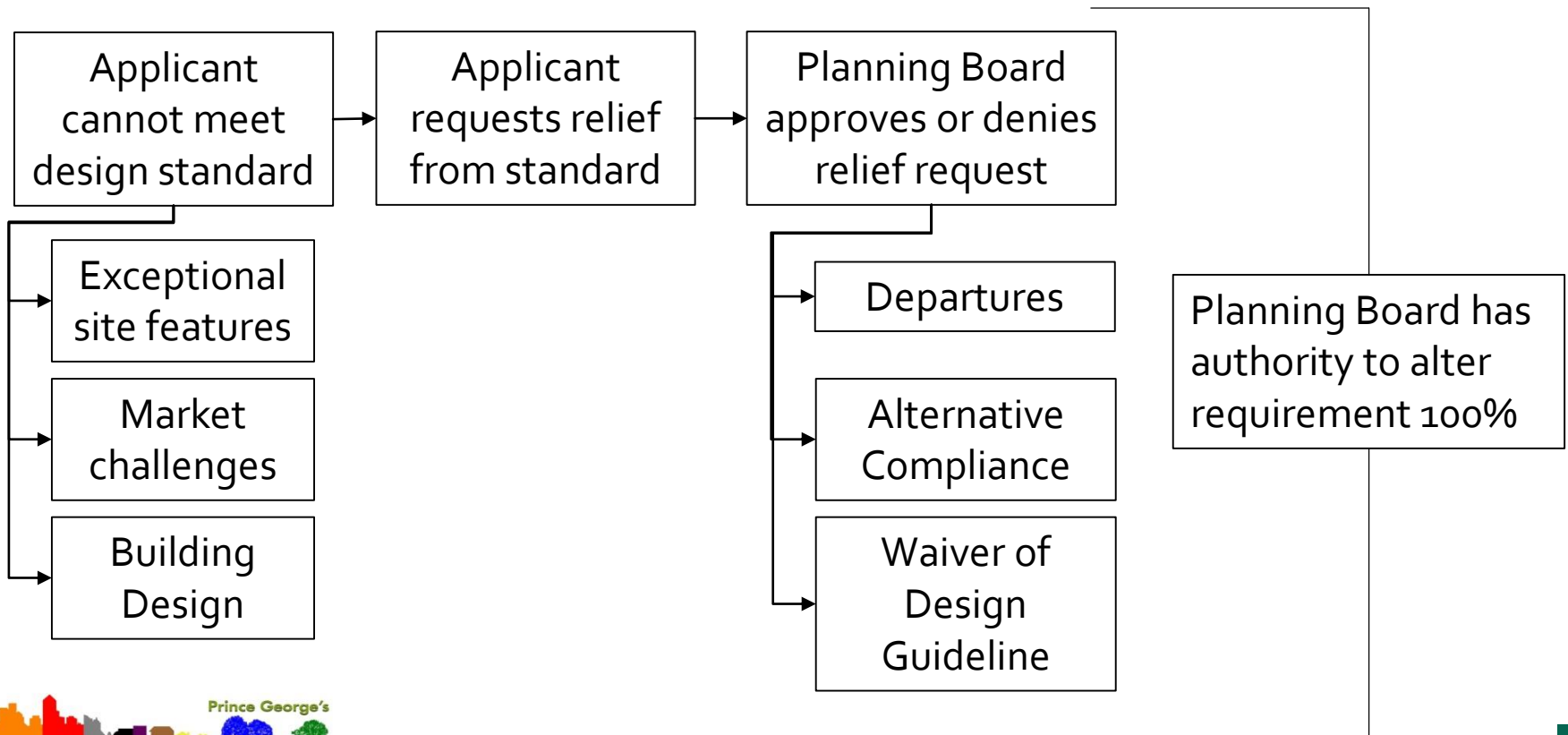


# Adjustment Procedures

# Adjustments



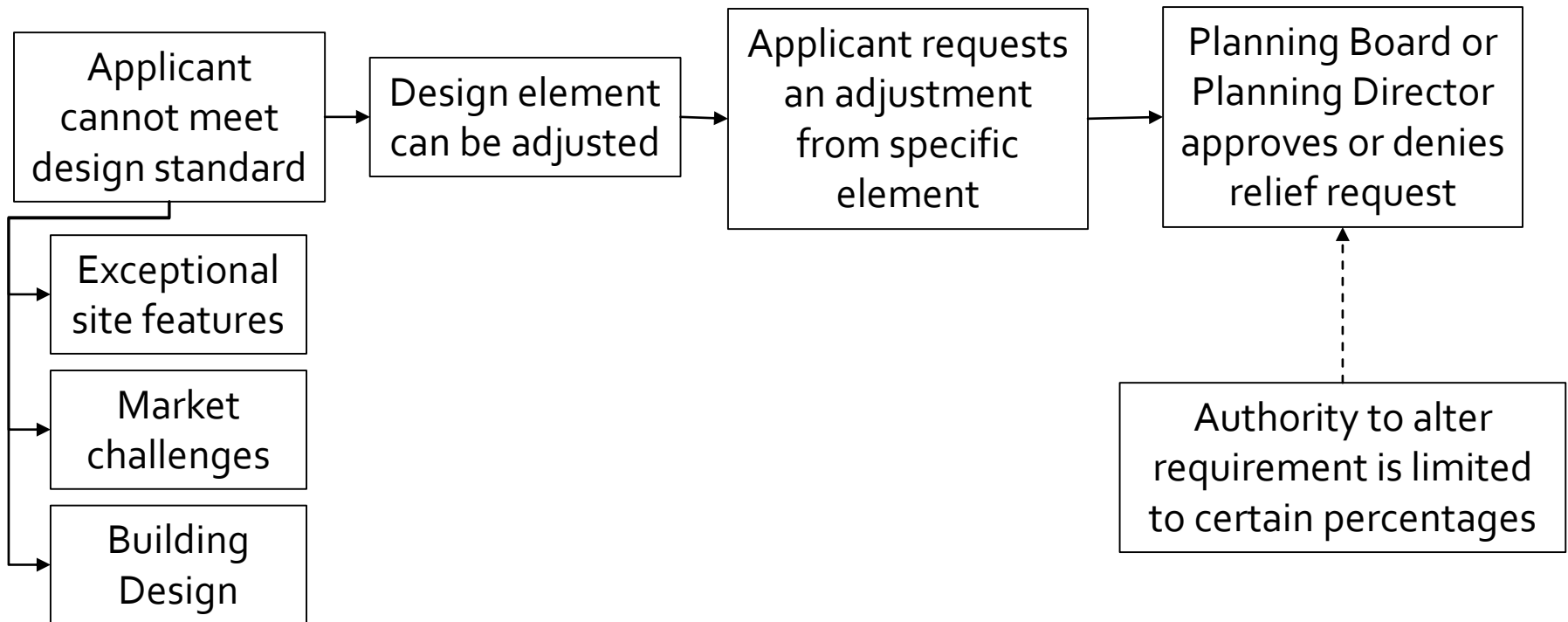
## What happens now:



# Adjustments



## What is proposed:



# Adjustments



## What is proposed:

- **Adjustments** will allow for limited deviations from design standards
  - Adjustments are limited in regards to how much a standard can be deviated
  - Only certain design elements can be adjusted
- Adjustments are requested by the applicant
- These are similar to the current departures process; the term “departure” is **not** required by state land use law.
- Adjustments are **NOT** variances



# Adjustments



- The amount that a design standard can be adjusted is dependent on a few factors:
  - The location of the application in the County
    - Projects inside the Beltway (more urban)
    - Projects in Transit-Oriented/Activity Center zones
    - Projects outside the Beltway (more suburban)
  - Major vs. Minor Adjustments approvals
    - Major adjustments are approved the Planning Board
    - Minor adjustments are approved by the Planning Director

# Adjustments



## Major and Minor Adjustments Thresholds

- Major adjustments are 15-35% (*generally*)
- Minor adjustments are 0-15% (*generally*)
- All major adjustments are also minor adjustments, but not all minor adjustments are major adjustments

# Adjustments



## MINOR ADJUSTMENTS\*

- Base zone dimensional standards
- Block design standards
- Vehicle stacking space
- Off-street parking spaces
- Location of off street parking
- Transparency/Fenestration
- Buffer width

## MAJOR ADJUSTMENTS\*

- Base zone dimensional standards
- Vehicle stacking space
- Off-street parking spaces
- Location of off street parking

\*Each element has its own adjustment percentage

# Adjustments



- If reviewed in conjunction with another application, are to be approved **prior to** the other application.
- Are valid for the period of the development approval or permit with which it was considered and approved.

# Adjustments



Does the Council agree with the procedures to provide limited relief to the design standards as proposed in the Adjustment procedures?



This concludes the staff presentation on  
Development Application procedures.

# Questions?



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

***Council Retreat – Part 3  
Development Review Authority***





# *Development Review Authority*



## **Topics of Discussion**

- Council Appeals and Election to Review
- Master Plans
- Text and Map Amendments
- Site Plan
- Relief Procedures
- Permits



# Council Appeals and Election to Review

# *Council Appeals and Election to Review*



## **What we have heard:**

- Many community members who provided comments support Council election to review
- Members of the development community who provided comment do not support Council election to review

# *Council Appeals and Election to Review*



## **What happens now:**

- The District Council hears a development case as an appeal requested by the applicant or an aggrieved party
- The District Council may vote to review the Planning Board's decision, on its own motion, within thirty (30) days after the date of the notice

# *Council Appeals and Election to Review*



## **What is proposed:**

- District Council can hear appeals for:
  - Major site plans
  - Appeals of minor site plans, following a Planning Board appeal of the Planning Director's decision
- Appeals are requested by the applicant or by an aggrieved party.
- Election to review is not carried forward.



# Review Authority

# Review Authority



**Summary Comparison Chart of Clarion Associates' Proposed Changes to Development Review Responsibilities (9/30/2016)**

**Key:** A - Appeal; C - Comment; D - Decision; I - Initiation; R- Recommendation; < > - Public Meeting Required; ( ) - Call Up; Blank Space - No action; **Red text** refers to actions in the current code

Staff recognizes this chart is difficult to use; this is largely due to the numerous procedures that exist in the current Zoning Ordinance and how they contribute to the overall complexity of comparisons. Two follow-up products are planned to address the concern of user-friendliness. The first will be a set of graphical comparisons of the procedures of each individual review body. The second will be a summary of the biggest changes Clarion proposes to procedures and review authorities.

A number of current procedures are proposed to be removed by Clarion because either the zone (such as Comprehensive Design Zones) or procedures have been replaced by streamlined zones or procedures.

Existing Application / Procedure	Change	Proposed Application/Procedure	County Executive		District Council		Planning Board		Board of Zoning Appeals		Zoning Hearing Examiner	
			Cur.	Pro.	Cur.	Pro.	Cur.	Pro.	Cur.	Pro.	Cur.	Pro.
Master Plans or Sector Plans												
Comprehensive Plan	Consolidated	Comprehensive Plans and Amendments (General Plans, Area Master Plans, Functional Master Plans, Sector Plans)			D	I <D>	<R>	I [3] <R>				
Comprehensive Plan Amendment	Consolidated				D		<R>					
Amendments and Planned Developments												
Text Amendment	Maintained	Text Amendment			I <D>	I <D>	C	I [3] <R>				
Sectional Map Amendment	Maintained	Sectional Map Amendment (SMA)			I <D>		I [3] <R>					
Sectional Map Amendment (Regulating Plan/Subtitle 27A)	Consolidated				<D>	I <D>	<R>	I [3] <R>				
Military Installation Overlay Zone	Consolidated				I <D>		I [3] <R>					
Zoning Map Amendment - Chesapeake Bay C.A. Overlay	Maintained	Zoning Map Amendment - Chesapeake Bay Critical Area			<D>	I <D>	I [3] <R>	I [3] <R>			<R>	<R>
Zoning Map Amendment - Conventional	Maintained	Parcel Specific Map Amendment			<D>	<D>	<R>	<R>			<R>	<R>
	Added	Planned Development Map Amendment				<D>		<R>				
Residential Planned Community	Removed											
Comprehensive Design Zones	Removed											
M-X-T and M-X-C Zones	Removed											
Architectural Conservation Overlay	Removed				I <D>		<R>					



# Review Authority



## SYMBOLS IN TABLE

- A – Appeal
- C – Comment
- D – Decision
- I – Initiation
- R – Recommendation
- < > – Public Meeting
- ( ) – Council Election to Review (current code)
- Blank Space – No Role



# Master Plan Review Authority

# Master Plans



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current		I <D>	I* <R>				R	C	C
Proposed		I <D>	I* <R>				R	C	C

\* Planning Board can initiate with the written authorization or concurrence by resolution of the District Council

**No Change.**



# Text and Map Amendments Review Authority

# Text Amendments



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current		I <D>	C						
Proposed		I <D>	I* <R>			R		C	

\* Planning Board can initiate with the written authorization or concurrence by resolution of the District Council

# Sectional Map Amendment



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current		I <D>	I* <R>			C			R
Proposed		I <D>	I* <R>			R		C	R

\* Planning Board can initiate with the written authorization or concurrence by resolution of the District Council

# Chesapeake Bay Critical Area Map Amendments



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current		<D>	I* <R>		<R>				R
Proposed		I <D>	I* <R>		<R>	R		C	R

\* Planning Board can initiate with the written authorization or concurrence by resolution of the District Council



# Parcel-Specific Map Amendments



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current		<D>	<R>		<R>	R		C	
Proposed		<D>	<R>		<R>	R		C	

# Planned Development Map Amendments



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current*		<D>	<R>			R		C	C
Proposed		<D>	<R>			R		C	C

\*There is no "current" Planned Development Zone. The authority for "Comprehensive Design Zones" is shown.

No Change.



# Special Exceptions Review Authority

# Special Exceptions



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current		(<A>)			<D>	R	R*	C	C
Proposed		<A>	<R>		<D>	R	R**	C	C

\* The DPIE Director may revoke or modify an approved special exception (Sec. 27-328).

\*\* The DPIE Director may petition the ZHE to revoke, modify, suspend, or impose additional conditions on an approved special exception.

# *Special Exceptions*



## **What happens now:**

- Special Exception applications may be considered by the Planning Board. This is an uncoded practice.
- The Zoning Hearing Examiner conducts the official hearing and establishes the official record in the case, and decides the case based on the evidence.
- The District Council may:
  - Elect to review the case; or
  - Hear and decide an appeal.
  - There is a mandatory review in some cases.

# *Special Exceptions*



## **What is proposed:**

- The Planning Board makes a recommendation to the ZHE.
- The ZHE makes the final decision on the case.
- The District Council hears and decides:
  - An appeal of an aggrieved person; or
  - A case in which the ZHE decision conflicts with the recommendation of a municipality in which the application is located.
- The District Council would not retain mandatory review on any SE.



# Site Plans Review Authority



# Major Site Plans



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current		(<A>)	<D>			R		C	C
Proposed		<A>	<D>			R		C	C

The Major Site Plan does not exist in today's code, but this comparison uses the process for a Detailed Site Plan.

# Minor Site Plans



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current						D		C	
Proposed		<A>	<A>			D		C	

The Minor Site Plan does not exist in today's code, but this comparison uses the process for a Detailed Site Plan reviewed at Planning Director level.

# Site Plans



## What happens now:

Site plans are reviewed at both Planning Board level and at Planning Director level.

- The Planning Board reviews the original case (most often, some cases are reviewed by the Planning Board's designee).
- The Planning Director reviews amendment requests to approved Detailed Site Plan if the amendment meets certain criteria; otherwise the case must be reviewed by the Planning Board.
- The cases reviewed by the Planning Board are appealable to the District Council, or the District Council can elect to review the case.

# Site Plans



## What is proposed:

- Major Site Plans - The Planning Board would review and decide Major Site Plans, with an appeal to the District Council.
- Minor Site Plans - The Planning Director would review and decide Minor Site Plans, with an initial appeal to the Planning Board and further appeal to the District Council.
- Amendments to both Major and Minor Site Plans are recommended to follow the procedures of an initial application.

# Questions



- How do you feel about the overall approach for authority?
- What are your specific thoughts about recommendations for Master Plans, Amendments, Site Plans, and Special Exceptions?
- What are your thoughts regarding Election to Review?



# Relief Procedures Review Authority



# Adjustments Review Authority



# Major Adjustment



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current*		(<A>)	<D>			R			D**
Proposed			<D>			R		C	D**

\*The Major Adjustment does not exist in today's code, but this comparison uses the process for a Departure.

\*\* Municipalities have the authority to decide adjustments when that authority has been duly delegated to the municipality by the District Council pursuant to the Regional District Act.

# Minor Adjustment



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current*						D			D**
Proposed			<A>			D		C	D**

\*The Minor Adjustment does not exist in today's code, but this comparison uses the process for a Departure reviewed at Planning Director level.

\*\* Municipalities have the authority to decide adjustments when that authority has been duly delegated to the municipality by the District Council pursuant to the Regional District Act.

# Adjustments



## Municipal Authority

Adjustments may be determined by the Municipality if a local ordinance is enacted setting forth the procedures, and if adopted by the District Council (per resolution). Adjustments may not be more strict than the maximum thresholds of the Zoning Ordinance.



# Variances Review Authority

# Permit Variance



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current				<D>		R			
Proposed				<D>		R			

# Entitlement Variance



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current		(<A>)	<D>			R			
Proposed				<D>		C			



# Permits Review Authority



# Permit Review



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current				<A>		R	D		
Proposed				<A>		R	D		

No Change.

# Zoning Certification



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current				<A>		D			
Proposed				<A>		D			

No Change.

# Use and Occupancy Permit



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current				<A>		R	D		
Proposed				<A>		C	D		

The current code states the Planning Board (or authorized representative) makes a recommendation to DPIE. The Planning Director/Staff is the authorized representative. This chart assumes the same in the proposed code.

# Temporary Use and Occupancy Permit



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current				<A>			D		
Proposed				<A>		C	D		

# Grading Permit



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current				<A>		R	D		
Proposed				<A>		C	D		

The current code states the Planning Board (or authorized representative) makes a recommendation to DPIE. The Planning Director/Staff is the authorized representative. This chart assumes the same in the proposed code.

# Building Permit



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current				<A>		R	D		
Proposed				<A>		C	D		

The current code states the Planning Board (or authorized representative) makes a recommendation to DPIE. The Planning Director/Staff is the authorized representative. This chart assumes the same in the proposed code.

# Sign Permit



	County Executive	District Council	Planning Board	Board of Zoning Appeals	Zoning Hearing Examiner	Planning Director	DPIE Director	Historic Preservation Commission	Municipality
Current				<A>		R	D		
Proposed				<A>		C	D		

Sign permits in the current Zoning Ordinance are a specific form of a building permit. The proposed Zoning Ordinance makes them a distinct type of permit.





This concludes the staff presentation on  
Development Review Authority.

# Questions?

# Worksessions Schedule



	Topic	Date
✓	Zone Structure	January 31, 2017
✓	Uses	February 7, 2017
✓	Standards	February 14, 2017
✓	Notification and Community Involvement Process and Administration	March 2, 2017 (retreat)
	Subdivision Regulation	March 13, 2017
	Countywide Map Amendment	



## WINTER / SPRING 2017

- Council Retreat
- PZED/COW Pre-Legislative Work Sessions
  - *How can we help you?*
- Comprehensive review draft published

## SUMMER 2017

- Review public comments of the Comprehensive Review Draft
- PZED/COW Pre-Legislative Work Sessions
  - Response to the Comprehensive Review Draft

# Schedule



## FALL 2017

- Legislative draft presented to Council
  - Legislative package
- Legislative hearings and approval
- Initiate Countywide Map Amendment

## WINTER / SPRING 2018

- Council Retreat – Update
- Drafting Applications Manual / Re-zone County
- Approve Countywide Map Amendment



## SUMMER 2018

- New Zoning Ordinance takes effect
- Public outreach and education

