



**Zoning Ordinance and Subdivision Regulations Rewrite  
District 2 Listening Session  
Thursday, February 23, 2017**

The purpose of this discussion was to present Clarion Associates' recommendations contained in the deliverables for the Zoning Rewrite and to discuss the concerns and questions of the community. Public questions and comments are identified by **bold text**. Responses to questions and additional presenter comments are identified by normal text

**What percentage of development will be given to mitigating transportation problems?**

Transportation adequacy is mitigated and regulated through the Adequate Public Facilities (APF) ordinance of the Subdivision Regulations. We will further review APF as part of this process, but are not there yet.

**Can you elaborate on what will happen in the Development District Overlay Zones (DDOZs) and the incentives to develop there?**

The Gateway Arts District incentives pertaining to its designation as an Arts and Entertainment District are from the state, so they will not change as part of the Zoning Ordinance rewrite. There are no "incentives" offered as part of the DDOZ.

The Gateway Arts District plan document consists of two separate legal documents. The first half is the guiding sector plan and lays out the vision for the community. The second half is the rezoning, otherwise known as the Sectional Map Amendment. This part includes the DDOZ itself. The new zoning code will replace the second part, but it will not change the first part.

**Will the rewrite impact traffic from construction?**

The rewrite will not impact construction-related traffic. However, we as a community need to realize that new development is coming and growth is happening regardless. What is most important is where and how we grow. The best time for road construction is during the day and that will not change.

**Will the rezoning impact the flood insurance determinations?**

No, flood insurance requirements will not change because of the Zoning Ordinance rewrite.

**What do we do when traffic improvements do not work? At rush hour, US 1 is a nightmare. Who decided that it would be reasonable to have 1 lane of traffic? What about those parking fees and taxes?**



US 1 is a state road and the State Highway Administration (SHA) is in charge. Businesses do pay taxes, but the parking fees go to the state.

**Are there plans to use human development instead of economic development for planning guides?**

We currently use a “health in all policies” focus and the new Zoning Ordinance requires more facilities for walking and bicycling as part of development. Zoning cannot explicitly address social issues.

**How will this improve the food deserts, and community gardens?**

The new code includes community gardens as a permitted use and the next draft will better address urban agriculture.

**Arts are good in all places. Will the new code increase arts?**

We agree. However, it is difficult to mandate arts through zoning codes.

**I live in a residential community, but no one keeps the rules. There are trucks parked everywhere and way more people than a single family living in a house.**

Zoning will not directly address the issue of overcrowding. This is an enforcement issue.

**How will we be notified for the proposed pre-application neighborhood meetings?**

There will be a mailing to all nearby property owners and a posting at the site. There are also recommendations for better online notification procedures.

**Is the pre-application neighborhood meeting new?**

Yes, it is a new requirement. Today, many developers will meet with the community beforehand, but it is not codified in the existing code.

**Will there be chickens in my neighborhood?**

Not anymore. The “10 things to know about Module 1” flyer is out of date. After speaking with the community, it was clear that this issue needs more dedicated attention than we can give it through the overall Zoning Ordinance rewrite, so this issue will be addressed at a later date.

**What is the participation of the County to get sidewalks on main roads? What about areas that are already built?**

Sidewalks are required as part of the new code, and there are also new network connectivity requirements to provide for greater overall connectivity.



**Will the chickens and accessory dwelling units be removed entirely?**

They are removed from the proposed Zoning Ordinance at this time, again because each of these topics require more comprehensive and detailed review than we are able to give them in the course of the major rewrite project. They will be addressed at a later time when the proper attention can be given to these topics.

**Can we expand notifications? The public notice is not always helpful. How can we include more civic associations?**

Mailing notices can be costly, but the proposed codes will still contain mailed notification. However, we are looking at how better web tools can be used to expand notification options. It is also important to ensure your civic association is registered with the Planning Department to receive notices.

**How does this project relate to public facilities?**

The Subdivision Regulations, which include adequacy determinations of public facilities, are also part of this effort. All public agencies want to revise their adequacy requirements; however, each agency will need to do the necessary research to determine new levels of service, and a new method to test adequacy and to evaluate the potential impacts of such changes.

The proposed Subdivision Regulations include recommendations that would remove fire/EMS as an adequate facility test at the time of subdivision because no developer can support the cost of building facilities that are countywide in nature, and development pays a fire/EMS surcharge already. In many cases, there will be research regarding whether a facility surcharge can be used instead of a test. Although a new transportation adequacy test will not be devised, the level of service is proposed to be changed for the areas that are most transit-accessible – Metro stations, for example.

**What happens with Accessory Dwelling Units that have 15 people living in them?**

This is a code enforcement issue.

**What is SFR-6.7? Is this an upzoning?**

No, it is not an upzoning. The proposed Single-Family Residential – 6.7 Zone is the equivalent of today's R-55 Zone. It is one dwelling unit per 6,500 square feet. This translates to 6.7 dwelling units per acre. Also, note that the name R-55 does not have any relationship to lot size or density, so Clarion Associates' rationale in changing the name was to make it more logical and meaningful.

**Will zoning help manage the expansion of PEPCO substations? There is a substation nearly in my back yard. I'm smashed between the PEPCO substation and the Maryland gateway.**

No, PEPCO is a public utility and is exempt from the County's Zoning Ordinance.



**With the increase in population, there will be more crime. How will zoning help?**

Zoning does not directly address crime. However, the design standards for new development incorporate Crime Prevention Through Environmental Design (CPTED) policies. This means more windows, better lighting, less shadowy areas, etc. This will help create environments that discourage crime, because the last thing criminals want is to be seen.

**What about the U-Haul and Red-Top gas station?**

Councilmember Taveras: We have tried to reach out to the owners of Red-Top to see if improvements can be made. We are also in court regarding the U-Haul property.

**Is 10 days enough time for a pre-application meeting notice?**

We have been told that ten days may be too short. Staff is looking to recommend two weeks of notice instead.

**Overcrowding is an issue. How does zoning address overcrowding?**

The code cannot define overcrowding, but it does define "family." A family is currently no more than 5 unrelated individuals living in the same dwelling unit. If homes are overcrowded, then it is an enforcement issue.

**Will the Council vote on the whole rewrite?**

There will be one legislative bill for the entire code and the council can choose to include some parts and not others, or to include new parts as well.

**Are the modules online?**

Yes, the modules are online at our project website: <http://zoningpgc.pgplanning.com>.