

**Greenbelt City Council
Work Session**

Zoning Rewrite/NCO Zone

December 4, 2017

8:00 p.m.

Council Room Municipal Building

Agenda

- Introductions
- Comments from Chad Williams
- County Zone Rewrite Modules 1, 2 & 3
- Discussion of NCO Zone
- Council Discussion
- Questions and Answers
- Other

**CITY OF GREENBELT, MARYLAND
MEMORANDUM**

TO: Nicole Ard, City Manager
FROM: Terri S. Hruby, Assistant Planning Director
DATE: November 30, 2017
SUBJECT: Comprehensive Review Draft of Zoning Ordinance & Subdivision Regulations

The Maryland-National Capital Park and Planning Commission released the Comprehensive Review Draft of the proposed Zoning Ordinance, Subdivision Regulations and Landscape Manual for public review and comment. M-NCPPC has requested that public comments be submitted by December 15, 2017. M-NCPPC anticipates presenting a legislative draft to the County Council in early spring 2018. A countywide map amendment (zoning map) to implement the new zoning ordinance is currently being drafted by M-NCPPC, although it is not currently scheduled to be released prior to adoption of the zoning ordinance. The City Council has commented that the new zoning map should be released for public review and comment prior to the adoption of the new Zoning Ordinance.

Based on public comments received on Modules 1, 2 and 3, and consultant meetings with the M-NCPPC Staff, the Planning Board and the District Council several revisions have been made to the proposed Zoning Ordinance and Subdivision Regulations. Some key changes include the following:

- The Greenbelt Neighborhood Conservation Overlay Zone is not included in the Comprehensive Review Draft of the Zoning Ordinance.
- Retains District Council Call-up provision.
- Added mixed-use retail standards for Commercial Neighborhood (CN) Zone.
- Refined and expanded accessory uses including the addition of beekeeping.
- Recognizes existing authority and role of municipalities.
- Added two legacy zones.
- Added back in Adequate Public Facilities requirements for schools, police, fire and EMS facilities.
- Revises the thresholds between minor and major detailed site plans to require more site plan review.
- Reinstates certification on nonconforming use procedure and removes ability to substitute one nonconforming use with another.
- Eliminates the term adjustment for variance and departures.
- Increases requirement for off-street parking inside the beltway from 1 to 1.5 spaces.
- The current Residential-Townhouse (R-T) Zone will become the Residential, Single-Family- Attached Zone (RSF-A) that allows a maximum density of 16.33 du/ac for townhouse development.

Staff has reviewed the comments submitted by the City Council on Modules 1, 2 & 3 and has found a large number of the City's comments have been addressed either within the Comprehensive Review Draft, or through added clarification provided by M-NCPPC staff in the "Technical Staff Analysis of Stakeholder Comments" documents. However, there a number of the City's comments/issues that continue to go unaddressed that staff believe are significant and deserve further consideration from M-NCPPC prior to a legislative draft of the Zoning Ordinance and Subdivision Regulations being finalized. Issues that continue to be of serious concern to staff are summarized below.

1. Elimination of the Residential Planned Community (R-P-C) Zone/NCO Zone

As discussed in the review of Module 1, the Residential Planned Community (R-P-C) Zone is proposed to be eliminated. Greenbelt has one of the two R-P-C Zones in the County. The R-P-C Zone provides density and land use protections within Historic Greenbelt. For boundaries of the existing R-P-C Zone please refer to Attachment 1.

In response to concerns raised by City Council regarding the elimination of the R-P-C Zone, M-NCPPC staff offered to work with the County's consultant and City staff to develop a Neighborhood Conservation Overlay (NCO) Zone for possible inclusion in the Comprehensive Review Draft. As we recently learned, while a draft Greenbelt NCO Zone has been developed, the County Council has directed that specific NCO Zones be considered following the adoption of the new zoning ordinance. This approach will leave Historic Greenbelt without the density and land use protections afforded with the R-P-C Zone regulations. For example, GHI is currently zoned Residential Townhouse (R-T) which is proposed to be replaced by the Residential Single-Family – Attached (RSF-A) Zone. This Zone allows for a density of 16 dwelling units per net lot acre, significantly higher than what is permitted in the R-P-C Zone Official Plan. Staff also has concerns with the new zone that could be applied to Roosevelt Center which is the General Commercial and Office (GCO) Zone.

City staff viewed the development of an NZO Zone as an opportunity to apply development and architectural regulations to Historic Greenbelt, with the goal of preserving the superblock concept Historic Greenbelt was developed on and significant architectural and design elements. Of particular concern is Greenbelt Homes, Incorporated's (GHI) property, and how development will be reviewed and regulated under the new zoning ordinance absent an NCO Zone, or some other overlay Zone that respects the unique development pattern of GHI (i.e., no recorded lots).

Recommendation: Staff believes the City Council should continue to advocate for the inclusion of a Greenbelt NCO Zone in the legislative draft presented to the District Council for adoption. However, since there has been no indication that the County Council intends to change its position, staff believes it is appropriate for the City Council to ask that at a minimum the R-P-C Zone be retained in the new zoning ordinance, until which time a Greenbelt NCO Zone is adopted. This will at least provide the same level of protection for Historic Greenbelt that currently exists. Perhaps, the R-P-C Zone can be

retained as a Legacy Comprehensive Design Zone, and referred to as a Legacy Residential Planned Community Zone (LRPC).

2. Development Review Process

The City Council previously commented that municipalities should be listed in Section 27-3.200, Summary Table of Development Review Responsibilities. While the category “Municipalities” has been added as a Review and Decision Making Body, their role is limited to the zoning functions that have been delegated to certain municipalities (e.g., variance and departures). Since the proposed development review process has a 30 day public notification requirement for most applications, it is critical that the City have notification and input early in the application process to afford sufficient time for the City to review and comment.

The City Council previously raised concerns about the thresholds between minor and major detailed site plans need to be lowered significantly. These thresholds have changed in the Comprehensive Review Draft so that commercial development between 75,000 – 150,000 SF (formerly 100,000-500,000 SF), and mixed-use development between 25,000 – 250,000 SF (formerly 50,000-250,000 SF) is considered minor and anything above these thresholds is a major detailed site plan that requires a pre-application conference and public hearing. Since minor site plans are approved by the Planning Director, the process does not afford the City or the public to the ability to comment on large impacts impacting the City.

In addition, projects under the minor site plan thresholds, those under 75,000 and 25,000 SF respectively, are considered developments by right, and will be approved at the building permit level giving the City and public no opportunity to review and comment. This is particularly concerning as the City often reviews these projects in context of their relationship with City roads and transportation goals.

Recommendations: Request that Section 27-3.200 be revised to indicate that “Municipalities” have a comment role in Comprehensive Plans, Amendments and Planned Development, Special Exceptions, Site Plans (Major and Minor), and those procedures listed under Others. Reiterate the City’s concern that the thresholds for minor detailed site plans remain too high for both mixed use and commercial developments. Request that all commercial and mixed-use development proposals below the minor site plan thresholds get referred to municipalities for review and comment prior to building permit approval.

3. Pre-Application Neighborhood Meeting

A pre-application neighborhood meeting is now required for zoning map amendments, special exceptions and major detailed site plans. An applicant is required to provide notice by mail to adjacent land owners, registered civic associations and municipalities and post a sign on the site 30 days prior to the meeting (increased by 10 days).

Recommendation: Staff recommends supporting this requirement but recommends the City request that it be required for minor site plans as well. This will allow the County Planning Director to have access to community views prior to deciding a case.

4. Adequate Public Facilities Standards

Schools, Police and Fire and EMS

The Comprehensive Review Draft adds back the Adequate Public Facility requirements for schools, police, fire and EMS facilities. This is a revision that staff supports. However, Police Facility Adequacy requirements continue not to reference municipal police service, and staff recommends reiterating the City's position that the Subdivision Regulations should acknowledge municipal police services/departments, and reference them in the approval of a Certificate for Police Facilities adequacy.

Recommendation: Reiterate the City Council request that the Subdivision Regulations for Police Facility Adequacy include reference to Municipal Police Departments/Services, and their role in approving applications for a finding of adequacy for Certificate of Police Facilities application.

Transportation

The proposed subdivision regulations require adequate transportation facilities to be available to accommodate or offset vehicular trips within the impact area surrounding new development. In the City of Greenbelt, the proposed subdivision regulations maintain the requirement that all intersection and roadways operate at a Level of Service (LOS) E or better, with the exception of projects located in the Regional Transit-Oriented Planned Development Zone (RTO) and Local Transit Oriented Planned Development Zone (LTO). These Zones would be exempt if they provide a transportation Demand Management (TDM) program managed by the applicant, through fees paid, or a trip reduction program. Staff anticipates the exemption will apply to Greenbelt Station North Core and Franklin Park at Greenbelt Station.

It is not clear how the County will assure compliance with a TDM program or trip reduction program, especially over the long haul. Also, in order to assure adequate transportation facilities, the Certificate for Transportation Application must be carefully analyzed and vetted with the appropriate agencies, including municipalities for which the project is in.

Recommendation: Request assurances that the transportation impact studies will be closely scrutinized and mitigation standards and programs are strictly adhered to. A project should be required to reduce its development program if the mitigation standards cannot be met, or it is determined that the applicant is not fulfilling its obligations under the approved mitigation programs.

Parks and Recreation

The City Council raised concerns that the Subdivision Regulations did not acknowledge that the City is not located within the Maryland Washington Metropolitan District. To resolve this, language has been added to Section 24-3.601 that requires parkland to be conveyed to a municipality located within the County, but which is not within the Maryland Washington Metropolitan District.

Language requiring fee-in-lieu payments for park land dedication and/or recreation facilities be paid directly to a municipality who is located outside the Maryland Washington Metropolitan District is not in the proposed Subdivision Regulations, although this had also been requested by the City. There is however, a requirement that the in-lieu fee be used for the sole purpose of purchasing or improving land to meet the park and recreation needs of, and benefit the residents of the subdivision.

Recommendation: Request that Section 24-3.601 be revised to codify that fee in-lieu payments should be required to be paid directly to municipalities for projects that are located in a municipality that are not within the Maryland Washington Metropolitan District.

Certification of Adequacy Review Process

The review for adequate public facilities (APF) continues to be proposed as an administrative process, meaning the public will not have an opportunity to participate in the APF review process. The role of municipalities in the review of APF's is also not defined.

In Section 24-3.503.B, which outlines the review procedure for Certificate of Adequacy or Conditional Certificate of Adequacy, there is reference to a requirement that the Planning Director shall forward the application to the appropriate departments for review and comment. There is no specific mention of a referral to municipalities, if the project is located within one. This is concerning since the City needs to be involved in the review of projects as they relate to police services, park and recreation facilities and park land dedication and transportation facilities and programs.

Recommendation: Recommend Section 24-3.503.B be revised to specifically require if a project is located within a municipality, the Planning Director shall forward the application for a certificate of adequacy or a condition certificate of adequacy to the municipality for review and comment. Additionally, the review of plans that require a finding of adequate public facilities should include an opportunity for the public to comment on the application for Certificate of Adequacy.

5. Public Communication Standards/Regulations

City Council has not previously commented on regulations regarding communication uses; however, concerns have been raised by citizens regarding the proposed regulations for wireless telecommunication towers and monopoles (Section 27-503.D.1). As proposed, wireless telecommunication towers and monopoles would be permitted by right as a principle use in all zoning categories subject to meeting use

specific standards. The County has indicated that the proposed standards have been adapted from current standards mainly to ensure compliance with FCC regulations.

The proposed standards allow for a maximum height of towers to be 199 feet when located on public property and 150 when located on any other property. The standards also require the tower to be set back from all property lines and dwelling units a distance equal to or exceeding the height of the tower, except that the minimum setback may be reduced subject to an engineering certification that the tower has been designed to fall within a smaller zone.

Staff has heard concerns regarding the placement of telecommunication facilities in residential developments. Staff believes it may be appropriate for these facilities to be located in residential areas within public right of way subject to certain policies and procedures, but understands concerns related to the placement of these facilities on single-family zoned lots.

Recommendation: Recommend that Table 27-5.202.C be revised to make Communication Uses a “Prohibited” use on Residential Single Family Base Zones.

6. Zoning Text Amendments

The City Council strongly supported the proposed regulation in Module 3 which would require that text amendments be reviewed, including a public hearing, by the Planning Board. This provision has been eliminated, and Zoning Text Amendments will be reviewed and decided on by the District Council.

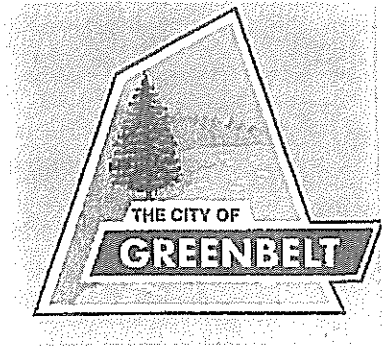
Recommendation: Request that the provisions regarding text amendments presented in Module 3 be re-instated.

7. Other Issues

In addition to the issues identified above, staff believes two additional issues deserve discussion: 1) The proposed elimination of the Development District Overlay Zone (DDOZ) and 2) The application of, and transition to, the proposed new zoning categories. Staff will be prepared to provide a brief overview of these issues at the City Council work session on December 4th, as well as to address other comments and/or concerns that may arise.

CITY OF GREENBELT

25 CRESCENT ROAD, GREENBELT, MD. 20770-1886



MAR 21 2016

March 14, 2016

Mr. Chad Williams, Project Manager
The Maryland-National Capital Parking and Planning Commission
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Rodney M. Roberts

RE: Zoning Ordinance Re-write
City of Greenbelt Comments on Module 1

Dear Mr. Williams:

Thank you for presenting Module 1 to the Four Cities Coalition on January 27, 2016. The presentation was very informative and helped the Greenbelt City Council gain an understanding of the purpose and organization of the project. Recently, the Greenbelt City Council met with City planning staff to discuss Module 1, in terms of its application to Greenbelt.

Of particular concern to the City is process. The City is concerned that it will be asked to endorse a new zoning ordinance prior to having an understanding of how the new zones will be applied to property within Greenbelt. The mapping of zones must precede the adoption of the new zoning ordinance so that municipalities and the public have an opportunity to discuss the new zones in the context of their specific situation(s), and to clearly understand how they will be impacted. The public and municipalities should be actively involved in the mapping process.

Also of great concern to the City is the "by right" development process defined in Module 1. The City is concerned that this approach will result in municipal reviews being bypassed on significant development projects that warrant municipal and public review and comment. The municipal review process has played a vital role in bringing quality development to the County. Diminishing this role is contrary to the public's best interest. The approval review process for projects within Transit-Oriented/Activity Center base zones needs to account for an appropriate level of municipal review and input.

The City has shared its concerns with and your staff regarding the proposed deletion of the R-P-C zone and its potential impact on Historic Greenbelt. The City Council was happy to learn that you will be working with our Planning staff in the coming months to look at the applicability of a Neighborhood Conservation Overlay Zone as a tool to preserve the historic planned community principles. We look forward to learning more about this approach.

A NATIONAL HISTORIC LANDMARK
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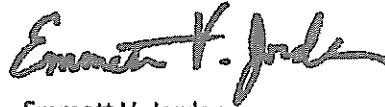


In addition to the issues above, the City has a series of concerns and questions with Module 1 that are reflected in the attached comment sheets. These comments address substantive issues, seek clarification on various terms and standards, and highlight minor grammatical items. The City looks forward to working with you and your staff to address the City's comments and to formulating a zoning ordinance that fulfills the purposes of the project, while protecting and representing the interests of the City of Greenbelt and other municipalities in Prince George's County.

In conclusion, the City would like to take this opportunity to re-iterate its interest in having the zoning re-write project address the role of municipalities in the development review process and the potential for delegating greater review authority to municipalities as a means of streamlining the County's review process, which is a primary goal of the project.

The City thanks you for the opportunity to comment on Module 1. If you have any questions please contact Terri Hruby, Assistant Planning Director, at (301) 345-5417.

Sincerely,



Emmett V. Jordan
Mayor

cc: City Council
Honorable Todd M. Turner
Honorable Patrick Wojahn, City of College Park
Honorable Andrew Hanco, City of New Carrollton
Honorable Jodie Kulpa-Eddy, Town of Berwyn Heights
Fern Piret, M-NCPPC
PGCMA
Michael P. McLaughlin, City Manager
Celia Craze, Director of Planning and Community Development

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COMMENTS ON MODULE 1
March 1, 2016**

Section	Item	Comment
27-3-102	RPC Zone	Not included. There must be some provision in the zoning ordinance for the protection of Historic Greenbelt and its plan, similar or identical to the existing RPC zone.
27-3-102	DDO Zone	How will the character and urban design standards developed for the Greenbelt Metro Area and 193 Corridor Sector Plan be accomplished with move to generic base zones?
27-3.106.B.1.c	PD Plan and PD agreement	Please spell out PD
27-3.201.C.1	PL zone	Is this appropriate for public land, including recreation land. Should this be POS?
27-3.201.E	Conservation subdivision	Will conservation subdivision have density and lot area requirements?
27-3.202.A	Non-conforming lots	How will the zoning ordinance deal with non-conforming lots?
27-3.202.F.3	Lot width and lot coverage for other uses in the SFR 6.7 zone	Why the reduced width and coverage from single-family detached dwellings?
27-3.202.G.3	Yard depth	Won't establishing setback regulations for townhouses create non-conforming townhouses throughout the County?
27-3.202.G.3	Townhouse density	Seems too high. What is it now?
27-3.202.H.3	Density	<ol style="list-style-type: none"> 1. Why are densities different than SFR-A? 2. The net lot area for two and three du's is opposite townhouse as shown in the SFR-A. Is this

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		correct?
27.3.202.1.3	Notes	du/ac = dwelling units per net lot acre.
27-3.202.1.3	Missing notes 8 and 9	
27-3.203	Proposal to replace comprehensive design zones and mixed use zones with base zones that would allow for by-right development without detailed site plan review and approval.	1. Major departure from current process. Would not afford municipalities an opportunity to review and comment.
Table 27-3.203.C.1.b	Curb cuts in Transit-oriented/activity center zones	2. Do the curb cut standards apply only to one side of the road, or do we consider curb cuts on opposing sides of the road? 3. Shouldn't it be indicated which streets will not have curb cuts? 4. How do you determine responsibility for shared curb cuts? 5. How do the standards relate to the DPW&T standards and specifications?
Table 27-3.303.C.1.c	Sidewalk widths in transit-oriented/activity center zones	1. Why is the width in the LTO edge and TAC edge less than other zones? 2. How would a 5 feet by 8 feet street tree planting area be provided? Shouldn't this be required?
27-3.203.C.d.i	Off-street parking space	1. What is the reasoning behind the 50% reduction in minimum number of off-street parking

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		spaces in certain zones? 2. Are garage spaces counted?
27-3.203.C.e.i	Street frontage	Does this refer to public or private streets?
27-3.203.C.e.iv	Bike parking	Does a bike locker serve as a replacement to the four bike parking spaces, or is it an additional requirement?
27-3.203.C.f.ii.B	Wall projections and recesses	Do windows qualify for required projection?
27-3.203.C.f.ii.J	Enhanced window treatments	Isn't this a detail of a complete and occupied building?
27-3.203.C.f.iii.A	Major fraction	Can this be defined?
27-3.203.C.f.iii.B	"at least on such entrance"	Does this refer to an exterior entrance?
27-3.203.C.f.iv.A	"a minimum percentage of the street-level façade"	Can this be defined?
27-3.203.G.1	Townhouse dwellings allowed	Are these really appropriate in the RTO zone?
27-3.203.G.2	If there is no transit station ...	How can there be an RTO zone if there is no transit station?
27-3.203.G.4	Non-residential/mixed use residential density	This doesn't apply.
27-3.204.A.7	Ensure nonresidential development is located and designed to protect and preserve the character of existing single-family districts and neighborhoods.	Shouldn't this apply to all residential neighborhoods, existing or planned?
27-3.204.B.1	Purpose	Is the only residential allowed as part of a commercial building?
27-3.204.C.1	Purpose	What does higher intensity mean?
27-3.301.1	Designation of Planned Development Zones	Unclear how planned development zones will be designated/mapped.
27-3.301.A.4	Size of street and utility networks	Should be sized right, and not just smaller.
27-3.301.C	Minor modifications	How determined?

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27-3.301.E.1.c	Nonresidential intensity	How will this be measured? FAR?
27-3.301.E.1.f	Designation of open space for active or passive recreation	This needs to be coordinated according to Metropolitan District.
27-3.301.E.1.i	Street network	Should reference public and private street system.
27-3.301.E.1.l	Location of public facilities	Must include municipal services.
27-3.301.E.1.n.i	Roadway design, mobility and connectivity	Needs to be coordinated with municipality.
27-3.301.E.2.c.i and ii	Reference to coordination with public agencies	Does not include municipalities. Only lists county, state and federal requirements.
27-3.302.A.5	Street access	Clarify if this means public, private or both.
27-3.302.B.2	A minimum of five percent of the land ...	Is this gross?
27-3.302.C.5	Street access	Clarify if this means public, private or both.
27-3.303.C.3	Density for non-residential and mixed-use	Doesn't apply. Density applies to residential, which is also shown.
27-4.202.C	In general	There should be a governmental use category.
	Solar energy collection facility	Allowed in limited zones, not including the Public Land Zone. May impact GHI's solar farm proposal. Should consider energy facilities on publically owned land.
	Recreation Facilities	Public recreation facilities not addressed.
	Animal shelter	Not allowed in residential zones except MFR-20 and up. Could impact Greenbelt Animal Shelter unless there is a governmental use category.
	Farmer's market	Could impact Greenbelt farmer's market unless there is a governmental use

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		category. Needs to be evaluated for impact on other private farmer's markets (i.e. Franklin Park & Beltway Plaza)
27-3.201.E.9.b.i	Gas station shall have 200 feet of street frontage	Will impact Sunoco; may impact BP.
27-3.201.E.9.b.ii	Reference to SHA and DPW&T	Should also reference municipalities.
27-4.202.C	Eating and drinking establishment uses are permitted in MFR-20 and NFR-48 Zones	Eating and drinking establishments with drive through should be prohibited.
27-3.203.E.9.b.v.	Location of gasoline pumps at least 25 feet from street right-of-way	Will impact Sunoco and BP, possibly making uses non-conforming.
27-3.203.E.9.b.vi	Storage of vehicles	Storage needs definition.
27-4.203.E.d	Private sale of vehicles	Can this address curbstoning?
27-4.203.K	Driveway aprons	Should reference municipal standards as well as DPW&T standards.
27-4.203.E.10.c.i	Frontage for hotel/motel	Requires frontage on 70 foot right-of-way. May be a problem for Golden Triangle hotels.
27-4.302.A.2	Blank cell meaning	A blank cell means different things depending on whether it is an accessory use/structure, or whether it is designating use in an overlay zone.
27-4.302.A	Home housing for poultry	Allowed as accessory use in the SFR 4.6, SFR 6.7 and SFR A zones.
	Family child care home, small and large	Allowed in all residential base zones.
	Bike share station	Use table does not address bike share stations. Add "Bike Share Station" as a new use and add use-specific standards.
27-4.304.B.17.f.ii	Operator shall enter into an irrevocable license agreement with the	Assumes that the outdoor seating area is not within municipalities.

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	county...related to the use of outdoor seating areas.	
27-4.304.B.22.e	(The retail sales...	Remove (
27-4.304.B.27.b	Locational requirements for swimming pools.	Can it be placed in any other yard? Setbacks?
27-4.302.B.27.e	If the subject property abuts land that is developed, or approved is to be developer	Remove second is.
27-4.304.B.28.a	A small wind energy system	How is small determined?
27-4.402.A.2	Check designates allowable	Why not P or A?
27-4.402.C.	Circus, carnival, fair	Will this impact the Labor Day Festival and Carnival?
27-4-403.A	Obtain applicable County, State or federal permits.	Should include local.
27-4-403.B	Except as part of a county-authorized event	Should specify municipal.
27-4.403	General standards for all temporary uses and structures.	Throughout makes references that could be problematic to the Labor Day festival as well as other city events. Government activities should be exempt.
27-4.404.B.1.b	Use (carnival) shall be located only on a parking lot.	Another conflict with Labor Day.
27-4.404.B.d	Consultation with local emergency agencies	Fails to list municipal emergency agencies
27-4.404.B.f	Adequate restroom facilities shall be provided.	How determined?
27-4.404.B.4.g	Would prohibit the sale of beef and prepared foods	Could be a problem for the Greenbelt Farmers Market
27-8.104	Twice makes reference to Town.	Should reference County
27-8.108	Municipalities	Should also reference municipalities
27-8.109	Mandatory and discretionary terms	"Shall not" should not be a discretionary term.
27-8.202.A.d	Where county adopted plans call for the future widening of the street...	Should also recognize city plans
27-8.301.D.1	Live-work dwellings artist residential studio	Live-work dwellings;
27-8.301.D.c	A group residential facility for the mentally handicapped for up to eight	Why?

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	residents shall be considered a single-family detached dwelling unit.	
27-8.301.F	Grocery store and food market – Sale beer	Sell beer
27-8.301.G.5	Composting, rubble and recycling as industrial uses	Should these be accessory uses to governmental uses
Other	<ol style="list-style-type: none"> 1. Clarify development lot vs lot vs parcel 2. How will schools be zoned? 3. There needs to be a provision for public land and uses. 4. Can you have a transit zone without a core? 5. Is there a limit to the size of a district? 6. GCO seems to be an unregulated zone. 7. No setbacks for accessory uses? 8. Unclear what would be an appropriate Zone for Beltway Plaza, Franklin Park at Greenbelt Station, Greenbelt Station South Core and Roosevelt Center. 9. There is no proposed Zone that is applicable to GHI. Opportunity to create planned development zone/overlay zone? 	<p>Beltway Plaza and Greenbelt Station South Core are not currently within the designated Transit Center boundary so would not be eligible for the center base zones.</p> <p>South Core – Rezoning to MFR-12 would deem the townhouse development non-conforming per density, yard depth, lot coverage and minimum net lot area requirements.</p> <p>Beltway Plaza - Given the flexibility of the GCO Zone, possible designation of</p>

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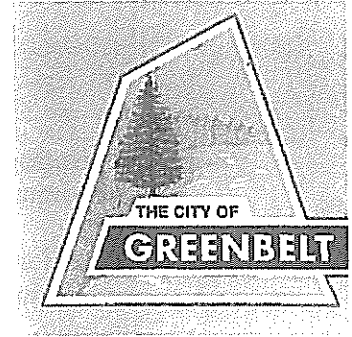
		<p>Beltway Plaza (as well as Greenway Shopping Center) to this Zone is concerning. Roosevelt Center – There does not appear to be a proposed zone that would be appropriate for Roosevelt Center.</p>
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CITY OF GREENBELT

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SEP 30 2016

September 27, 2016



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Rodney M. Roberts

Re: Zoning rewrite – Module 2

Dear Mr. Williams:

The Greenbelt City Council has completed its review of Module 2 and the Public Facility Adequacy regulations of the Prince George's County Zoning Ordinance rewrite. Overall we find Module 2 to represent a vast improvement over the voluminous and complicated existing zoning ordinance. The liberal use of tables to summarize requirements greatly simplifies and clarifies the proposed zoning ordinance. The proposed zoning ordinance's language and organization also contributes to a user friendly document.

While we were generally impressed with the proposed document, we do have several questions and comments on Module 2 and the proposed Public Facility Adequacy regulations. Major issues/concerns/questions on Module 2 and the APF procedures include the following:

1. Omission of references to municipal standards, interests, authority and responsibility throughout.
2. Traffic calming should not be part of the zoning process. Traffic calming is implemented on public streets, when decisions on when, where and what traffic calming are made by a public agency with operational and maintenance responsibility over the individual road(s). If traffic calming becomes part of the development review process, it could result in requirements being placed on municipal streets, without concurrence of the affected municipality. It is questionable whether this would be enforceable. This is one example within Module 2 of zoning provisions being proposed which overlap with existing authority and jurisdiction held by another agency of the government or another government entity. Such requirements should not be part of the zoning ordinance.
3. Recommends stop signs at all intersections as a traffic calming device – As with #2 above, the zoning ordinance seeks to extend authority over the designation of traffic control devices in areas under the authority of another department or another government entity. Further, placement of stop signs at all intersections could be in conflict with the guidance of the Manual of Uniform Traffic Control Devices. The zoning ordinance oversteps its proper authority in this instance.


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4. Exempts the requirement for sidewalks for 1 and 2 family developments – Does this relate to developments or infill units? Please clarify.
5. Inclusion of property standards – The proposed regulations includes language requiring the proper maintenance of paved areas. This is a property standard requirement. Overlapping provisions for property maintenance create the opportunity for conflicts between government agencies as well as potential Tillie Frank issues. Finally, in adopting property maintenance regulations as part of the zoning ordinance there is created confusion over the applicability of the city's police power with respect to code enforcement. There is no need for the zoning ordinance to include property maintenance requirements.
6. Exempts the open space set asides for 1 and 2 family developments – This seems to assume that open space is not a necessary element of single-family development. Please clarify.
7. Includes erosion and sediment control requirements – As with #5, this is a governmental authority already addressed within other agencies and levels of government. Including sediment and erosion control raises issues of delegation of authority from the State of Maryland. This is not a zoning ordinance authority.
8. Includes townhouses as a multi-family dwelling – Why are these not considered single-family dwellings?
9. Adequate public facilities (APF) review is to become an administrative process under the proposed APF regulations and procedures. This will deprive the public of a critical opportunity to participate in and be aware of the impact of new development on the community. Exclusion of the public from the development review process is not the way to ensure quality development and to protect neighborhoods.
10. Adequate public facilities regulation does not address mandatory dedication of park land.
11. The proposed APF regulations do not recognize the independent authority of the City of Greenbelt, nor does it discuss the impact of the Metropolitan District in planning for parks and recreation.
12. The APF regulations ignore municipal police in both the evaluation of adequacy and the mitigation of impacts.
13. Consideration should be given to adding a requirement for public art in new development.
14. Should the public facilities tested in the APF be expanded to include social services?
15. Provision of automatic dimming lights should be included in the sections dealing with lighting.
16. There should be some provision to ensure that the requirements of home owner associations, cooperatives and condominiums are taken into account during development review.

17. During the testing portion of the zoning rewrite process, at least one case location should be in a municipality. Special attention should be paid to the inclusiveness of municipal participation.
18. The zoning ordinance should include techniques to encourage the development of affordable housing.

We have additional comments and questions which are enclosed with this letter. We greatly appreciate this opportunity to comment on Module 2 and the Public Facilities Adequacy regulations. Should you have any questions on these comments, please contact Celia Craze at 301-474-2760 or by email at ccraze@greenbeltmd.gov.

Sincerely,



Emmett V. Jordan
Mayor

Enclosure

/cc

cc: City Council
Honorable Todd M. Turner
Michael McLaughlin, City Manager
Celia Craze, Director of Planning &
Community Development

Section	Item	Comment
27-5.103	Consistency with plans	Should mention be made of coordinating with local plans?
27-5.107	Developer responsibility for on-site street improvements	Does not take into account different standards for municipal streets.
27-5.108.A	Definition of street functional classification	Does not take into account classification based on municipal street standards.
27-5.108.B	Vehicular accessway classifications	How will these be coordinated with specifications and standards for county and municipal roads?
27-5.108.B.3	Vehicular accessway classifications – other streets	Does not take into account classification based on municipal street standards.
27-5.108.D.1	Limitation on direct access along arterial and collector streets	In first paragraph states that provisions apply to arterial streets only. Do these provisions apply to collector streets?
27-5.108.D.2.a	Limitations on direct driveway access along other streets	Why is this limiting driveway access? Shouldn't there be access for more than one dwelling unit, if off-street spaces are required?
27-5.108.D.2.c	Limitations on direct driveway access along other streets	Doesn't this conflict with 27-5.103.D.2?
27-5.108.E.1	Vehicle connectivity	Reference should be made to county <u>and municipal</u> arterial streets, and services provided to county <u>and municipal</u> residents.
27-5.108.F.2	Connectivity index score calculation	Why are cul-de-sac heads and street stub-outs considered links?
27-5.108.G.1.a&b	Pedestrian connections	This seems very complicated and subjective. Terms like "close proximity" should be defined.

27-5.108.G.2	Pedestrian connections as links	Shouldn't these links (as shown on Figure 27-5.108.G) also be considered nodes?
27-5.108.H.1	External street connectivity	Does this relate to both single-family detached and attached?
27-5.108.H.5	Stub streets requiring turnarounds	Would this require additional right-of-way?
27-5.108.J	Traffic calming measures	Traffic calming measures should be determined by the appropriate local authority with jurisdiction over the roads. Although traffic calming as a practice relates to planning, traffic calming in application is an engineering practice. Specifying traffic calming practices without having knowledge of the geometry of the street is not advisable.
27-5.108.J.2.a	Stop signs required at all street intersections	Stop signs are not always warranted at street intersections, particularly where the intersection street has very low volumes. This recommendation is inconsistent with guidance listed in the Manual of Uniform Traffic Control Devices (MUTCD).
27-5.108.L.1.a	General accessway layout and design – coordination with transit, bicycle, and pedestrian access and circulation	Is it appropriate for the Planning Director to determine if adequate transit facilities exist? Shouldn't this be a decision coordinated with the appropriate transit agency?
27-5.108.N.1	Driveway layout and design – driveway width	What are the standards for those developments exempted from the standards listed in this section?

Figure 27-5.108.N.3	Driveway intersection angles	Diagram should show that the angled intersection (as shown) would be one way in. The diagram should also be revised to show the geometrics of a one way out intersection.
27-5.109.A.1	Pedestrian access and circulation – general pedestrian access	Exempts single-family detached and two-family dwellings from a requirement that sidewalks or internal pedestrian circulation be provided. Pedestrian circulation should be part of every residential development, except for large lots.
27-5.109.A.2.a	Sidewalks required	Should a minimum width be specified?
27-5.109.B.4.b.i	Walkway standards	Language should be included to recognize municipal standards, which may differ from those in the zoning ordinance.
27-5.200 (footnote 35)	Off-street parking and loading	The City of Greenbelt, here and in other places in this module lumps the entire city within the classification of development within the Beltway. These standards are, in general, based on a denser and more urban design approach. Those areas of Greenbelt outside the Beltway should be classified as outside the Beltway, to recognize the suburban character of those areas.
27-5.202.B.2	Parking – expansion of existing development	Makes reference to an increase in the number of employees creating a trigger to require an increase in parking. How will this be monitored?
27-5.205.C.1.b	Parking – safe and	States that “no parking

	convenient access	incidental to parking". There should never be parking allowed on sidewalks. The statement is confusing. How can parking be incidental to parking?
27-5.205.J.1	Maintenance of parking and loading areas	This provision to require that parking areas be maintained in good repair is a property maintenance code requirement, and should not be included in a zoning ordinance.
27-5.206.A	Minimum number of off-street spaces required	Is it appropriate to consider garage spaces as parking spaces? Many garage spaces are used for storage. When this happens parking demand is offset to streets or other available parking. Also, should there be a minimum width for a garage door opening to be considered a parking space?
27-5.206.D	Maximum number of off-street parking spaces	How will "reasonable parking fee" be determined? Concerned if terms like this are left to the subjective determination of an individual plan reviewer. How will this be monitored over time?
27-5.208 Footnote 117	Planning Director authority to approve an alternative parking plan	This seems to eliminate the DPLS process. What will this do to municipal authority in this area?
Table 27-5.208.C.2	Allowed distances for shared and off-site parking	Does this measure to the nearest point of the shared parking area? Does this consider the size and depth of the shared parking area?
27-5.208.E.2.a	On-street parking agreement	On-street parking should not be approved as part of required parking unless it is

		specifically approved, in advance, by the appropriate municipality.
27-5.208.F.3.b	Reserve parking required	Can reserve parking be required, but at less than the 25% set aside?
27-5.208.G.2	Drop-off and pick-up areas	In order to determine that the drop-off and pick-up points will not be located in a fire lane would require that fire lanes be designated during the plan review process. Fire lanes are usually designated by a fire marshal after construction is complete. Further, nowhere in Module 2 are fire lanes discussed as part of the planning process.
27-5.208.G.2	Drop-off and pick-up areas	States that drop-off and pick-up areas will not be allowed in moving vehicle and bicycle travel lanes without obtaining a street closure permit. Does this assume that a street will be permanently closed (and perhaps abandoned) as part of the development review process? Or is this anticipating something that would happen post development review? It would be cleaner to state that drop-off and pick-up areas are not allowed in travel lanes and omit any reference to street closure permits.
27-5.208.G.3.a	Valet parking agreement	States that an agreement regarding valet parking shall bind heirs, successors and assigns, but does not include property owner.
27-5.209.B.6.a	TDM report	What is the penalty for failure to submit the TDM

		report?
27-5.211.A.2	Bicycle parking in the right-of-way	It should specify that the approval of required bicycle parking in the right-of-way requires that approval of the appropriate public agency.
27-5.301	Open space set-asides	Is this open space separate from mandatory dedication? Shouldn't this be explicitly stated?
27-5.302.B.2	Open space set-aside applicability	Why are single-family detached and two-family developments exempt from open space set-asides? Open space is important to all developments.
Table 27-5.301	Required open space set asides required	The set asides in the non-residential base and transit oriented/activity center zones seem low.
Table 27-5.305	Open space set-aside features – active recreation areas	References “land dedicated for parks”. Is this public or private land?
Table 27-5.305	Open space set-aside features – stormwater management areas treated as site amenities – design and maintenance requirements	In order to be considered a passive recreation amenity there should be routine maintenance associated with the facility.
27-5.309.A.2	Ownership, management and maintenance of open space set-asides	Should allow conveyance of open space set-asides to municipalities.
27-5.504.A.2	Fences and walls	Allows fences and walls on two or more parcels of land held in private ownership. How does this address shared ownership and maintenance responsibility?
27-5.504.H	Fences and walls – maintenance	Again, this proposes that maintenance responsibilities that should properly be part of a property maintenance code be placed in the zoning ordinance. This allows for

		conflicts in jurisdiction between property maintenance codes and the zoning ordinance. Maintenance responsibilities and standards should not be part of the zoning ordinance.
27-5.505.B	Fence and wall height standards	Are noise attenuation walls considered walls and subject to these regulations?
27-5.508.B	Appearance of fences and walls	Requires compatibility in style and colors for walls and fencing along a single lot line. What about materials? Also, does this mean that fences on adjoining properties must be of similar style and color? Is this a fair requirement to impose on properties not regulated under a HOA or other common ownership regime?
27-5.602.A.1	Exterior lighting -- applicability	Remove ".
27-5.602.A.2	Exterior lighting -- applicability	What about exterior alterations that impact existing lighting?
27-5.608.A	Lighting design standards for specific uses and site features -- awnings	Disallows internally illuminated awnings. Why? How does this impact signage in awnings?
27-5.608.D.2	Wall pack lights	Wall pack light sources visible from any location off the site a prohibited. Including those visible from the street? Why?
27-5.704	Erosion and sedimentation control	Erosion and sediment control are not within the purview of the zoning ordinance and should not be included.

27-5.707.A	Noise control	How will this be enforced?
27-5.802.A.2	Multi-family, townhouse and three-family form and design standards – applicability	Imposes regulations on alterations of structures if undergoing 50% interior renovation. Why should interior renovations in residential buildings, if the renovations do not alter basic occupancy, trigger exterior site modifications?
27-5.905.E.1	Off-street parking location standards	Why not impose stricter standards with respect to the location of parking relative to the building and the street?
27-5.1101 Footnote 190	Neighborhood compatibility standards – purpose and intent	Why doesn't this apply to dwellings in the SFR-A zone?
27-5.1101.A	Neighborhood compatibility standards – purpose and intent – transitions	Requires effective transitions between single-family detached dwellings, two-family dwellings or vacant lots from more intensive uses. Why doesn't this apply to townhouse and attached dwellings? These are neighborhoods which should be protected just as the single-family and two-family dwellings are proposed to be protected.
27-5.1102 Footnote 192	Neighborhood compatibility standards – applicability	Why don't these protections apply to dwellings in the SFR-A zone?
27-5.1102.A.1.b	Neighborhood compatibility standards – applicability – general	Discusses expansion or alteration of multi-family, non-residential, or mixed-use building across a street from existing single-family detached dwellings, two-family dwellings, or vacant lands. Should there be a distinction based on the cross-section of the street? Should a 2 lane street be

		the same as a 4 lane highway?
27-5.1102.A.2	Neighborhood compatibility standards – applicability – general	Includes townhouse dwellings as a multifamily dwelling. Disagree that townhouses are multifamily dwellings.
27-5.1102.B.1	Neighborhood compatibility standards – exemptions	Describes exemption based on the cross section of a street with four or more lanes. Does this include turn lanes? What about streets with a 4 lane cross section (48 feet), but striped for two lanes, with bike and parking lanes and a large center median? Perhaps this should be based on the actual width of the street described in feet, and not based on a less specific measurement of lanes.
Table 27-5.1103.A.2	Neighborhood compatibility standards - Maximum height in transition areas	How is height measured?
27-5.1103.C.1.e	Neighborhood compatibility standards – building design	Is it necessary that adjacent dwellings be patterned based on adjacent homes?
27-5.1103.F.1	Neighborhood compatibility standards – off-street parking	Describes distance to dwelling units, but doesn't specify if this is measured from the actual dwelling unit, or from the property line.
27-5.1103.F.3	Neighborhood compatibility standards – off-street parking	Off-street parking shall be located at least 12 feet from a lot containing an existing single-family detached dwelling, two-family dwelling, or zoned land. This seems in adequate from the perspective of protecting neighborhood compatibility.
27-5.1103.F.5	Neighborhood compatibility standards – off-street	Shouldn't the façade of a parking structure be

	parking	required to comply with architectural compatibility standards?
27-5.1103.G.1	Neighborhood compatibility standards – other site features – loading, service and refuse collection areas	Consider requiring walls.
27-5.1103.G.2.b	Neighborhood compatibility standards – other site features – drive-through service facilities	In some instances the document described distance as measured from the unit, does not specify how it is measured, or in this case measures from the lot line. Should this be consistently measured from one, specified point?
27-5.1103.G.4.a	Neighborhood compatibility standards – other site features – signage standards	Does this relate to all signage?
27-5.1103.H.3	Neighborhood compatibility standards – other site features – operational standards	These regulations are more permissive than noise ordinances. Standards that are inconsistent with other applicable law should be removed or changed.
27-5.1302.B.9	Signage – applicability - exemptions	Is this stating that other governmental entities wishing to post crime prevention, public safety and health related signage must receive District Council approval?
27-5.1302.B.10	Signage – applicability – exemptions	Language exempts temporary signs advertising county sponsored events. This should be expanded to include municipal events.
27-5.1303.A	Signs not requiring a sign permit	Should be expanded to include municipal and state.
27-5.1303.B	Signs not requiring a sign permit	This would seem to require that temporary real estate signs proposed to be erected in other governmental right-of-way would require a sign permit.

		Is this the intent?
27-5.1303.D	Signs not requiring a sign permit	Define temporary.
27-5.1303.I	Signs not requiring a sign permit	Does this assume sandwich board signs would be located on private property, or is this intended to extend to public right-of-way?
27-5.1303.O	Signs not requiring a sign permit	Is this allowing election signs to remain for the entire period of time between a primary and a general election?
27-5.1305.C.1	Signage – general standards – signs within proposed right-of-way	This should be subject to municipal approval if the proposed right-of-way is intended to be dedicated to the municipality.
Table 27-5.1306	Standards for specific sign types	Sets maximum wall coverage at 25% of street-facing building. This seems very high. What is the basis for this standard?
Table 27-5.1306	Standards for specific sign types	Do these standards increase, decrease or maintain current area standards for signs?
27-5.1307	Standards for special purpose signs	What is the difference between an identification sign and a gateway sign?
27-5.1307.B.3	Standards for special purpose signs	Are architectural embellishments included in the calculation of sign area?
27-5.1307.D.2	Directional sign for public, civic, and institutional uses, or golf courses or country clubs	19 foot height is too high
27-5.1309	Alternative sign plan	This seems to preempt DSDS authority. What happens to the DSDS process?
27-8.400	Terms and uses defined	The definition for traffic sign should be amended to include municipal signs.

27-8.400	Terms and uses defined	The terms right-of-way and street line seem to be used interchangeably throughout the document. Are these intended to define the same term?
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ADEQUATE PUBLIC FACILITIES

In general		The Adequate Public Facilities review process is currently part of a public review process. This allows the public the opportunity to evaluate the assumptions and conclusions of the APF assessment. The proposed revised Adequate Public Facilities process would become an administrative process, with no opportunity for public input or oversight.
24-3.502 Footnote 6	The revised APF do not address park dedication	Where is park dedication addressed? Will there remain mandatory dedication or fee-in-lieu of dedication? How will this process address Greenbelt, which is not part of the Metropolitan District?
Table 24-3.502	Summary of Public Facility Adequacy Standards – Parks and Recreation	There are standards listed for what appears to be mandatory dedication. How does this relate to the comment in Footnote 6 that park dedication is handled elsewhere in the standards (or other location)? This also does not recognize that Greenbelt is not in the Metropolitan District. Would these standards be consistent with the city's

		needs with respect to parks and recreation needs? Who will make this determination for the city? These standards need to address the unique status of Greenbelt.
24-3.503	Certificate of Adequacy	This is not a public process.
24-3.503.A.1.c.ii	Certificate of Adequacy – Applicability	<i>Construction has been completed on at least 60 percent of the gross floor area on the project subject to the ??? or site plan approval. Something is missing.</i>
24-3.503.B.5.b	Certificate of Adequacy – Review Procedure for Certificate of Adequacy or Conditional Certificate of Adequacy – appeal	Provides a process for an APF applicant to appeal a decision on the certificate of adequacy, but provides no process for public review, comment or appeal on the certificate of adequacy.
24-3.503.C.3	Certificate of Adequacy – Expiration of Certificate of Adequacy or Conditional Certificate of Adequacy – site plans	Where are site plans listed a part of the APF process? These are not referenced in 21-3.502.
24-3.503.C.4	Certificate of Adequacy – Expiration of Certificate of Adequacy or Conditional Certificate of Adequacy – expiration	Is there a process to extend a certificate of adequacy? Would these be publically reviewed?
24-3.504.A.3	Public Facility Adequacy – Generally – Measuring LOS Standard – impact area	How is the impact area determined?
24-3.504.A.4	Public Facility Adequacy – Generally – Measuring LOS Standard	<i>“...the County may include Planned Capacity in making the determination of adequacy...”</i> Who is the county? Who will be making this determination? What procedure will be followed?
24-3.504.B.1	Public Facility Adequacy – Generally – Determining Whether Public Facilities	To what is capacity added? What happens to pipeline development?

	are Adequate	
24-3.504.C	Public Facility Adequacy – Generally – Limitations on Building Permits Issued in Areas Where Public Facilities Do Not Meet the Adopted Level of Service Standards	What happens if there are reservations that expire?
24-3.507	Police Facility Adequacy	These standards fail to take into account the impact of new development on municipal police agencies.
24-3.507.B.3	Police Facility Adequacy – Adopted LOS Standard – Police	Why doesn't adequacy finding apply to commercial and industrial application?
24-3.507.C	Police Facility Adequacy – Availability and Mitigation	States "If facilities and personnel..." However, standards only test response times, and do not test either facility adequacy or staffing.
24-3.508	Parks and Recreation Adequacy	Does not recognize independent authority of Greenbelt.
24-3.508.B.1	Parks and Recreation Adequacy – Adopted LOS Standard for Public Parks and Recreation	How is impact area evaluated?
24-3.508.B.2	Parks and Recreation Adequacy – Adopted LOS Standard for Public Parks and Recreation	If there are guidelines to be established, the City of Greenbelt should be consulted. Consideration should be given to adopting specific standards that are unique to Greenbelt.
24-3.508.C.2	Parks and Recreation Adequacy – Availability and Mitigation	If there is a Public Facilities Financing and Implementation Program related to parks and recreation adequacy, provision should be made for assignment of funds associated with parks and recreation to those jurisdictions not within the Metropolitan District.

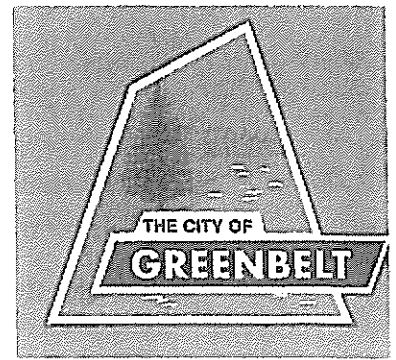
24-3.509.A.3.a	Schools Adequacy – Applicability	Redevelopment projects should only be exempt if the unit replacement is on a one to one basis.
24-3.509.A.3.d	Schools Adequacy – Applicability	Subdivisions located in transit-oriented and activity center zones should not be exempt if they contain residences.

CITY OF GREENBELT

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OCT 23 2016

October 25, 2016



Mr. Chad Williams, Project Manager
Maryland-National Capital Park and Planning Commission
14741 Governor Oden Bowie Drive
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CITY COUNCIL
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Rodney M. Roberts

Re. Prince George's County Zoning Ordinance and Subdivision Re-write, Module 3

Dear Mr. Williams:

Thank you for your recent presentation to the City Council on Module 3 of the Zoning Ordinance Re-write. As in the past, we found your presentation assisted the City Council in understanding the proposed zoning ordinance and allowed us the opportunity to formulate our comments and suggestions.

Overall the City Council was pleased with the content and organization of Module 3, which includes procedures for the administration of the zoning ordinance. Procedures are described for every type of zoning and subdivision application in a flow chart. This is easy to understand. In addition, procedures have been standardized, so the same basic procedure applies to equivalent zoning application. This is a significant improvement over the existing zoning ordinance. Similar comments apply to the subdivision regulations, which are simplified, easily described, and are standardized.

Some of the same concerns the City Council has expressed with Modules 1 and 2 are repeated for Module 3. Acknowledgement of municipal authority is missing at critical points. However, we were very pleased that the municipal authority over variances and departures (now called adjustments) is continued. This was one of the city's major concerns.

Following is a summary of other major concerns/questions/issues with Module 3 and the Subdivision Regulations:

1. As noted above, the city's authority over variances and departures (now adjustments) continues. We need clarification if the city's enabling legislation will need revision as a result of new limitations on variances and adjustments. It should also be clarified that all of the authority for adjustments as delegated in the proposed regulations would be delegated equally to the municipalities. It is recommended that delegation to the Planning Director of municipalities mirror the delegation of authority to the county Planning Director.

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2. There should be an appeal process with all zoning applications. This is not reflected in the document.
3. The threshold between a Major and Minor site plan is too great. Minor site plans as proposed would be considered major projects in most communities. The review and decision of such projects should not be relegated to an administrative process which is invisible to the public and cities. Minor reviews would also be reviewed by plan reviewers, if current staffing organization continues. This would mean that planners would have no opportunity to review such projects, which we believe is not desirable. The threshold for exemption from site plan review is also too great. The city does not necessarily agree that 60% of site plans should be reviewed at the administrative level if this deprives the public of an opportunity to be aware of planned development and have the opportunity to comment and, if necessary, appeal decisions.
4. In streamlining many types of review by making them administrative process, the public's ability to be aware of proposed development, to comment and to have appeal opportunity is not available. Streamlining the development review process has value, but such streamlining should not be at the expense of the public's right to know what is going on in the development world.
5. There is inadequate time for municipalities to review, consider and comment on development applications. Module 3 is silent in many areas where time frames were previously set forth, and the review process needs to be more explicitly addressed and provided for in the administrative procedures.
6. Appropriate references to municipalities should be made.
7. Fee-in-lieu payments for recreation facilities need to be paid directly to the cities not within the Metropolitan District.
8. As was described in the comments for Module 2, traffic calming should not be a function of the development review process, since it relates to right-of-way management under the authority of another department or governmental entity.
9. As is now proposed, there would be no public hearing on the proposed zoning ordinance and subdivision regulation after consolidation of comments on Modules 1-3. Instead, the regulations would go directly as a draft document to the District Council. There should be an opportunity for the public to review the M-NCPPC response to comments made on the modules and to be able to comment on the final draft before it is forwarded to the District Council.
10. The City Council strongly supports the proposed regulations which require that text amendments be reviewed by the Planning Board.

The City Council appreciates the opportunity to review and comment on this module, as well as Modules 1 and 2, of the zoning ordinance re-write. We have enclosed additional comments to this letter. We respectfully ask that these comments and suggestions be incorporated into the draft regulations. Thank you for the opportunity to comment. If you have any questions, please contact Celia W. Craze, Planning Director, at 301-474-2760 or ccraze@greenbeltmd.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Emmett V. Jordan". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Emmett V. Jordan
Mayor

/cc

cc: City Council
Honorable Todd M. Turner
Celia Craze, Director of Planning & Community Development
Terri Hruby, Assistant Director of Planning
Jessica Bellah, Community Planner

Section	Item	Comment
Table 27-2.200	Summary of Development Review Responsibilities	1)Municipalities should be added as a Review and Decision-Making Body 2) There should be public review associated with minor site plans 3) Parcel-Specific Map Amendments should have a public hearing
Table 27-2.407.B	Required Public Notice	30 days' notice does not provide sufficient time for a municipality to evaluate, review and respond to a development application
Sec. 27-2.501 Footnote 62	General plan	General spelled incorrectly
Sec. 27-2.501.C.6.b	...in accordance with See Sec...	Delete "See"
Sec. 27-2.501C.8.c	Review and Decision by Decision-Making Body or Official	Municipalities within one-half mile of the area are to be invited to submit comments. Why isn't this one mile as it is throughout the document?
Figure 27-2.504	Parcel-Specific Map Amendment Procedure	Why isn't there an appeal process?
Figure 27-2.505	Planned Development Map Amendment Procedure	Why isn't there an appeal process?
Figure 27-2.506	CBCA-O Zone Map Amendment	Why isn't there an appeal process?
27-2.507.C.5.b	Special Exception -- Staff Review and Action	The process does not allow sufficient time for public and municipal review and consideration.
27-2.507.E.3.c.iii	Special Exception -- Changes Approved by the Planning Director	Note should be made in appropriate documents that the agency with sediment/erosion control jurisdiction may be a municipality.

<p>Sec. 27-2.508</p>	<p>Site Plan (Major and Minor)</p>	<p>The thresholds for the exemption from major/minor site plan review are too high and the proposal is very concerning. To allow a 100,000 square foot expansion or a 50,000 square foot construction/expansion of a mixed use development or 50 dwelling units by permit review only is unacceptable. We question whether the permit review staff is trained to review plans of such complexity. Standards adopted by Montgomery County should be evaluated. Montgomery County also looks at compatibility with abutting properties. The proposal provides no opportunity for public review or appeal.</p> <p>In addition, the threshold for exemptions is too high, with results and concerns the same as stated above.</p>
<p>Sec. 27-2.508.C</p>	<p>Minor and Major Site Plans Distinguished</p>	<p>The thresholds for the minor site plan are too high. Development of the size reflected in this section is significant in size and impact. There needs to be public notice, an opportunity for public review and comment, and an appeal process. Montgomery County standards provide much more reasonable standards.</p>

Sec. 27-2.508.D	Minor Site Plan Procedure	There is no public process. At a minimum, if the development is within a municipality, the planning staff of that municipality should be invited to the pre-application process and notified in advance of the Planning Director rendering the decision.
Sec. 27-2.508.D.11	Appeal	The requirement to file an appeal within 10 days is too short. There is no deadline given for the Planning Director to mail out the decision so the appeal period could actually be shorter than 10 days.
Sec. 27-2.508.E	Major Site Plan Procedure	Municipalities should be invited to the Pre-application conference.
Sec. 27-2.513.B	Grading Permit	Note should be made that municipal grading permits are required for grading in the right-of-way.
Sec. 27-2.513.D	Grading Permit – Sediment and Erosion Control	Note should be made that municipal grading permits and sediment and erosion control permits may be required by municipalities and any actions taken pursuant to the zoning ordinance must take into account municipal authority.
Sec. 27-2.513.E	Grading permit – issuance	Should add #4 that DPIE will not issue a grading permit for a municipal right-of-way.
Sec. 27-2.516.B.3	Variance – municipal authority	Will municipalities be required to readopt or modify existing legislation?

Figure 27-2.516	Variance procedure	<p>1) Municipal authority should be referenced;</p> <p>2) an appeal process should be included;</p> <p>3) Why is DPIE the agency detailed to consider variance applications? Variances are zoning actions and should be considered by professional planners.</p> <p>4) Is it possible to streamline the variance process? As it now exists, this process can take several months.</p>
Sec. 27-2.517.B.3	Adjustments by municipalities	<p>Will municipalities be required to readopt or modify existing legislation?</p> <p>Municipalities should have identical authority to that delegated to the Planning Director. If there were be an attempt to differentiate "types" of adjustments, the result would be a confusing maze of intertwined authorities which would detract from the purpose of the zoning rewrite. Further, just as the Planning Director has authority over certain types of adjustments, a similar provision should be considered for municipal planning directors.</p>
Sec. 27-2.517.C	Minor Adjustment Procedure	<p>Why is there a requirement for a sign to be posted 10 days prior to the Planning Director's decision is there is no opportunity within the process for the public to comment and/or appeal minor adjustments?</p>

Sec. 27-2.517.C.11	Minor Adjustment Procedure – Appeal	Why is the appeal process available to only the applicant? The public should have the opportunity to appeal a decision. Persons of record and municipalities should specifically have the opportunity to appeal.
Figure 27-2.517.D	Major Adjustment Procedure	Should municipalities be listed?
Sec. 27-2.518.B.4	Validation of Permit Issues in Error – Applicability	Why is apartment license listed? Isn't this a DPIE responsibility? Apartment license isn't defined. This does not take into account apartment rental licenses issued by municipalities.
Figure 27-2.518	Validation of Permit Issued in Error Procedure	Why isn't there an appeal?
Sec. 27-2.518.C	Validation of Permit Issued in Error Procedure	The public should be included in this process.
Sec. 27-2.520	Authorization of Permit within Proposed Right-of-way	Should not apply to municipal right-of-way. Municipal right-of-way should require municipality review and approval.
Figure 27-2.520	Authorization of Permit Within Proposed ROW Procedure	Why isn't there an appeal process?
Table 27-6.403	Development of Nonconforming lots	Why is there a difference between the variance for some zones and a minor adjustment in other zones?
Sec. 27-7.100	Enforcement	There is no discussion of municipalities being able to have zoning enforcement authority. This should be included.

<p>General</p>		<p>1. What is the status of the informational mailing currently a part of the zoning and subdivision review process? Will it be continued?</p> <p>2. It appears that there is to be no public hearing on the zoning rewrite before it goes to the District Council. This means that literally volumes of testimony are to be reviewed internally by the Planning Department with no opportunity for public review until it is in its draft final form. Given the magnitude of this endeavor, the public should have the chance to review and comment on the document – including whether comments, questions and suggestions were addressed – before it becomes a potential final product.</p> <p>3. Staff comment at the Module 3 presentation indicated that the entirety of the innovation corridor is to be placed in high intensity RTZ. This is inappropriate if the location is not equipped with the necessary transit infrastructure to support such intense development. In the county's effort to encourage growth, consideration of the innate appropriateness of the location must be considered.</p>
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WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, October 5, 2016, to receive a briefing on Module 3 of the Prince George's County Zoning Ordinance Rewrite and Subdivision Regulations.

Mayor Jordan started the meeting at 8:10 p.m. The meeting was held in Room 201 of the Greenbelt Community Center.

PRESENT WERE: Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan.

STAFF PRESENT WERE: Michael McLaughlin, City Manager; Celia Craze, Director of Planning and Community Development; and Cindy Murray, City Clerk.

ALSO PRESENT WERE: Chad Williams and Brian Barnett-Woods, Maryland National Capital Park and Planning Commission; Kathleen Gallagher, News Review; Kap Kapastin, Quantum Corporation; Nathaniel Foreman, O'Malley, Miles, Nylan & Gilmore; Brian Almquist, Molly Lester, Bill Orleans, and others.

Chad Williams presented a PowerPoint presentation on the Maryland National Capital Park and Planning Commission's (M-NCPPC) Zoning Rewrite process. He noted the key themes of the Zoning Rewrite were to: 1) make the regulations more user-friendly and streamlined; 2) modernize, simplify, and consolidate zones and zone regulations; 3) implement key goals, policies, and strategies of Plan Prince George's 2035; and 4) modernize the regulations and incorporate best practices.

He summarized the highlights of Module 3 which consolidates and clarifies development review procedures to: 1) make it easier to achieve high quality development/jobs; 2) makes process more efficient and certain; and 3) provides more flexibility to support desired redevelopment. He noted that Module 3 strengthens opportunities for early and meaningful public involvement and provides for consolidated/standardized review procedures.

Mr. Williams described the specific procedural review requirements and decision standards that are unique to each type of development application. He said the current conceptual and detailed site plans would be consolidated into one site plan procedure with two tiers: 1) Minor – which is decided by the Planning Director, appealable to the Planning Board and then to the District Council; and 2) Major – which are decided by the Planning Board, appealable to the District Council. Mr. Williams reviewed the major and minor adjustments procedure (currently called "departures"), with the Planning Director deciding minor adjustments (appealable to the Planning Board) and the Planning Board deciding major adjustments (appealable to the Circuit Court). He also reported on nonconformities, including uses, structures, lots of record, signs and sign features.

Mr. Williams said following the review of Module 3, the new code will be tested to ensure that the proposed process makes it easy to approve the kind of development supported by Plan 2035 and difficult to approve development not supported by Plan 2035. He noted that Beltway Plaza had been chosen as one of the test sites.

Ms. Craze said Planning staff has completed its review of Module 3 and was very pleased overall with the content and organization. She advised that procedures for the administration of

the zoning ordinance are described for every type of zoning and subdivision application in a flow chart, which is very easy to understand. In addition, procedures have been standardized so the same basic procedure applies to equivalent zoning application. She noted that this is a significant improvement over the existing zoning ordinance. Ms. Craze added that the subdivision regulations are simplified, easily described, and are standardized.

Ms. Craze said some of the same concerns staff has expressed with Modules 1 and 2 are repeated for Module 3, including municipal authority missing at critical points. She advised that staff was very pleased that the municipal authority over variances and departures (now called adjustments) is continued.

She reviewed the following major concerns/questions/issues identified during Planning staff's review of Module 3 and the Subdivision Regulations:

- 1. The city's authority over variances and departures (now adjustments) continues. Clarification is needed on whether the city's enabling legislation will need revision as a result of new limitations on variances and adjustments.*
- 2. There should be an appeal process with all zoning applications. This is not reflected in the document.*
- 3. The threshold between a Major and Minor site plan is too great. Minor site plans as proposed would be considered major projects in most communities. The review and decision of such projects should not be relegated to an administrative process which is invisible to the public and cities. Minor reviews would also be reviewed by M-NCPPC plan reviewers, if current staffing organization continues. This would mean that community planners would have no opportunity to review such projects, which is not desirable.*
- 4. In streamlining many types of review by making them administrative, the public's ability to be aware of proposed development, to comment and to have appeal opportunity are not available. Streamlining the development review process has value, but such streamlining should not be at the expense of the public's right to know what is going on in the development world.*
- 5. There is inadequate time for municipalities to review, consider and comment on development applications. Module 3 is silent in many areas where time frames were previously set forth. The review process needs to be more explicitly addressed and provided for in the administrative procedures.*
- 6. Appropriate references to municipalities should be made.*
- 7. Fee-in-lieu payments for recreation facilities need to be paid directly to the cities not within the Metropolitan District.*
- 8. As was described in the comments for Module 2, traffic calming should not be a function of the development review process, since it relates to right-of-way management under the authority of another department or governmental entity.*

Mr. Williams said comments on Module 3 are being requested by November 1st but any comments received after that date will still be accepted. Ms. Craze advised that the City letter with comments is tentatively scheduled to be on Council's agenda for approval at the October 24, 2016, meeting.

In response to a question from Mr. Putens, Ms. Craze explained that once the Zoning Rewrite goes to legislation, public hearings will be held and comments will be heard by County Council.

Mr. Kapastin, Quantum Management, said he was unaware that Beltway Plaza had been chosen as a test site until tonight's meeting.

Molly Lester, 6-M Hillside Road, asked about the protection of historic areas. Mr. Williams said he was consulting with Ms. Craze on this designation.

Mayor Jordan asked if the Zoning Rewrite would be presented at a Prince George's County Municipal Association (PGCMA) meeting. Mr. Williams said he has been trying to get a presentation scheduled for the past two years with PGCMA but had been unsuccessful thus far. He said he will continue reaching out to PGCMA.

Ms. Craze said she was meeting with Planning Department staff from the Cities of Bowie and College Park tomorrow to discuss the Zoning Rewrite.

Informational Items

Several informational items were discussed.

The meeting ended at 10:30 p.m.

Respectfully Submitted,

*Cindy Murray
City Clerk*

WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, August 17, 2016, to discuss the M-NCPPC Zoning Rewrite Module 2.

Mayor Jordan started the meeting at 8:03 p.m. The meeting was held in Room 201 of the Greenbelt Community Center.

PRESENT WERE: Councilmembers Judith F. Davis, Konrad E. Herling, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan. Councilmember Leta M. Mach was unable to attend due to a family obligation.

STAFF PRESENT WERE: Celia Craze, Director of Planning & Community Development, and Cindy Murray, City Clerk.

OTHERS PRESENT WERE: Chad Williams, Maryland National Capital Park and Planning Commission; Kap Kapastin, Quantum Corporation; Nathaniel Forman, O'Malley, Miles, Nylene & Gilmore, P.A.; Molly Lester, Brian Almquist, Bill Orleans, and others.

Mayor Jordan said members of Council and City staff have been participating in the Maryland National Capital Park & Planning Commission (M-NCPPC) focus groups for Module 1 and Module 2 of the Prince George's County Zoning Ordinance Rewrite. He said that public comment on Module 2, Development Standards/Public Facility Adequacy, is due to M-NCPPC by September 1.

Mr. Williams provided a PowerPoint presentation on Module 2 of the Zoning Rewrite.

He said that the key themes of the Zoning Rewrite were: 1) make the regulations more user-friendly and streamlined; 2) modernize, simplify, and consolidate zones and zone regulations; 3) implement key goals, policies, and strategies of Plan Prince George's 2035; and 4) modernize the regulations and incorporate best practices.

Mr. Williams reviewed Development Standards proposed in Module 2.

- New Neighborhood Compatibility Standards*
- New Green Building Standards*
- New Green Building Incentives*
- New Open Space Set-Aside Standards, Roadway Access, Mobility, and Circulation*
- New Multifamily, Townhouse, and Three-Family Form and Design Standards*
- New Nonresidential and Mixed-Use Form and Design Standards*
- New Large Retail Development Standards*
- Updates to Off Street Parking and Loading*
- New Exterior Lighting Standards to Support Dark Skies*
- New Agricultural Compatibility Standards*
- Revised Fence and Wall Standards*
- Revised Signage Standards*

He then reviewed the Adequate Public Facility (APF) Regulations also included in Module 2.

- Applies to Transportation, Water, Sewer, Police, Parks and Schools (Fire/Rescue Discontinued)*
- Consolidates APF review approval of Certificate of Adequacy by Planning Director*

- *Requires APF review for projects with approvals and old APF determinations that have not proceeded with development*

Mr. Williams said following the review of Module 3, the new code will be tested to ensure that it makes it easy to approve the kind of development wanted in the places supported by Plan 2035 and makes it hard to approve development not wanted or in places not supported by Plan 2035. He said eight test cases would be monitored throughout the process.

He reported that all comments received during the public comment period will be reviewed and a new draft prepared for Module 2. He said the target date to provide Module 2 to the County Council is March 201. It is hoped the Module 3 will be approved about six (6) months later.

Mayor Jordan said the list of public services should be broader to include important factors such as social services and health. Mr. Williams said he would bring this up to Clarion. Ms. Craze said operating fund expenses were assumed to be covered by taxes.

Mr. Herling questioned how transportation adequacy is determined. Mr. Williams said this information will be available following the revision to the transportation review guidelines. Mr. Herling also asked if zero waste will be considered as a green point factor. Mr. Williams said no, not at this time.

Mr. Putens suggested that one of the eight cases be for a project in a municipality with zoning authority to review the process of working with the municipality.

Ms. Craze then reviewed the following major issues identified by Planning staff during their review of Module 2 and the APF Procedures.

- 1. Lack of recognition of municipal interests and municipal authority.*
- 2. Status of DSDS, DPLS, DDS and Variance – Provisions seem to give authority to waive or modify requirements of the zoning ordinance to the Planning Director. These are currently, for Greenbelt, College Park and Bowie, with the municipalities. It would also make the evaluation of waiver requests an administrative process, instead of an open, public process.*
- 3. Traffic calming provisions are made part of the development review process – Because traffic calming is part of a public street, decisions on when, where and what traffic calming to be implemented are made by the public agency with operational and maintenance responsibility over the individual road. If traffic calming becomes part of the development review, it could result in requirements being placed on municipal streets, without concurrence of the affected municipality. It is questionable whether this would be enforceable. This is one example within Module 2 of zoning provisions being proposed which overlap with existing authority and jurisdiction held by another agency of the government or another governmental entity. Such requirements should not be part of the zoning ordinance.*
- 4. Recommends stop signs at all intersections as a traffic calming device – As with #3 above, the zoning ordinance seeks to extend authority over the designation of*

traffic control devices in areas under another department or another government entity. Further, placement of stop signs at all intersections could be in conflict with the guidance of the Manual of Uniform Traffic Control Devices. The zoning ordinance oversteps its proper authority in this instance.

5. *Exempts the requirement for sidewalks for 1 and 2 family developments – This is contrary to goals to increase walkability and to provide safe pedestrian passage.*
6. *Entire City of Greenbelt considered inner Beltway – This is significant when applying zoning regulations to those areas in the city outside the Beltway. Those areas have been developed based on suburban design standards. Under the new zoning ordinance, the development regulations applied to inner Beltway areas reflect a more dense form. This would be inconsistent with maintaining the character of those areas outside the Beltway.*
7. *Inclusion of property standards – The proposed regulations includes language requiring the proper maintenance of paved areas. This is a property standard requirement. Overlapping provisions for property maintenance create the opportunity for conflicts between government agencies, as well as potential Tillie Frank issues. Finally, in adopting property maintenance regulations as part of the zoning ordinance, confusion is created over the applicability of the city's police power with respect to code enforcement. There is no need for the zoning ordinance to include property maintenance requirements.*
8. *Exempts the open space set asides for 1 and 2 family developments – This seems to assume that open space is not a necessary element of single-family development.*
9. *Includes erosion and sediment control requirements – As with #7, this is a governmental authority already addressed within other agencies and levels of government. Including sediment and erosion control raises issues of delegation of authority from the State of Maryland. This is not a zoning ordinance authority.*
10. *Includes townhouses as a multi-family dwelling – Why are these not considered single-family dwellings?*
11. *APF review is to become an administrative process under the proposed regulations and procedures. This will deprive the public of a critical opportunity to participate in and be aware of the impact of new development on the community. Exclusion of the public from the development review process is not the way to ensure quality development and to protect neighborhoods.*
12. *APF regulation does not address mandatory dedication of park land.*
13. *The proposed APF regulations do not recognize the independent authority of the City of Greenbelt, nor does it discuss the impact of the Metropolitan District in planning for parks and recreation.*

14. *The APF regulations ignore municipal police in both the evaluation of adequacy and the mitigation of impacts.*

Regarding #6, Council asked staff to determine the pros and cons of being considered an inner and outer Beltway area.

Ms. Craze added that Planning staff had prepared a detailed list of issues, concerns and questions about Module 2 and the APF that was provided in the work session packet.

In response to a question from Ms. Davis, Ms. Craze said the development regulations proposed in Module 2 were very good.

Ms. Davis suggested "incentives for affordable housing" and "requirement for public art" be included. Mayor Jordan suggested "broadening public services to include social services and health." It was also suggested "dimming of lights in parking lots" and "consideration of the provisions of condominium, cooperative and homeowner associations" be included.

Ms. Davis mentioned the successful use of vacant office space in Washington, DC, to residential and business mix. Mr. Williams said this type of mix, "multiple principal uses," has been included in the Zoning Rewrite.

In response to a question from Mayor Jordan, Mr. Williams said they had not received comments from developers on Modules 1 or 2. Nathaniel Forman, O'Malley, Miles, Nylan & Gilmore, P.A., said his office feels it would be premature to comment until Module 3 is available.

Bill Orleans, Greenbelt, asked and was provided answers to several questions.

Mayor Jordan asked if there was anything in Module 2 that applies to by-right versus discretionary projects. Mr. Williams said no, adding that this is covered in Modules 1 and 3.

Ms. Craze said she anticipates the City letter of comment on Module 2 will be on Council's agenda for a meeting in September.

Council thanked Mr. Williams for attending. Mr. Williams remarked on how helpful City staff has been throughout the review process. He said a lot of very good comments had been received.

Informational Items

The meeting ended at 10:45 p.m.

Respectfully submitted,

*Cindy Murray
City Clerk*

WORK SESSION OF THE GREENBELT CITY COUNCIL held Monday, February 29, 2016, for the purpose of discussing the Prince George's County Zoning Ordinance Re-Write.

Mayor Jordan started the meeting at 8:01 p.m. The meeting was held in the Council Room of the Municipal Building.

PRESENT WERE: Councilmembers Konrad E. Herling, Leta M. Mach, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan. Councilmember Judith F. Davis was out of the country. Councilmember Silke I. Pope was sick.

STAFF PRESENT WERE: Michael McLaughlin, City Manager; Celia Craze, Director of Planning and Community Development; Terri Hruby, Assistant Director of Planning; and Cindy Murray, City Clerk.

ALSO PRESENT WERE: Kap Kapastin, Beltway Plaza; Kathleen Gallagher, Greenbelt News Review, Molly Lester, Laura Kressler and Bill Orleans.

Mayor Jordan explained that in mid-2014, at the direction of the County Council, the Maryland-National Capital Park and Planning Commission (M-NCPPC) began a comprehensive re-write of the County Zoning Ordinance and Subdivision Regulations. The stated purposes of the project are: 1) streamline and simplify the regulations and approved development process; 2) modernize and consolidate zones and development standards; 3) incentivize economic and transit oriented mixed use development; and 4) protect and enhance stable residential neighborhoods.

He said the project is organized into four phases: 1) public outreach and input; 2) evaluation and recommendations; 3) drafting the new ordinance and regulations; and 4) implementing the new ordinance and regulations. It is anticipated that the final phase will be completed in late 2017.

Terri Hruby said M-NCPPC is working on completing Phase 3 and recently released Module 1) Zone and Use Regulations and Interpretations. She said Module 1 establishes three zone types - base zones, planned development zones and overlay zones. Ms. Hruby explained each of the zone types. She added that Module 1 proposes to reduce the number of zones from 73 to 42 and then reviewed the current zones and proposed zones.

Ms. Hruby ~~said staff~~ said Planning staff ~~had~~ reviewed Module 1 and identified the following significant issues: a number of questions, comments and concerns which were summarized in Attachment 2 of her memorandum of February 24, 2016. She said the most significant issues were the following:

- 1. Deletion of the Residential Planned Community Zone (R-PC-C) – Deletion of this zone does not provide a provision in the new zoning ordinance for the protection of Historic Greenbelt and its plan, similar or identical to the existing RPC zone.*
- 2. Deletion of the Development District Overlay Zone (DDOZ) – There is concern that a move to a more generic base zone will make it difficult to achieve the character and urban design standards developed for the Greenbelt Metro Area and 193 Corridor Sector Plan.*
- 3. Proposal to replace comprehensive design zones and mixed use zones with base zones that would allow for by-right development without detailed site plan review and approval*

– This is a major departure from the current process and will not afford municipalities/the public an opportunity to review and comment on major development projects.

4. Proposal to convert the C-O and C-S-C Zones to General Commercial and Office Zone (GCO) – The GCO Zones affords a lot of flexibility and mix of uses and could significantly change the character of Greenway Shopping Center, Beltway Plaza and Roosevelt Center; as well as our commercial office parks.
5. Applicability of new zones - It is not obvious, of the new zones proposed, which would be appropriate for Beltway Plaza, Greenbelt Homes, Incorporated, Franklin Park at Greenbelt Station and Greenbelt Station South Core.
6. In general, there needs to be an analysis on the issue of the potential for creating nonconforming uses with the application of the new zones.
7. Mapping of new zones – The mapping of the new zones to specific properties is not proposed to occur until after the new zoning ordinance is adopted. It is critical to the discussion of the new zones, to understand what zones will apply to what properties so municipalities/the public can fully understand the implications of the new zoning ordinance before being asked to support its adoption. Also, the mapping needs to include municipal involvement.

Ms. Hruby said Planning staff also identified a number of questions, comments and other concerns which were summarized in Attachment 2 of her memorandum of February 24, 2016. After discussion of these items, Mayor Jordan suggested the items in Attachment 2 be grouped into three categories: 1) grammatical; 2) definitional; and 3) more substantial.

Ms. Hruby advised that M-NCPPC has requested that comments on Module 1 be submitted by March 1, 2016, but has ~~ve~~ indicated comments will be accepted throughout the process.

Mayor Jordan, Mr. Putens and Ms. Mach expressed concern on the difficulty of providing comments until the specifics of the proposed zoning categories were provided. They also noted the need to be sure a role for municipalities is included throughout the process.

Kap Kapastin, Beltway Plaza, said he agreed with the objective of streamlining the zoning process which will allow for flexibility in area of uses for Beltway Plaza.

After discussion, Council requested staff prepare a letter for Council to send to M-NCPPC identifying the concerns discussed this evening. They requested the letter be included on its agenda of the March 14 meeting for approval.

The meeting ended at 10:13 p.m.

Respectfully Submitted,

Cindy Murray
City Clerk

