

Evaluation and Recommendations Report

Zoning Ordinance and Subdivision Regulations Rewrite

Proposed by Clarion Associates for Prince George's County, Maryland

December 2014

In Association with
White & Smith
Spikowski Planning Associates
Design Collective
GB Place Making
Nelson/Nygaard
Mosaic Urban Partners
Justice & Sustainability Assoc.
The Planning and Design Center

C L A R I O N

Prince George's County does many things well, but it could do much better in attracting the types of new development and redevelopment that it wants to see.

The pages that follow contain the Clarion consultant team's recommendations of those best practices that could contribute to making this happen. It is a starting point—not an ending point—for key discussions about the pros and cons of each recommended change. Many of our recommendations would require dramatic changes in the way the County accepts, reviews, and approves

Many of our recommendations would require dramatic changes in the way the County accepts, reviews, and approves development, as well as the way it involves its citizens in those decisions. Not a single sentence of the new Zoning Ordinance or Subdivision Regulations has yet been drafted, and the coming two years will provide many opportunities for open and dynamic debate about what should be written.

development, as well as the way it involves its citizens in those decisions. Not a single sentence of the new Zoning Ordinance or Subdivision Regulations has yet been drafted, and the coming two years will provide many opportunities for open and dynamic debate about what should be written.

For all of these reasons, we urge elected officials, appointed officials, and citizens of Prince George's County to read this report and note those areas that you agree with—as well as those that you do not agree with—so that key discussions over the next few years can be vigorous, open, and honest.

We also ask that you read the report with an open mind about different ways of doing business and achieving the County's goals. One thing is certain—continued use of the current regulations is unlikely to produce better results than it has in the past—or to attract new developers with innovative ideas to the County.

This report begins a process of change that can make Prince George's County better for everyone.

A third set of key locations where the plan directs the majority of residential growth are the other **Regional Transit Districts** and designated **Local Centers**. Regional Transit Districts are places where development regulations should encourage and support high-density, vibrant, transit-oriented, and mixed-use areas that will capture the majority of the County's future residential and employment growth and development. Local Centers are focal points of concentrated residential development and limited commercial activity serving established neighborhoods, municipalities, and unincorporated areas outside designated centers. They are places where development regulations should support mixed-use and pedestrian-friendly development at varying degrees of intensity.

Unfortunately, the current Zoning Ordinance and Subdivision Regulations do not have the right tools to implement *Plan 2035* – but they will when this process is completed in 2017.

To prepare these new Regulations, the County hired a nationally recognized team of consultants, led by **Clarion Associates**. Clarion will be assisted by qualified specialists in several areas where improvements are needed, including White and Smith (land use law and administration), Spikowski & Associates (form-based coding), Design Collective (urban design), GB Placemaking (transit-oriented development), Mosaic Urban Partners (real estate and market economics), Justice and Sustainability Associates (public engagement and consensus building), and the Planning and Design Center (smart growth and visualization tools).

Updating the Zoning Ordinance and Subdivision Regulations is a significant undertaking that will require three or more years of effort. The work began in early 2014 and was organized into the four phases and the timetable shown below:

Phase	Timeframe	Status
1. Public outreach and input	2014 --	Ongoing
2. Evaluation and Recommendations	2014	This Document
3. Drafting the new Ordinance and Regulations	2015-2016	
4. Implementing the new Ordinance and Regulations	2016-2017	

B. OVERVIEW OF THE REPORT

This report reflects the conclusions of the Clarion Associates team of consultants after approximately ten months of outreach and research. During the spring and summer of 2014, we conducted numerous stakeholder interviews, convened three Countywide forums, met with the Zoning Advisory Panel, convened four focus groups with different groups of stakeholders and industries with common interests, met with the Planning Board, spoke with attorneys representing both developers and neighborhood groups, and met

considering what specific changes need to be made to the current zone structure that a systematic evaluation of the zones, uses, and relevant plan policies be undertaken. That evaluation is summarized in this section. It includes:

- An evaluation of the Zoning Ordinance's current zones;
- An evaluation of the land use policy direction in *Plan Prince George's 2035* and associated plan land use classifications, and its implications for the zone structure; and
- Consideration of the County's key goals for the rewrite project, in particular the need to simplify and make the current regulations more user-friendly and efficient, especially for preferred development.

Based on this evaluation and considerations, a proposed structure for the zones in the new Zoning Ordinance is outlined and discussed in the Section C below. Part III also includes suggestions for how to simplify the system for classifying and establishing uses and use specific regulations (Section D) and how to improve the organization of zone regulations (Section E).

A. SUMMARY OF CURRENT ZONES

The current Zoning Ordinance establishes 73 zones—a large number, even for a County as large and complex as Prince George's County. ... The current zones were created over many years in response to changing conditions, growth trends, and community growth management policies, resulting in a number of zones that seem to overlap in terms of their function or purpose.

A frequent comment in our interviews is that the Zoning Ordinance includes too many zones. The current Zoning Ordinance establishes 73 zones—a large number, even for a County as large and complex as Prince George's County. (See a compilation of use-tables and tables of intensity and dimensional standards for current zones in Appendix E: Compilation of Current Use Tables and Tables of Intensity and Dimensional Standards.) The current zones were created over many years in response to changing conditions, growth trends, and community growth management policies, resulting in a number of zones that seem to overlap in terms of their function or purpose. Many of these zones were created to address immediate development needs or old plan objectives that may no longer be relevant. Others were created to trigger the need for a special individualized development plan review process. In some cases, distinctions

between similar zones may no longer be significant. Some current zones are seldom (or never) used, and thus may no longer reflect market demand or adequately accommodate modern development trends.

The result is an ordinance that is a complex patchwork quilt of modern mixed-use and transit-oriented zones mixed in with older and—in some instances antiquated—single-use and suburban-oriented zones that overlap in purpose and do not always align with the County's growth goals and policies.

1. Conventional Base Zones

Of the 73 zones in the current Zoning Ordinance, there are 33 conventional base zones (consisting of 17 Residential zones, 11 Commercial zones, and 5

TABLE 4: CURRENT CONVENTIONAL BASE ZONES, PRINCE GEORGE'S COUNTY

Zone Name	General Description
R-18C: Multifamily Medium Density Residential-Condominium	Same as R-18 Zone except dwelling units must be condominiums, or developed in accordance with R-T Zone regulations; requires detailed site plan approval for multifamily and attached dwellings. Standard lot size – 1 ac for apartments; 1,500 sf for two-family dwellings; 1,800 sf for other attached Max. density – 14 du/ac for garden apartments; 20 du/ac for mid-rise apartments; 9 du/ac for three-family; 8 du/ac for two-family; 6 du/ac for other attached
R-10A: Multifamily, High Density Residential-Efficiency	Provides for a multifamily development designed for the elderly, singles, and small family groups; requires detailed site plan approval for buildings 110 feet in height or less and a special exception for higher buildings. Min. lot size - 2 ac; Max. density - 48 du/ac + 1 du/ac for each 1,000 sq. ft. of indoor common area
R-10: Multifamily High Density Residential	Provides for high-density residential close to commercial and cultural centers; requires detailed site plan approval for buildings 110 feet in height or less and a special exception higher buildings. Min. lot size - 20,000 sf; Max. density – 48 du/ac
R-H: Multifamily High-Rise Residential	Provides for high-density, vertical residential development; requires detailed site plan approval for multifamily dwellings. Min. lot size - 5 ac; Max. density - 48.4 du/ac
Commercial Zones	
C-O: Commercial Office	Provides for uses of a predominantly nonretail commercial nature, such as business, professional and medical offices, and related administrative services.
C-A: Ancillary Commercial	Provides for certain small retail commercial uses, physician and dental offices, and similar professional offices that are strictly related to, and supply necessities in frequent demand by, the daily needs of an area with a minimum of consumer travel. Max. zone size: 3 ac
C-S-C: Commercial Shopping Center	Provides for retail and service commercial activities generally located within shopping center facilities.
C-1: Local Commercial, Existing	Subject to the same use, intensity, and dimensional regulations as the C-S-C Zone
C-2: General Commercial, Existing	Subject to the same use, intensity, and dimensional regulations as the C-S-C Zone
C-C: Community Commercial, Existing	Subject to the same use, intensity, and dimensional regulations as the C-S-C Zone
C-G: General Commercial, Existing	Subject to the same use, intensity, and dimensional regulations as the C-S-C Zone
C-H: Highway Commercial, Existing	Subject to the same use, intensity, and dimensional regulations as the C-M Zone
C-M: Commercial Miscellaneous	Provides for varied commercial uses, including office and highway-oriented uses, that may be disruptive to the compactness and homogeneity of retail shopping centers.
C-W: Commercial Waterfront	Provides for marine activities related to tourism, vacationing, boating, and water-oriented recreation, as well as limited employment areas that cater to marine activities along a waterfront.
C-R-C: Commercial Regional Center	Provides for major regional shopping malls and related uses that are consistent with the concept of an upscale mall; requires detailed site plan approval. Min. tract area – 100 ac; Max. FAR - .75; Max. building coverage: 50%; Max. building height – 75 ft
Industrial Zones	
I-1: Light Industrial	Provides for light manufacturing, warehousing, and distribution uses; Min. green space – 10%
I-2: Heavy Industrial	Provides for highly intensive industrial and manufacturing uses; Min. green space – 10%
I-3: Planned Industrial/Employment Park	Provides for a mixture of industrial, research, and office uses with compatible institutional, recreational, and service uses will retain the dominant industrial/employment character of the zone and have minimal detrimental effects on residential and other adjacent areas; restricts outdoor uses and limits warehousing and wholesaling uses; requires conceptual and detailed site plan approvals. Min. tract size - 25 ac; Min. lot size – 2 ac; Min. green space – 25%
I-4: Limited Intensity Industrial	Provides for limited intensity manufacturing, warehousing, distribution, and commercial uses that are compatible with surrounding zoning and uses. Max. commercial FAR – 0.3; Min. green space – 25%
U-L-I: Urban Light Industrial	Provides for a variety of small-scale light industrial uses in older, mostly developed industrial areas located close to established residential communities; applies a flexible regulatory process with standards to promote compatible reinvestment in, and redevelopment of, older urban industrial areas as employment centers.

2. Floating Zones

The Zoning Ordinance also establishes 26 floating zones (counting the distinctive subzones of some of the comprehensive design zones) where specific development standards are applied or established through the approval of a landowner-initiated rezoning (generally accompanied by some sort of master development plan). These floating zones include:

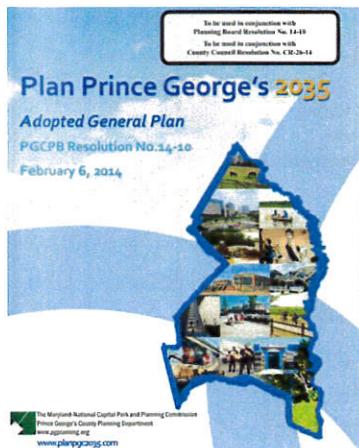
Part III: Modernize, Simplify, and Consolidate Zones and Zone Regulations
 Section III.A Summary of Current Zones

TABLE 5: CURRENT FLOATING ZONES, PRINCE GEORGE'S COUNTY		
Zone Name	General Description	
L-A-C: Local Activity Center- Village	village, and community areas.	Min. tract size - 10 ac. Density: Base -10 du/ac; Max. - 15 du/ ac FAR: Base - 0.2; Max. - 0.64
L-A-C: Local Activity Center – Community		Min. tract size - 20 ac Density: Base - 10 du/ac; Max. - 20 du/ ac FAR: Base - 0.2; Max. - 0.68
M-A-C: Major Activity Center – New Town or Corridor City Center	Provides for a mixture of uses that serve a regional residential market or provide concentrated employment within two types of functional and pedestrian-friendly centers.	Min. tract size - 40 ac Density: Base - 10 du/ac; Max. - 47.9 du/ac FAR: Base - 0.2; Max. - 0.88
M-A-C: Major Activity Center – Major Metro Center		Min. tract size - 40 ac Density: Base - 48 du/ac; Max. - 125 du/ ac FAR: Base - 1.0; Max. - 2.7
E-I-A: Employment and Institutional Area	Provides for a concentration of nonretail employment and institutional uses and services such as medical, manufacturing, office, religious, educational, recreational, and governmental. Min. tract size - 5 ac; Mon. landscaped open space – 20% of lot area	
V-L: Village-Low	Provides for a variety of residential, commercial, recreational, and employment uses within a traditional village setting surrounded by open space; requires the distinct areas: (1) Village Proper; (2) Village Fringe; (3) Residential Areas; (4) Village Buffer; and (5) Recreational Areas; requires land uses to be arranged to allow a sense of community with linkage via a pedestrian network to a core containing commercial, civic, community, and residential uses; requires a mixture of residential types and lot sizes, including affordable housing units; includes detailed design standards and building materials requirements. It may be applied to areas recommended for permanent low density by a Master Plan.	Min. tract size - 150 ac Max. density - 1.3 du/ac
V-M: Village-Medium		Min. tract size - 300 ac Max. density – 2.0 du/ac
Planned Community Zones		
R-M-H: Planned Mobile Home Community	Provides for suitable sites for planned mobile home communities, including residences and related recreational, commercial, and service facilities, subject to detailed site plan approval. Min. lot size - 4,000 sf; Max. density – 7 mobile homes/ac	
R-P-C: Planned Community	Provides for a combination of uses to promote a large-scale community development with a full range of dwellings providing living space for a minimum of 500 families; encourages recreational, commercial, institutional, and employment facilities within the planned community; requires final plan approval by the District Council at the time of rezoning, followed by official plan approval by the Planning Board and, in certain R-P-C Zones, detailed site plan approval. Max. density – 8 du/ac	
Mixed Use Zones		
M-X-C: Mixed Use Community	Provides for a comprehensively planned community with a balanced mix of residential, commercial, light manufacturing, recreational and public uses that are compatible with existing and proposed surrounding land uses, public facilities, and public services; requires residential uses, community use areas, neighborhood centers, and an integrated public street system with a variety of street standards. Min. tract size - 750 ac; Lot size and dwelling types - No restrictions; Max. density – 2 du/ac; Max. FAR - 0.4	
M-X-T: Mixed Use - Transportation Oriented	Provides for a variety of residential, commercial, and employment uses located near a major intersection or a major transit stop or station, or at a location where the applicable Master Plan recommends mixed uses similar to those permitted in the M-X-T Zone; requires at least two out of the following three use categories: (1) Retail businesses; (2) Office/ Research/Industrial; and (3) Dwellings, hotel/motel; encourages a 24-hour functional environment; requires adequate transportation facilities for the anticipated traffic. Lot size and dwelling types - No restrictions; Max. FAR - 0.4 without optional method; 8.0 with optional method (provision of amenities)	
M-U-TC: Mixed-Use Town Center	Provides for a mix of commercial and limited residential uses that establish a safe, vibrant, 24-hour environment; promotes appropriate redevelopment—and the preservation and adaptive reuse of selected buildings in—older commercial areas; applies a flexible regulatory framework based on community input to encourage compatible development and redevelopment; requires approval of a development plan approval at the time of zoning approval that includes minimum and maximum development standards and guidelines.	
M-U-I: Mixed-Use Infill	Encourages the efficient use of land, public facilities, and services in areas within a Transit District Overlay Zone or a Development District Overlay Zone that are substantially developed; intended to create community environments enhanced by a mix of residential, commercial, recreational, open space, employment, and institutional uses in accordance with approved plans.	
UC-1: Metropolitan Urban Center District	Provides for large-scale, high-intensity, transit-oriented, mixed-use development within metropolitan centers designated in the general plan; intended to be the most intense and least auto-dependent areas in the County—essentially a “downtown” zone in ultimate built character. Because of the access to regional fixed-guideway transit systems and the scale of these centers, they are to be primary targets for employment, major educational complexes, and high-intensity commercial uses.	

Part III: Modernize, Simplify, and Consolidate Zones and Zone Regulations
 Section III.B Policy Direction in Plan Prince George's 2035 for Zone Structure and Zone Regulations

TABLE 6: CURRENT OVERLAY ZONES	
Zone Name	General Description
APA-4: Aviation Policy Area – Outer Safety Zone	These are the rectangular areas extending 225 feet to both sides of the centerline of an airport runway as extended 2,500 feet beyond the end of the APA-2 zone at each end of the runway.
APA-5: Aviation Policy Area – Sideline Safety Zone	This is the rectangular area extending 500 feet to both sides of the centerline of an airport runway.
APA-6: Aviation Policy Area – Traffic Pattern Area	This is the oblong area extending 5,000 feet in all directions from the centerline of an airport runway.
Other Overlay Zones	
T-D-O: Transit District Overlay	Intended to ensure that development in a designated area meets the goals established in a transit district development plan; may be applied in the vicinity of Metro stations to maximize transit ridership, serve the economic and social goals of the area, and take advantage of the unique development opportunities that mass transit provides.
D-D-O: Development District Overlay	Intended to ensure that development in a designated area meets the goals established in a master plan, master plan amendment, or sector plan; may be applied to town centers, Metro areas, commercial corridors, employment centers, revitalization areas, historic areas, and other special areas as identified in approved plans.
A-C-O: Architectural Conservation Overlay	Intended to ensure that development and redevelopment efforts preserve and protect the architectural or design character of neighborhoods in accordance with an approved architectural conservation plan; may be applied in areas where the majority of properties have been developed and exhibit distinct, unifying elements, characteristics, design, or other physical features.
R-O-D: Revitalization Overlay District	Intended to ensure the orderly development or redevelopment of land within a designated area; provide a mechanism for the County to delegate full authority to local municipalities to approve departures from parking, landscaping, and sign standards, and limited authority to approve variances from building setbacks, lot coverage, yards, and other dimensional requirements.

B. POLICY DIRECTION IN *PLAN PRINCE GEORGE'S 2035* FOR ZONE STRUCTURE AND ZONE REGULATIONS



The County's updated general plan, *Plan Prince George's 2035*, represents the community's vision of where and how it wants to grow and develop in the next 20 years. The Zoning Ordinance is one of the primary tools for implementing that vision and should closely reflect the plan's goals, policies, and strategies concerning the physical growth and development of the County and the areas where they are to be applied. The plan targets its growth and development goals, policies, and strategies to specific geographic areas or types of areas through three different maps and associated classifications and categories.

1. Growth Policy Map/Classifications

The plan's Growth Policy Map shows how various geographic areas of the County are intended to grow and develop over the next 20 years, and is the primary guide to future growth and development within Prince George's County for the foreseeable future. The areas shown on the map are conceptual in nature, with their boundaries to be more firmly established through future master and sector plans. Ideally, zones established by the Zoning Ordinance should align with the classifications shown on the Growth Policy Map. The map designates:

- 3 primary and 5 secondary Regional Transit Districts;
- 26 Local Centers;
- 5 Employment Areas;

Part III: Modernize, Simplify, and Consolidate Zones and Zone Regulations
 Section III.B Policy Direction in Plan Prince George's 2035 for Zone Structure and Zone Regulations

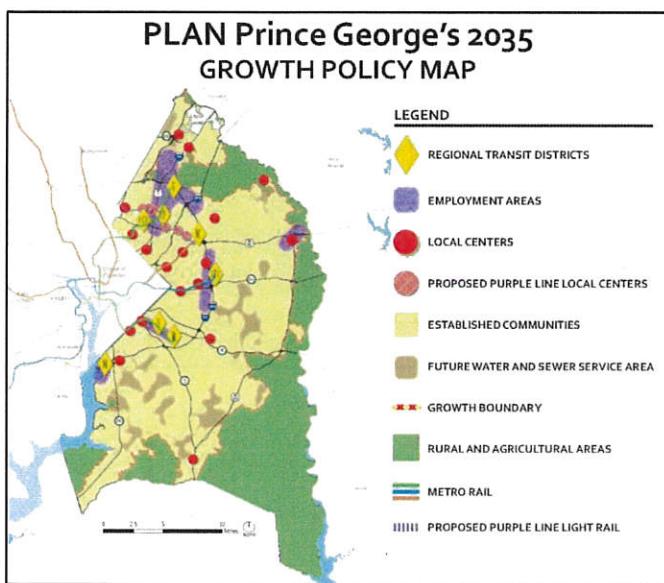
walkable urbanism, especially in their cores and where transit is available. The plan identifies four types of Local Centers:

- Local Transit Centers;
- Neighborhood Centers;
- Campus Centers; and
- Town Centers.

Table 8, Local Centers, *Plan Prince George's 2035*,⁶⁶ summarizes the characteristics of each type of Local Center. Although smaller-scale than Regional Transit Districts, Local Centers are also envisioned as having a more intense and more walkable core area surrounded by a less intense and more residential edge area.

TABLE 8: LOCAL CENTERS, PLAN PRINCE GEORGE'S 2035				
Local Transit Centers				
<ul style="list-style-type: none"> • Addison Road Metro • Capitol Heights Metro • Cheverly Metro • Landover Metro • Takoma/Langley Crossroads • Morgan Boulevard Metro • Naylor Road Metro • West Hyattsville Metro 		Smaller-scale, mixed-use centers that are well connected by transit. Many of these areas are integrated with an established street grid and offer local-serving retail and limited office uses.		
New Housing Mix	Average Housing Density for New Development	FAR for New Commercial Development	Transportation Characteristics	
Mid-rise and low-rise apartments and condos, and townhouses	15-30 Dwelling Units/Acre	1.5-3	Walk-up metro rail or light rail with potential for localized parking and local transit connections (all types of bus service).	
Neighborhood Centers				
<ul style="list-style-type: none"> • Annapolis Road/Glenridge* • Beacon Heights* • Muirkirk MARC • Oxon Hill • Port Towns • Riverdale MARC • Riverdale Park* • Seabrook MARC • Southern Avenue Metro *Future Purple Line centers. 		Moderate-density employment centers, often anchored by institutional uses. Mix of office, flex-space, and/or industrial uses with supporting retail. Housing and retail uses are secondary, but essential to creating a vibrant, walkable environment that is attractive to employers and employees. The recommended jobs-to-household ratio is six jobs to one household or greater (> 6:1).		
New Housing Mix	Average Housing Density for New Development	FAR for New Commercial Development	Transportation Characteristics	
Mid-rise and low-rise apartments and condos, townhouses, and small-lot single-family	10-15 Dwelling Units/Acre	0.5-2	Typically light rail, commuter rail, or local bus hub (walk-up stops with limited or no parking).	

⁶⁶ *Plan Prince George's 2035* (2014).



Rural and Agricultural Areas are areas with significant natural and agricultural resources and are best suited for supporting agricultural production and forest preservation, preserving environmentally sensitive land, and accommodating low-density residential development that reflects the area's rural character. These areas are served by wells and septic systems rather than public water and sewer systems.

Established Communities make up the remainder of the County. Established Communities consist of existing residential neighborhoods and commercial areas outside the Regional Transit Districts and Local Centers that are served by public water and sewer (including municipalities). They are suitable for context-sensitive, high-quality infill

development and low- to medium-density development. The plan calls for development regulations that help protect, strengthen, and revitalize the Established Communities—and where adjacent to Rural and Agricultural Areas, provide for a transition in development intensity and encourage preservation of green infrastructure corridors.

[In 2012, the State adopted the Smart Growth and Agricultural Preservation Act (SB 236 or “the septic bill”), which called for local jurisdictions to adopt SGA Tier Maps distinguishing areas where residential subdivisions are to be served by public sewer from areas where they may be served by on-site sewage disposal or septic systems. Prince George's County adopted SGA Tier Maps later that year and subsequently considered those maps when preparing *Plan 2035*.

SGA Tier I includes growth areas currently served by public sewer and SGA Tier II includes growth areas planned for public sewer service. The SGS Tier I areas and SGA Tier II areas generally correspond to the Establish Community areas and Future Water and Sewer Service Areas, respectively, on *Plan 2035*'s Growth Policy Map. SGS Tier IV includes lands dominated by agricultural and resource areas planned, zoned, or managed for conservation of such areas. Tier III essentially includes all lands not in SGS Tiers I, II, and IV—i.e., lands other than agricultural and resource areas where public sewer service is not planned. SGS Tier III and SGS Tier IV area make up the Rural and Agricultural Area on *Plan 2035*'s Growth Policy Map.

2. Strategic Investment Map/Classifications

The plan's Strategic Investment Map identifies areas where most County, state, and federal monies and resources are to be invested to support the plan's growth and development goals as expressed in the Growth Policy Map. This map designates three Downtowns, the Innovation Corridor, six Neighborhood Reinvestment Areas, and a number of Priority Preservation

Part III: Modernize, Simplify, and Consolidate Zones and Zone Regulations
Section III.B Policy Direction in Plan Prince George's 2035 for Zone Structure and Zone Regulations

The area making up the Innovation Corridor also comprises one of the Employment Areas designated on the Growth Policy Map.

Neighborhood Reinvestment Areas are neighborhoods that have experienced a marked decline in land values, critical services, and neighborhood amenities, as well as an increase in crime—largely due to a lack of public investment. They include the following six neighborhoods:

- East Riverdale / Bladensburg;
- Hillcrest Heights / Marlow Heights;
- Langley Park;
- Glassmanor / Oxon Hill;
- Kentland / Palmer Park; and
- Suitland / Coral Hills.

These neighborhoods are the target of revitalization efforts through the County's Transforming Neighborhoods Initiative (TNI), launched in 2012. The focus of the County's strategic investment in these areas, as defined by

the TNI, is improving certain key indicators.⁶⁷ The Strategic Investment Map's Neighborhood Investment Area classification has no counterpart on the Growth Policy Map. All Neighborhood Investment Areas are located within areas the Growth Policy Map designates as Established Community, and within the Capital Beltway.

Priority Preservation Areas are intended to provide for the protection of agricultural and forest resources and promote the long-term viability of the agricultural sector of the local economy. The areas making up the Priority Preservation Areas are all within areas designated as Agriculture/Rural Areas on the Growth Policy Map.

In sum, the Strategic Investment Map classifications generally complement those on the Growth Policy Map, with the lone exception of the Neighborhood Investment Area, which reflects redevelopment and infill goals already addressed to some extent by several current zones. Plan 2035's Growth Policy Map and classifications therefore serve as a good framework for organizing and consolidating the zones in the new Zoning Ordinance.

Another consideration, however, is that much development in the County has occurred under the current array of zones, which apply finer grain distinctions than the Growth Policy and Strategic Investment classifications. To recognize the various development contexts arising from the current zoning scheme, as well as the sector and master plans that establish much

⁶⁷ Violent crime; property crime; reading and math scores; school absentee rates; foreclosure rates; concentrations of Section 8 housing; income levels; pedestrian deaths/injuries; and residents on public assistance.

TABLE 9: GENERALIZED LAND USE CATEGORIES, PLAN PRINCE GEORGE'S 2035

Land Use Category	Description	Density (du/ac)
Residential Medium-High	Residential areas between eight and 20 dwelling units per acre. Mix of dwelling unit types, including apartments.	> 8 and ≤ 20
Residential Medium	Residential areas between 3.5 and 8 dwelling units per acre. Primarily single-family dwellings (detached and attached).	> 3.5 and ≤ 8
Residential Low	Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings.	> 0.5 and ≤ 3.5
Rural and Agricultural	Low-density residential uses with areas of agricultural and forestry production. Agricultural land (cropland, pasture, farm fields), forest, and very low-density residential.	≤ 0.5
Parks and Open Space	Parks and recreation areas, publicly-owned open space (federal, state, County, municipal, and M-NCPPC), and privately-owned open space.	N/A

C. SUGGESTED NEW ZONE STRUCTURE

The result of this effort is that the current number of zones is dramatically reduced in a way that is consistent with Plan 2035's policy direction, and in a way that makes it much more efficient to achieve preferred development in the County—transit-oriented development and walkable urbanism.

- *The current zone structure includes 73 zones: 33 base zones; 26 floating zones; and 14 overlay zones.*
- *The proposed zone structure includes a total of 43 zones: 25 base zones, 7 planned development zones (floating zones), and 11 overlay zones.*

Based on the evaluation of the current zone structure, the land use policy direction in *Plan Prince George's 2035*, and key goals for the rewrite project of simplifying, modernizing, and making the current regulations more user-friendly and efficient, especially for preferred development, we suggest the current zone structure be modified as outlined in Table 10: Suggested New Zone Structure. The table organizes the zones in the following order:

- Agricultural Base Zones;
- Residential Base Zones;
- Center Base Zones;
- Nonresidential Base Zones
- Planned Development Zones; and
- Overlay Zones.

So the reader can easily compare the current zone structure to the proposed structure, the first column in the table outlines the current zones; the second column shows the general translation of the current zones to the proposed zones. Where current zones are proposed to be deleted or several zones consolidated, that is noted; where new zones are proposed, that is also noted. The listings of the zones under each group of zones generally starts with the least intense zones, extending to the highest intensity zones. So the reader can relate the proposed zone structure to the policy direction in *Plan 2035*, the final three columns in the table show classifications used in *Plan 2035's* Growth Policy Map, Strategic Investment Map, or Generalized Future Land Use Map, and indicate how the suggested zones reflect or are intended to implement those classifications and their associated policies.

The key changes to the zone structure, based on the policy direction in *Plan 2035*, involve the replacement of the current zones that have been used as the key regulatory mechanisms for approving higher density, mixed-use, and transit-oriented development—the comprehensive design, planned community, and mixed-use floating zones, and the Development District and Transit District Overlay Zones—with base zones and planned development zones that better

Neighborhood Conservation Zones), except that it would focus on preserving or protecting the character of a small downtown area rather than a neighborhood.

The other types of changes to the current zone structure involve deletions of zones where they are antiquated, and consolidation of zones in instances where they generally serve the same purpose and have similar use regulations and dimensional and development standards.

The result of this effort is that the current number of zones is dramatically reduced in a way that is consistent with *Plan 2035*'s policy direction, and in a way that makes it much more efficient to achieve preferred development in the County—transit-oriented development and walkable urbanism.

- The current zone structure includes 73 zones: 33 base zones; 26 floating zones; and 14 overlay zones.
- The proposed zone structure includes a total of 43 zones: 25 base zones, 7 planned development zones (floating zones), and 11 overlay zones.

The proposed changes to the current zone structure are explained in more detail following the table (with those zones included in the suggested new zone line-up in **bold** type).

TABLE 10: SUGGESTED NEW ZONE STRUCTURE					
Current Zones	Suggested New Zones	Plan 2035 Classifications			
		Generalized Land Use Categories	Strategic Investment Classifications	Growth Policy Classifications	
Base Zones					
Rural, Agricultural, and Open Space Base Zones					
R-O-S: Reserved Open Space	ROS: Reserved Open Space	Parks and Open Space	Priority Preservation Area	Rural & Agricultural Area and Future Water & Sewer Service Area	
O-S: Open Space	OS: Open Space				
R-A: Residential-Agricultural	AR: Agricultural-Residential	Rural and Agricultural			
R-E: Residential Estate	RE: Residential Estate				
Residential Base Zones					
R-R: Rural Residential	RR: Rural Residential	Low	Residential Medium	Established Community	
R-80: One-Family Detached Residential	SFR-4.6: Single-Family Residential-4.6				
R-55: One-Family Detached Residential	SFR-6.7: Single-Family Residential-6.7				
R-35: One-Family Semidetached & Two-Family Detached Residential	2FR: Two-Family Residential [CONSOLIDATED]				
R-20: One-Family Triple-Attached Residential					
R-T: Townhouse					
R-30: Multifamily Low Density Residential	MFR-12: Multifamily Residential-12 [CONSOLIDATED]				
R-30C: Multifamily Low Density Residential – Condominium					
R-18: Multifamily Medium Density Residential	MFR-20: Multifamily Residential-20 [CONSOLIDATED]	Residential Medium-High			
R-18C: Multifamily Medium Density Residential - Condominiums					
R-10: Multifamily High Density Residential	MFR-48: Multifamily Residential-48 [CONSOLIDATED]	Residential High			
R-10A: Multifamily High Density					

Part III: Modernize, Simplify, and Consolidate Zones and Zone Regulations
 Section III.C Suggested New Zone Structure

TABLE 10: SUGGESTED NEW ZONE STRUCTURE				
Current Zones	Suggested New Zones	Plan 2035 Classifications		
		Generalized Land Use Categories	Strategic Investment Classifications	Growth Policy Classifications
				Local Transit Center
				Town Center
	CCPD: Campus Center Planned Development [NEW]			Campus Center
	RTCPD: Regional Transit District Planned Development [NEW]	Mixed-Use	Downtown	Regional Transit Center
V-L Village-Low	[DELETED]			
V-M: Village-Medium	[DELETED]			
L-A-C (N): Local Activity Center (Neighborhood)	[DELETED]			
L-A-C (V): Local Activity Center (Village)	[DELETED]			
L-A-C (C): Local Activity Center (Community)	[DELETED]			
M-A-C (NC): Major Activity Center (New Town or Corridor City Center)	[DELETED]			
M-A-C (NC): Major Activity Center (Major Metro Center)	[DELETED]			
R-P-C: Planned Community	[DELETED]			
M-X-T: Mixed Use – Transportation Oriented	[DELETED]			
M-X-C: Mixed Use Community	[DELETED]			
M-U-T-C: Mixed-Use Town Center	[DELETED]			
M-U-I: Mixed-Use Infill	[DELETED]			
UC-4: Corridor Node	[DELETED]			
UC-2: Regional Urban Center	[DELETED]			
UC-3: Community Urban Center	[DELETED]			
UC-1: Metropolitan Urban Center	[DELETED]			
Employment Area Planned Development Zone				
E-I-A: Employment & Institutional Area	IEPD: Industrial/Employment Planned Development	Industrial/ Employment	Innovation Corridor	Employment Area
Overlay Zones				
Chesapeake Bay Critical Area Overlay Zones				
R-C-O: Resource Conservation	RCO: Resource Conservation Overlay	Parks and Open Space	N/A	N/A
L-D-O: Limited Development Overlay	LDO: Limited Development Overlay			
I-D-O: Intense Development Overlay	IDO: Intense Development Overlay			
Aviation Policy Area Overlay Zones				
APA-1: Runway Protection Zone	APA-1: Runway Protection Zone			
APA-2: Inner Safety Zone	APA-2: Inner Safety Zone			
APA-3S: Small Airport Inner Turning Area	APA-3S: Small Airport Inner Turning Area			
APA-3M: Medium Airport Inner Turning Area	APA-3M: Medium Airport Inner Turning Area			
APA-4: Outer Safety Zone	APA-4: Outer Safety Zone			
APA-5: Sideline Safety Zone	APA-5: Sideline Safety Zone			
APA-6: Traffic Pattern Area	APA-6: Traffic Pattern Area			
Other Overlay Zones				
R-O-D Revitalization Overlay District	[DELETED]			
A-C-O Architectural Conservation Overlay	NCO: Neighborhood Conservation Overlay			

The current **Residential Estate (R-E)** and **Rural Residential (R-R)** zones are proposed to be carried forward (with simplified abbreviations) because the allowed uses and allowed development intensities for each significantly differ from each other and from the R-A Zone to be considered for consolidation. Although the minimum lot sizes required in these two zones (40,000 and 20,000 square feet, respectively) might be considered too small to justify calling them “rural” (as opposed to “large-lot suburban”), we group them with the ROS, OS, and AR Zones because they are currently deemed rural zones.

2. Residential Base Zones

The current line-up of 12 residential base zones is proposed to be reduced to six base zones through consolidation of some the current zones.

The current One-Family Detached Residential (R-80), One-Family Detached Residential (R-55), and One-Family Semidetached and Two-Family Detached Residential (R-35) zones are proposed to be carried forward, primarily because they each serve a unique function in terms of allowed uses and/or allowed development intensities that is not

The current line-up of 12 residential base zones is proposed to be reduced to six base zones through consolidation ...

similar to that of any other residential zone—thus they cannot reasonably be considered for consolidation. Because landowners in single-family neighborhoods often have strong interests in maintaining the residential zoning of their land, we generally refrain from suggesting substantial changes to single-family residential zones. We do, however, suggest revising the names and/or abbreviations of these carried forward zones to the **Single-Family Residential-4.6 (SFR-4.6)**, **Single-Family Residential-6.7 (SFR-6.7)**, and **Two-Family Residential (2FR) Zones**, respectively—renaming the zones to more simply reflect their dominant allowable use and/or maximum allowable density for such use.⁷⁰



We understand from County staff that three-family dwellings are very uncommon in the County, and are not likely to be proposed in the future. We therefore suggest that the current One-Family Triple-Attached Residential (R-20) Zone be consolidated with the carried-forward Two-Family Residential (2FR) Zone, perhaps with a provisions recognizing and accommodating any three-family dwellings that exist.

The Townhouse (R-T) and Multifamily Low Density Residential – Condominium (R-30C) Zones differ very little from the Multifamily Low Density Residential (R-30) Zone—the primary difference being the R-T Zone’s allowance of certain special types of townhouses. All three zones allow virtually the same uses and development

⁷⁰ The numbers associated with the current R-80, R-55, R-35, and R-20 zones are misleading, for they do not reflect minimum lot area standards (as is common for residential zones in many codes). Instead, these zones are more appropriately distinguished by the range of allowable uses and/or the maximum allowable density.

- The various use tables use different names for the same or similar use.
- Some listed uses contain the suffix “or similar use,” which creates uncertainty about what the use includes.
- Too many use-specific standards unnecessarily require a finding of need for the use.
- Some mixed use zones have use quotas or ground-floor retail requirements that are not realistic under current and variable market conditions.
- Agricultural uses are poorly defined and addressed; they need to be clarified, especially in regard to the keeping of animals.
- Allowable agricultural uses should be revised and expanded to better promote agricultural activities, including supporting agricultural uses, and to promote urban agriculture.
- The use regulations should allow more uses of historic structures.
- In some urbanized areas, the use regulations should consider allowing additional uses in buildings that have been vacant for several years.
- In some of the zones designed for walkable urbanism, it is more important to focus on building form than on controlling specific uses in the building.

To address these concerns, we suggest the following changes:

- Consolidate all use tables into one or several a single summary use table(s).
- Categorize all principal uses under a three-tiered classification system.
- Modify use standards to increase flexibility and allow more uses by right.
- Distinguish principal, accessory, and temporary uses.
- Regulate building form in addition to use where appropriate.

Each of these recommended changes is discussed in more detail below.

1. Consolidate Use Tables into a Single Summary Use Table

As highlighted above, the Zoning Ordinance includes some use tables for various zones and groups of zones. There are at least nine use tables in the current Zoning Ordinance. This requires users to search through the ordinance to find the use table that is applicable to the zone in which they wish to develop, making it difficult to determine all the zones in which a particular use is allowed. Best practice in modern codes is to use a few use tables to consolidate and present all use information succinctly and eliminate repetition and inconsistent terminology. A comprehensive use table (or a few of them) not only reduces the number of pages required to convey the same information; it allows users to quickly compare how a certain use is treated in different zones. By avoiding

We suggest that all the current use tables be consolidated into a single or several use table(s) that sets out the full range of allowable principal uses, the zones where they are allowed, the process by which they are allowed, and a cross-reference to any applicable use-specific standards....

- Resource Production/Recovery
- Transportation/Parking/Communications/Utilities

Not all the tables use all nine categories; several omit the Industrial category and several omit the Resource Production/Recovery category—only the Commercial and Industrial categories are further divided, though not in all zones, and not always with the same name or the same uses. The regulations do not define the character and function of the use categories or subcategories. Given the imprecise nature of the current use classification system, it is not surprising to hear users say they find it difficult to find the use they are seeking.

In addition, the current use tables list a large number of specific uses. A count of all uses and variations of uses listed in the use tables indicates there are over 500 principal uses, about 50 accessory uses, and a dozen temporary uses. This does not include the further variations created by the numerous footnotes to the use tables. (As a comparison, most modern codes for large, diverse counties and cities list around 100-140 principal uses.) Because of the specificity and number of uses listed in the use tables, the County has necessarily adopted a policy that a use specifically listed in one use table but not listed in another use table is prohibited in the use table where it is not listed. This means the County has little flexibility outside the discretionary rezoning processes (or text amendment process) to interpret that a use similar to an allowed use in the zone is also allowed.

The current structure of the use tables needs to be simplified and made more flexible. Based on best practices, we suggest that the new Zoning Ordinance incorporate a three-tiered use classification system that adds text descriptions to clarify use groups at three different levels:

- **Use Classifications** (broad general classifications such as Residential, Commercial, Institutional, and Industrial)
- **Use Categories** (major subgroups within Use Classifications that are based on common characteristics, such as “Group Living” and “Household Living” under the Residential classification)
- **Uses** (specific uses within the Use Categories, such as “one-family detached dwellings,” “multifamily dwellings,” and “townhouse” under the Household Living category and Residential classification).

Many communities are moving to this use classification approach due to its more robust structure and flexibility. See the excerpt from a principal use table from another jurisdiction set out above and in Appendix A: Examples of User-Friendly Code Graphics. The use classification scheme in Subtitle 27A for Urban Center Districts, which uses a broader classification of uses, will also inform this effort.

In addition, we suggest the new Zoning Ordinance define the use categories broadly and list specific uses only if they sufficiently differ from similar broad uses to justify allowing them in different zones, application of special use-specific standards, or treatment as a special exception (e.g., adult

despite significant differences in their function and impact. The result is confusion about whether certain uses are allowed only as a principal use, allowed as either a principal or accessory use (or temporary use), or allowed only as an accessory use (or temporary use). The issue of what standards apply to such uses can also be unclear.

We suggest that accessory uses/structures and temporary uses/structures each be consolidated in a use table separate from the table of principal uses. Such accessory and temporary use tables should be grouped with use-specific standards referenced in those tables. (See example on next page.)

Use Type	Base/Conditional Districts																		Overlay Districts				Use-Specific Standard	
	PGO	Base/Conditional Districts																	MUD	AO-A	AO-B	FO		
		VLDR	LDR	MDR	HDR	NAC	BAC	CAC	RAC	TOD	HCV	MS	TCC	TCR	RT	RNP	CC	OI	IM					
Accessory Apartment	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	X			4.3.5.B.1	
Agritourism Activity	P	P																	P	A				
Amateur Ham Radio Antenna	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A			4.3.5.B.2
Arbor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A		
Art	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A		
Automated Teller Machine (ATM)																			P	P	P	A		4.3.5.B.3
Bike Rack	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A		
Canopy, Nonresidential						P	P												P	P	P	A		4.3.5.B.4
Carport	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A		4.3.5.B.5
Clothesline (as accessory to residential uses)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A		4.3.5.B.6
Composting Facility, Small	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A		
Drive-Through Service Facility							P			P			P			P	P	P	P	P	P	A		4.3.5.B.7
Electric Vehicle (EV) Charging Station, Level 1 or 2	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A		4.3.5.B.8
Electric Vehicle (EV) Charging Station, Level 3						P	P	P	P	P						P	P	P	P	P	P	A		4.3.5.B.9
Family Child Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A		4.3.5.B.10
Fence or Wall	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A		

5. Regulate Building Form in Addition to Use Where Appropriate

Subtitle 27A, Urban Centers and Corridor Nodes Development and Zoning Code, supplement the Zoning Ordinance with a form-based code to be applied through one of four Urban Center (UC-) Districts. Although Subtitle 27A includes a use table specifying allowable uses in the UC Districts, the listed uses are few and relatively general. They also distinguish between whether a use is allowed on the ground floor and on upper floors.

The character of development in the UC Districts is instead largely defined by standards establishing the allowable form of buildings—e.g., standards defining the envelope within which the building must be placed, specifying how much a front building façade must be brought up to the adjoining street, and how much of that façade must be devoted to windows and

Although no UC Districts have been established, and we suggest that they not be carried forward, we do suggest that some of the form-based standards in Subtitle 27A be considered when developing and revising specific standards for by-right development in many of the suggested new base zones.

integrity of an area (usually by preventing or discouraging demolition and requiring appropriate renovation or highly compatible new construction), NCO zones are more flexible and are based on a pre-approved area or neighborhood plan. NCO standards typically require infill and redevelopment to comply with additional modest development standards within the base zone to protect neighborhood character. The standards might address such issues as:

- Building height;
- Setbacks;
- Roof pitch;
- Garage location and setbacks;
- Front porches;
- Driveway access;
- Street trees; and
- Landscaping.

Typically, only a handful of character-defining features are regulated. Detailed architectural design standards, like those found in most historic districts (or the current A-C-O Zone), are not included. Development applications in an NCO zone are administratively reviewed for consistency with the applicable NCO zone standards, which usually results in less-time consuming project reviews than in an A-C-O Zone or historic district.

B. SUPPORT PRESERVATION AND PROTECTION OF RURAL AND AGRICULTURAL LANDS

Policies in *Plan Prince George's 2035* call for directing future growth and development within the Growth Boundary and outside Rural and Agricultural Areas and conserving agricultural and forest resources in Rural and Agricultural Areas. Related plan strategies call for the County to:

- Continue implementing the Priority Preservation Area Plan.
- Amend the Zoning Ordinance and Subdivision Regulations to support agricultural production and forest preservation in the Rural and Agricultural Areas.
- Evaluate the impacts of extractive industries on resource lands and rural character in the Rural and Agricultural Areas, and update and revise development standards to address those impacts and post-reclamation land uses.
- Evaluate a County Transfer of Development Rights (TDR) program, density exchanges, or Purchase of Development Rights (PDR) program to preserve environmentally sensitive land in Rural and Agricultural Areas.

conservation subdivision. Minimum open space requirements for conservation subdivisions vary with the zone: 60 percent of the tract area in the O-S zone; 50 percent in the R-A zone; and 40 percent in the R-E and R-R zones. The Zoning Ordinance reduces lot sizes in conservation subdivisions to 40,000 square feet in the O-S zone, 30,000 square feet in the R-A zone, 20,000 square feet in the R-E zone, and 10,000 square feet in the R-R zone—though maximum densities still apply. Lot coverage and yard depth standards are also reduced.

Current conservation Subdivision Regulations:

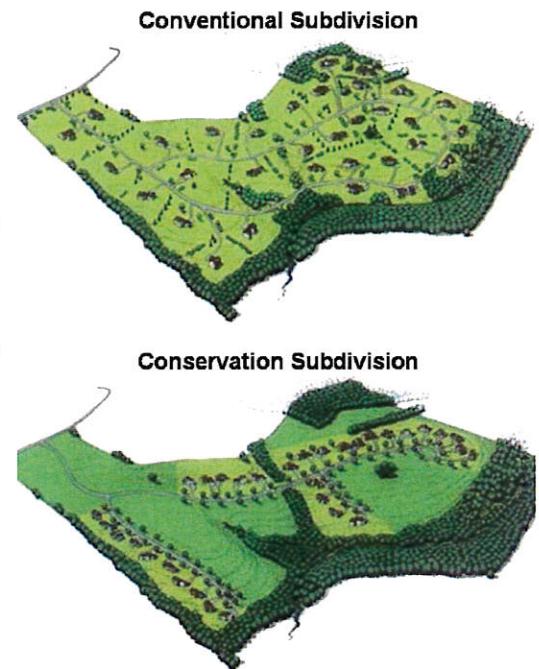
- Rely on the sketch plan to establish priority uses for the required open space (which may include agriculture).
- Require the connection of open space parcels (on- and off-site) where practical.
- Require retention of farm structures, when possible.
- Require subdivision layout to maximize preservation of wooded areas and minimize potential adverse impacts on existing farm operations.
- Require use of Low Impact Development (LID) techniques to manage stormwater.

The current conservation Subdivision Regulations also allow "Public Benefit Conservation Subdivisions" in the RR zone. These are conservation subdivisions that prioritize conservation of important site features such as open space networks and woodland habitats adjacent to other open space tracts, apparently in exchange for the allowance of a limited amount of townhouse, one-family semi-detached, and one-family metropolitan dwelling development. According to "A Citizen's Handbook," they are intended to provide more flexibility in lot layouts for subdivisions in the Developing Tier.

In general, the County's current conservation subdivision standards represent a good approach—but one that needs to be revised to reflect the new classifications in *Plan Prince George's 2035* and that could be strengthened to better preserve agricultural activities through more tailored standards.

Plan 2035 uses Agricultural and Rural Areas instead of the Rural Tier to designate areas that are outside the public water and sewer envelope. Conservation subdivisions should be mandatory in Rural and Agricultural Areas and properties zoned OS and AR countywide.

Current conservation Subdivision Regulations do little to prioritize preferred uses of required open space. To better use this tool for the conservation of farmland and woodlands and the continuation of agricultural and silvicultural activities, we suggest revising the conservation Subdivision Regulations to set forth priorities for required open space, or at least



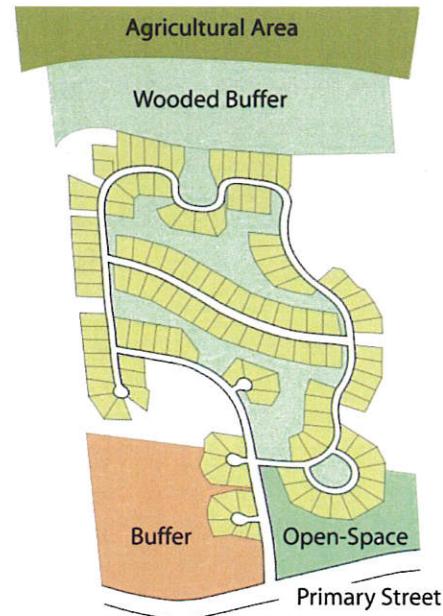
farm implement sales or repair is allowed only in the R-A Zone, and only as a special exception, requiring a special development review process. And riding stables are only allowed in any of these zones as a special exception. Where agriculture supportive uses are currently treated as special exceptions, we suggest the County consider allowing them by right, subject to use-specific standards addressing potential adverse impacts on neighbors. Where these types of uses are currently prohibited we suggest the County consider allowing them as special exceptions or perhaps even by right with specific standards. Another option is to rezone specific properties to allow these types of uses by right in a strategic manner so that adjacent property owners have the opportunity to comment on the proposed allowable uses.

3. Add Farmland Compatibility Standards

Section IV.A.2, Neighborhood Compatibility Standards, suggests the addition of new transitional standards to ensure that commercial and multifamily development proposed adjacent to single-family development is designed and arranged so it is compatible with the single family development. We suggest a similar strategy for addressing compatibility issues between existing agricultural or resource-based land uses and new residential subdivisions located next to farm activities.

Example standards that could be included in the new Zoning Ordinance might require such residential developments in Agriculture zones to:

- Provide a 100-foot-wide buffer of canopy and understory trees along all lot lines abutting or across the street from an existing farm use.
- Configure residential lots so that the largest lots abut the vegetated buffer, and are sufficiently large to allow for a harmonious transition.
- Locate residential lots upwind of the agricultural use, wherever possible.
- Provide fences along the boundary with the agricultural use that are designed to prevent access (both human and animal) between the farm and adjacent residential development.



C. SUPPORT AND ENCOURAGE SUSTAINABLE/GREEN BUILDING PRACTICES

In spite of its length, complexity, and variety overlapping tools that it contains, the current Prince George's County Zoning Ordinance is notable for some of the tools that it does not contain. One of the most notable omissions is the lack of any serious standards or incentives for green development or the procedures needed to implement them. Green development involves much more than the design of individual buildings. In fact, by the time specific buildings are being

- Green infrastructure is mentioned only once in the definition of another term.
- Leadership in Energy and Environmental Design (LEED) is mentioned only once as an optional submittal (not a requirement) for a Permit Site Plan and once in the purpose statement in Chapter 27A. Alternative rating systems are also not mentioned.
- Recycling is mentioned only three times, all in definitions of other terms or land uses, and never in standards or incentives for development.

This cursory treatment—none of which involves objective standards or requirements for development, and only one of which involves an incentive—is a far cry from the emphasis on green development called for in *Plan Prince George's 2035*.

The Zoning Ordinance and Subdivision Regulations rewrite needs to not only reflect this important *Plan 2035* goal, but to make Prince George's County a leader in encouraging and requiring green development in efficient and predictable ways. Throughout our interviews with stakeholders and developers, in the Zoning Advisory Panel and focus group meetings, and at the Countywide Public Forums we heard a strong consensus to incorporate green building practices in the rewritten regulations. We also heard strong requests for predictable and objective development standards that would encourage *Plan 2035* outcomes without the need for time-consuming procedures or hearings. Green development is one area where this can be done. In over two decades of practice, we have learned several important lessons about how to promote green development in land use regulations. These key lessons are summarized below:

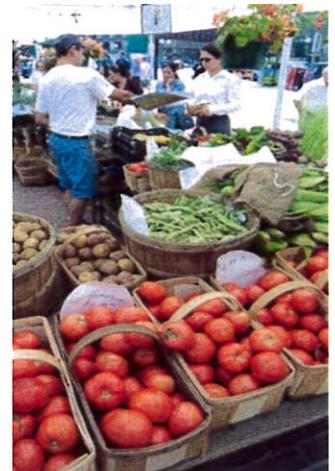
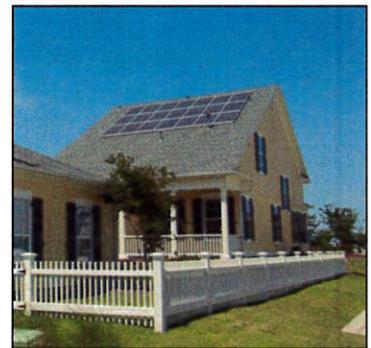
- First, include the tools for green development in the Zoning Ordinance and Subdivision Regulations. This means explicitly defining key terms like wind, geothermal, and solar energy systems, Environmental Site Design, natural stormwater infrastructure, connectivity, drip irrigation systems, bioswales, rain gardens, rain barrels, electric vehicle charging stations, alternative fuel filling stations, and recycling collection, transfer, treatment, and disposal facilities in the Ordinance.
- Second, remove barriers to market driven innovations in these areas. Explicitly address where on residential, mixed-use, industrial, and raw land sites solar, geothermal, and wind energy systems may be installed – both as accessories to another primary use of the land, and as primary uses of the land. Do not require variances or approvals for installing smaller and accessory devices, and remove the requirements for building permits for those devices where possible. For larger and primary devices, establish objective standards and allow by right development subject to those standards wherever possible. Ensure that site design and landscaping standards do not prohibit bioswales, rain gardens, and other tools of Low Impact Development, but instead allow them to be counted towards required open space set-asides and landscaped areas.



- Finally, be sure to coordinate the Zoning Ordinance and Subdivision Regulations standards and incentives with related provisions of the building, energy and plumbing codes. Generally, if the topic is adequately addressed in other codes (e.g. incentives or allowances for building mounted solar collectors), they should not be repeated in the Zoning Ordinance, because repetition often leads to inconsistencies over time. On the other hand, site design features (e.g. ground mounted solar collectors or bioswales) can and should be addressed in the Zoning Ordinance with little worry that those provisions will become inconsistent with other code provisions over time.

We recommend that the new Zoning Ordinance define terms, remove barriers, and adopt reasonable regulations following the principles above, for the following types of green building practices:

- Alternative energy systems that would include but not be limited to solar energy systems, solar collectors, solar arrays, wind energy conversion systems (WECs), other wind energy systems, geothermal systems, electric vehicle charging stations, and alternative fuel filling stations;
- Energy conservation techniques and devices, including but not limited to green roofs, roof gardens, and cool roofs.
- Water conservation techniques and devices, including but not limited to xeriscape, drip irrigation systems, bioswales, rain gardens, rain barrels, and water cisterns;
- Low Impact Development/Environmental Site Design standards for stormwater management;
- Conservation of green infrastructure, including but not limited to tree protection, the provision of open space-set-asides, the protection of wetlands, rivers, streams, and other riparian areas; and the protection of and building practices in floodplains.
- Urban agriculture activities, including but not limited to community gardens, produce stands, farmers markets, and the vegetable gardens and the raising of a limited number of animals (like chickens, ducks, and rabbits) in specified residential zones;
- Compact, walkable urbanism that supports market driven and higher development densities with a mix of uses in key centers and investment areas, together with requirements for high pedestrian and bicycle connectivity and a strong focus on the quality of the streetscape.
- Housing diversity and affordability by increasing the housing options available to residents in close proximity to services, by right or subject to use specific standards, to address 21st century housing needs. These types of housing might include small-scale form of attached dwellings (duplexes, triplexes, quadplexes, mansion apartments, courtyard apartments, accessory dwelling units, senior housing, ECHO housing, and micro-units)



- Provisions that allow for an applicant to submit an alternative parking plan demonstrating how parking requirements can be met for a development through alternatives different than those spelled out in the regulations.

Take out the provisions in Sec. 214-124.01, Subdivision Regulations), that includes a requirement for adequate public pedestrian and bikeway facilities, since new standards will be added to the Zoning Ordinance addressing these issues.

D. LANDSCAPING

Landscape standards for development in the County are found in The Prince George's County Landscape Manual ("Landscape Manual"),⁸⁵ which establishes the requirements for landscaping, buffering, and screening that apply to development in the County. It has a solid organizational framework, but needs simplification in some places, and modification to address *Plan 2035* goals and incorporate best practices.⁸⁶

1. Background: Current Regulations – The Landscape Manual

a. General

Generally, all development (public and private) must comply with the Landscape Manual before beginning construction on a project. No building and grading permits will be approved without prior approval of a detailed landscape plan that is in compliance with the Manual. Currently, the approval process for landscape plans, and for determining their compliance with the Landscape Manual occurs as part of the Site Plan or permit review process. Detailed landscape plans must be submitted with the application package.⁸⁷ To ensure compliance, upon completing installation of landscaping, the landscape architect

⁸⁵ The Landscape Manual was most recently updated in December 2010.

⁸⁶ The Landscape Manual is organized into five sections:

- Section 1 General Information
- Section 2 Plan Preparation
- Section 3 Landscape Elements and Design Criteria
- Section 4 Landscape Standards
- Section 5 Glossary

⁸⁷ Submittal package requirements generally include information about:

- The location, type, and quality of existing vegetation, and what is saved, including a tree preservation plan.
- Existing site conditions, boundaries, topography, SWM facilities, utilities, and similar information.
- Proposed plant materials, locations, quantities, and similar information, and plant details.
- Proposed berms, fences, paved areas, etc.
- A lighting photometrics plan, prepared by and sealed by a lighting consultant.
- Soil mixture specs and key landscape elements details (such as dumpster enclosures, fences, and other landscape elements that are required as part of any buffering or screening).

Landscape plans are required to be prepared by a Maryland registered landscape architect.

approved within a floating zone that have approved landscape plans that differ from the Landscape Manual; development subject to a Sector Plan including specific landscape standards in the plan (if standards are part of the Sector Plan); and development that is exempted by the Landscape Manual. Organization of the section is reasonably good, but some standards need simplification, and some modification to address *Plan 2035* goals and incorporate best practices is needed. The section is divided into the following ten parts:

- Residential (planting standards for single-family, lots, townhouse lots, and multi-family dwellings);
- Landscape Strips Along Streets;
- Parking Lots;
- Screening;
- Stormwater Management Facilities;
- Buffering Development from Streets;
- Buffering Incompatible Uses;
- Landscape Requirements in a Regional Urban Community;
- Sustainable Landscaping Requirements; and,
- Street Trees Along Private Streets;

Plant schedules for each are provided on drawings to quantify planting and landscape requirements and compliance. The section also provides sample “schedules;” schedules vary depending upon the conditions and context.

Table 15 Summary of Current Landscape Standards and Suggested Changes, summarizes the standards in each part of the landscape standards, and includes suggestions for change. Additionally, each of the following landscape standards should consider CPTED principles. Precise language and standards will be determined in the drafting process. The landscape standards should also address the applicability of tree canopy coverage regulations and re-evaluating the exemptions—including, but not limited to: 1) no change; 2) relocating them to the Zoning Ordinance; or 3) incorporating them into the Landscape Manual.

Part V: Modernize the Regulations and Incorporate Best Practices
Section V.D Landscaping

TABLE 15: SUMMARY OF CURRENT LANDSCAPE STANDARDS AND SUGGESTED CHANGES		
STANDARD	CURRENT STANDARDS	PROPOSED CHANGES
Parking Lots	<ul style="list-style-type: none"> Requirements include: Planting strips along perimeter of parking lot. Plantings in parking lot interiors (islands and medians). Requirements vary depending upon tier, corridor, nodes, or centers (number of trees and shrubs per island and per linear feet of strip). 	<p>Centers.</p> <ul style="list-style-type: none"> Adjust the current distinction among tiers to address 2035 Plan nomenclature. Refine storm water provisions to better address current storm water regulations (e.g., bio-retention, green roofs). Add standards requiring parking lot "drive aisles" to be designed so they can become future "streets," and parking lots can become future building sites (especially for Centers, Commercial Corridors, and multi-family developments). Centers, Commercial Corridors, and Multifamily: Add landscape standards for Local Centers that support parking lot drive aisles in parking lots, and parking rows adjacent to buildings to be treated as "streets," aligned with street trees, sidewalks, decorative light poles and other streetscape elements and furniture to create an attractive and walkable streetscape along building frontages. Commercial Corridors: Evaluate whether perimeter parking standards in certain contexts should be strengthened.
Screening	<ul style="list-style-type: none"> Generally requires storage, loading, trash, mechanical equipment, and similar activities be hidden from view by landscaping. Use evergreen trees, shrubs, walls, fences, and berms. At time of installation, plants should occupy 75% of vertical rectangular plane. Requirements specify height, length, and other standards depending upon what is screened. 	<ul style="list-style-type: none"> Standards are generally consistent with best practices. Centers: Modify standards for Regional Transit Districts and Local Centers, to address walkable urbanism context. For example, loading areas and loading docks will be within buildings; including residential buildings. Screening from adjacent properties (or across the street) may not be practical and should not be required in all instances.
Stormwater Management (SWM) Facilities	<ul style="list-style-type: none"> Reference DPW&T requirements. All plantings around SWM must be in compliance with and approved by DPW&T. There are not specific planting requirements in the Landscape Manual. 	<ul style="list-style-type: none"> Add language and/or precedent images and photos to encourage (or require, or incentivize) more contemporary design solutions for bio-retention, green roofs, and other "urban-like" design solutions for SWM facilities. The standards should address the places walkable urbanism is the preferred development (Centers and Innovation Corridors). Organic and naturalized-looking SWM and bio-retention in Centers may not be desired, but may be appropriate in the Rural areas. Encourage, or incentivize, storm water tree planters, especially in Centers.
Buffers (rear yards, buffering of buildings from streets and special roadways)	<ul style="list-style-type: none"> Standards includes language such as create variety; avoid long monotonous buffers of same material; consider year-round character). Residential Development: standards vary (width, type, etc.), depends on road classification, for : <ul style="list-style-type: none"> Primary or lower road classification; Collector road; Major collector or arterial; Freeway or expressway; special roadways. Number of shade trees, number of evergreen trees, and number of shrubs per linear feet. 	<ul style="list-style-type: none"> Centers: Modify standards to address both Regional Transit Districts and Local Centers. Eliminate buffer requirements along some types of streets, and modify in other contexts to support walkable urbanism. Commercial Corridors: Modify buffer standards to support more mixed use development, and a more pedestrian-friendly environment.
Buffering Incompatible Uses	<ul style="list-style-type: none"> Standards are similar to standards in above section. A table of "Use Impact Category" provides a matrix of uses and what constitutes incompatibility, and an 	<ul style="list-style-type: none"> Adjust the current distinction among tiers to address 2035 Plan nomenclature. Simplify the section; provide more flexibility in the buffers by applying measurable standards, based on opacity. Centers: Adjust the requirements for buffers within centers.

First, and in addition to the specific suggestions for each part of the landscape standards summarized in Table 15: Summary of Current Landscape Standards and Suggested Changes, focus on revising the Landscape Manual to add standards for Centers, the Innovation Corridor, and commercial corridors.

- Centers (Regional Transit Districts (including the Downtowns) and the Local Centers (Local Transit Centers, Neighborhood Centers, Town Centers, Campus Centers) are the places of focus for walkable urbanism.
 - Emphasis should be placed on the standards supporting a strong public realm.
 - Street trees should be required on all streets (public and private), but might be varied depending upon type of center and the street type.
 - Streetscape landscape standards should be included for street types, in accordance with Complete and Green Streets principles.
 - Landscape standards should be added for pocket parks, plazas (planting quantities, trees, grass, paving, soft scape versus hardscape, plazas, plaza elements, and similar provisions), and appropriate open spaces, to support such considerations as small outdoor events, food trucks, and neighborhood markets, so they are not “left over spaces” but, rather, an integral and important part of place making.
 - The other landscape standards should be modified to support the development template for walkable urbanism. Front yards, lots, landscape strips (along streets, perimeter of parking lots, etc.), and buffers should be revised.
- The Innovation Corridor will contain a variety of uses, building types, employers, and functions that will advance economic development and employment goals. Landscape standards for the Innovation Corridor should recognize this uniqueness and inform a landscape design aesthetic that helps to advance and support these goals.
 - The standards should emphasize a high-quality landscape design approach that respects and strengthens individual development, building, and user function and mission, while being compatible with and, to the extent practical, connect with adjacent/other developments, buildings, and users within the corridor. Landscapes should be well maintained, and should benefit and contribute to broader marketing, branding, and economic development and employment goals throughout the Innovation Corridor.
 - Landscape standards, including both qualitative factors and quantity of plant materials, should be included.

Plan 2035 addresses the first policy with strategies to direct future growth and development into Centers and within the Growth Boundary. Part III, Modernize, Simplify, and Consolidate Zones and Zone Regulations, addresses how zones and zone regulations should be revised to implement these strategies. Water quality improvement is primarily addressed through the current Chesapeake Bay Critical Area Overlay zones, the implementation of stormwater management regulations largely prescribed by State and federal law, the open space requirements of the Reserved Open Space (R-O-S) Zone, and conservation subdivision requirements in the Subdivision Regulations. Suggestions for improving current development regulations to address green design and climate change can be found in Section IV.C, Support and Encourage Sustainable/Green Building Practices. Preservation of tree canopy is addressed in Section V.D, Landscaping. This section addresses the more general open space standards in the current Zoning Ordinance and Subdivision Regulations and how they might be revised to better implement *Plan 2035* policies.

1. Current Open Space Standards

The Zoning Ordinance requires various forms of open space in a variety of ways. Minimum requirements for open space—defined as land uncovered by structures, driveways, or parking lots—apply to the village zones, the Aviation Policy Area overlay zones, and some specific uses (e.g., elderly housing, private schools and colleges, amusement parks). Minimum requirements for “green area”—defined as open areas providing site occupants light and air, or scenic, recreational, or similar purposes—apply to multifamily development in residential zones, the Planned Mobile Home Community (R-M-H) Zone, and some specific uses (e.g., elderly housing, department/variety stores, health and medical campuses). A minimum requirement for “community use area”—defined as undisturbed open space, recreational facilities, parks, and public and homeowner uses and amenities—applies to the Mixed Use Community (M-X-C) Zone. Minimum requirements for “recreational area” (not defined) apply to the Village zones and campground uses.



The Subdivision Regulations also require open space in several forms. Residential subdivisions are required to dedicate and convey to the County or a municipality a certain percentage of the subdivision site as “parkland” (land suitable for active or passive recreation). If dedication of parkland is impractical or adequate parkland already is available to serve subdivision residents, the requirement may be met with an in-lieu payment or the provision of recreational facilities. The requirement does not apply to subdivisions approved under comprehensive design, urban renewal, optional residential design, townhouse, or recreational community development provisions, or to subdivisions in the Residential, R-M, and M-X-T zones that are subject to a single conceptual site plan. Conservation subdivisions are required to set aside a minimum amount of “conservation”

requirements than mixed-use, commercial, or industrial development, and the open space is more focused on recreational uses.

Regardless of the location and type of development, standards should ensure that required open space is usable and functional for designated open space purposes—and not merely consist of undevelopable “leftover” land. This can be achieved by adding locational and design rules governing the location, configuration, and usability of the open space (perhaps building on those rules applicable to open space in conservation subdivisions). Those rules would give priority to protecting natural hazard areas, natural resources, environmentally sensitive areas (e.g., floodplains, wetlands, riparian buffers), and agricultural lands and woodlands. They would also provide for the extension or expansion of certain types of adjacent open spaces (e.g., greenways and linear parks) with public access.

This set of open space standards would also include provisions allowing payment of a fee or provision of structural open space amenities in-lieu of providing required open space (as do current parkland requirements), as well as provisions addressing the ownership of and maintenance responsibilities for required open space, whether the open space is owned and maintained by a public entity, nonprofit conservation organization, or property owners' association.

We also suggest that the County consider revising the current parkland dedication requirements applied to single-family residential subdivisions by the Subdivision Regulations to mirror the open space set-aside standards in the Zoning Ordinance—i.e., requiring open space as a percentage of subdivision site area, allowing required open space to be public or private, and referencing the same standards for the usability of required open space and options for in-lieu payments or provision of facilities.



F. ROADWAY DESIGN, MOBILITY, AND CONNECTIVITY

1. Background: The Zoning Ordinance, Subdivision Regulations, and the Specifications and Standards in Roadways Manual

The County's Specifications and Standards for Roadways and Bridges Manual (“Roadway Manual”) is the official document for street and roadway design, as stated in the current Subdivision Regulations (see Sec. 24-123, Subdivision Regulations). It defines the roadway functional classification system in use in the County as well as design standards to be