

Zoning Rewrite Fact Sheet

March 2017

How Will New Development be Reviewed and Approved?

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, facilitate 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 the process for approving new development. Builders propose new buildings, or new subdivisions, on a regular basis. The County and its agencies apply the law to decide whether what is proposed is in the right place, and whether its size and design are appropriate for the community. Major reviews are conducted by the County Council, the Planning Board, or the Zoning Hearing Examiner and include public hearings. Smaller decisions often are made by County staff. The new Zoning Ordinance proposes some changes to this process and to the public's role.

Notice to the Public

Neighbors need to know when a new development is proposed in their community. The new code, like the one it is replacing, requires that notices are mailed and signs are posted when significant changes are proposed on a property. Newspaper ads are required for some requests, like rezonings. There's not much change here, although there is a recommendation that all notices be written in plain English rather than "legalese." There's also a recommendation to provide the public with more and clearer information about pending applications over the internet.

Pre-Application Neighborhood Meetings

These are new. For rezonings, major site plans, and other important approvals, the new code will require the applicant to hold a meeting with the affected neighborhood *before* filing an application with the County. Meetings must be held at a time and location convenient to the community. The idea is to give earlier notification to the neighborhood and encourage a dialogue between residents and the developer. Minutes must be taken and reported to the agency that will decide the application. Council members and their staff would be able to participate in the pre-application neighborhood meetings, since they occur prior to an application being filed.

Site Plan Review

Site plans are drawings that explain how buildings, roads, parking, landscaping, and many other features will be laid out in the development. Some site plans are very complex. In Prince George's County, we have at least four different types of site plans, although only some projects require them. The new code would reduce the types of site plans to two. The new zoning code applies the site plan requirement to more projects, but simplifies the approval process. Large site plans (e.g. over 100,000 square feet or more than 75 dwelling units) must be approved by the Planning Board. Smaller site plans are approved by planning staff. All site plans can be appealed to the County Council.

Adjustments and Variances

Sometimes a developer (or a homeowner) needs a slight adjustment to the rules. Say, for example, the law requires a shopping center to have 100 parking spaces, but the developer (or the community) wants to forego five spaces to save a beautiful old oak tree. The "adjustment" process in the new code allows staff to approve small adjustments, and allows the Planning Board to authorize larger adjustments. Variances are more significant changes to the rules that require a public hearing before the Board of Zoning Appeals. The current code contains these procedures under slightly different names, but the new code tries to make the process more standardized and transparent.

The Council's Election to Review Individual Cases

This is one of the most important and debated changes in the new code. In Prince George's County, the Council can decide on its own motion to review decisions made by other land use bodies like the Planning Board and the Zoning Hearing Examiner. The new code would still allow appeals to the Council, but the Council could not review a case if no one files an appeal. Supporters of this change argue that the Council doesn't need to review a decision that no one has appealed, and point out that County Councils in other places don't review individual cases at all. Opponents of the change say the Council may need to step in to protect the community from time to time, and as officials elected by the people they should have this power.

Streamlined Procedures

The proposed ordinance consolidates the current 67 development procedures into 20 procedures by combining duplicative procedures and removing obsolete procedures. This will simplify the process for future investors and developers in the County. This consolidation also makes it easier for the public to understand which procedures will be used for specific development applications. Furthermore, the proposed ordinance outlines a standard review procedure for all development applications. This will help explain what actions are mandatory or optional for all applications.