

**Greenbelt City Council
Work Session**

**M-NCPPC Zoning Rewrite
Module 2**

**Wednesday
August 17, 2016
8:00 p.m.**

**Room 201
Greenbelt Community
Center**

**CITY OF GREENBELT, MARYLAND
MEMORANDUM**

TO: Michael P. McLaughlin, City Manager *MPM*
FROM: Celia W. Craze, Planning and Community Development Director
DATE: August 11, 2016
SUBJECT: Prince George's County Zoning Ordinance Rewrite
Module 2; Adequate Public Facilities regulations

Staff has reviewed Module 2 of the zoning ordinance rewrite. Module 2 consists of development standards. Separate from the development standards are the Adequate Public Facilities (APF) regulations.

As with Module 1, Module 2 reflects an effort to simplify the zoning regulations. The regulations are based on a traditional Euclidian zoning regime, but also provide flexible regulations for flexible design zones. The major change to the APF regulations is to make the process of determining adequacy an administrative process, instead of the current process which incorporates APF assessment as part of a development review process (typically subdivision). Eliminating the public review and participation in the evaluation and determination of APF is a major concern of staff.

Staff has prepared a detailed list of issues, concerns and questions about Module 2 and the APF. These are included as a separate attachment.

Following is a summary of the major issues identified by staff. It reflects previously voiced concerns by Council about the elimination of public review, the role of municipalities in the zoning process, and the status of the departure and variance authorities currently delegated to the city.

Major issues/concerns/questions on 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, 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.
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.

Attachment – detailed comments

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 <u>county and municipal</u> arterial streets, and services provided to <u>county and municipal</u> residents.
27-5.108.E.2.c footnote 14	Authority of the Planning Director to waive or modify the requirement for vehicle cross-access	This authority might otherwise be part of the DPLS process, which has been delegated to several municipalities. This language would seem to exempt the continuation of

		DPLS review and approval currently held by municipalities. Module 3 is intended to address administration of the zoning ordinance, but this provision would seem to determine in advance such administrative procedures.
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 convenient access	States that “no parking 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 –	What about exterior

	applicability	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	Describes distance to dwelling units, but doesn't

	parking	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 inadequate from the perspective of protecting neighborhood compatibility.
27-5.1103.F.5	Neighborhood compatibility standards – off-street parking	Shouldn't the façade of a parking structure be 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?

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 –	Is there a process to extend a certificate of adequacy? Would these be publically reviewed?

	expiration	
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	“...the County may include <i>Planned Capacity</i> in making the determination of adequacy...” 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 are Adequate	To what is capacity added? What happens to pipeline development?
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 “ <i>If facilities and personnel...</i> ” 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	If there are guidelines to be established, the City of Greenbelt should be

	and Recreation	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.

Module 2: Development Standards and Public Facility Adequacy

Prince George's County, Maryland
Module 2: Development Standards
Public Facility Adequacy

Zoning Ordinance and Subdivision
 Regulations Rewrite
 June 2016

Public Review Draft

Division 27-5: Development Standards
 Sec. 27-8.400: Terms and Uses Defined (Relevant Terms)
 Sec. 24-3.500: Public Facility Adequacy
 Sec. 24-6.200: Definitions (Relevant Terms)

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

CLARION

Project Status and Background	
TASK	SCHEDULE
1. Public Outreach and Input	2014-Ongoing
2. Evaluation and Recommendations Report	2014
3. Drafting the new Zoning Ordinance and Subdivision Regulations <ul style="list-style-type: none"> ▪ Module 1: Zones and Use Regulations ▪ Module 2: Development Standards ▪ Module 3: Administration (and Related Provisions) ▪ Testing ▪ Comprehensive Review Draft Zoning Ordinance and Subdivision Regulations 	2015-2016
4. Adoption	2017
5. Implementing the new Ordinance and Regulations	2017
2	June 2016

Overview of Presentation

- **Project Status and Background**
- **Content Review**
 - DIVISION 27: ZONING ORDINANCE**
 - Division 27-1: General Provisions
 - Division 27-2: Administration
 - Division 27-3: Zones and Zone Regulations
 - Division 27-4: Use Regulations
 - Division 27-5: Development Standards
 - Division 27-6: Nonconformities
 - Division 27-7: Enforcement
 - Division 27-8: Interpretation and Definitions
 - DIVISION 24: SUBDIVISION REGULATIONS**
 - Sec. 24-3.500: Public Facility Adequacy
 - Sec. 24-6.200: Definitions

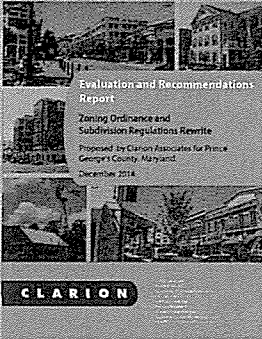
Module 1 (vertical label on left) and Module 2 (horizontal label on right) are indicated by arrows pointing to the relevant sections.

3 June 2016

Project Status and Background

Evaluation and Recommendations Report Key Themes

- Theme 1: Make the Regulations More User-Friendly and Streamlined**
- Theme 2: Modernize, Simplify, and Consolidate Zones and Zone Regulations**
- Theme 3: Implement Key Goals, Policies, and Strategies of *Plan Prince George's 2035***
- Theme 4: Modernize the Regulations and Incorporate Best Practices**



4 June 2016

Division 27-5: Development Standards

Division 27-5 Development Standards

27-5.100 Roadway Access, Mobility, and Circulation

27-5.200 Off-Street Parking and Loading

27-5.300 Open Space Set-Asides

27-5.400 Landscaping

27-5.500 Fences and Walls

27-5.600 Exterior Lighting

27-5.700 Environmental Protection and Noise Controls

27-5.800 Multifamily, Townhouse, and Three-Family Form and Design Standards

27-5.900 Nonresidential and Mixed-Use Form and Design Standards

27-5.1000 Industrial Form and Design Standards

27-5.1100 Neighborhood Compatibility Standards

27-5.1200 Agricultural Compatibility Standards

27-5.1300 Signage

27-5.1400 Green Building Standards

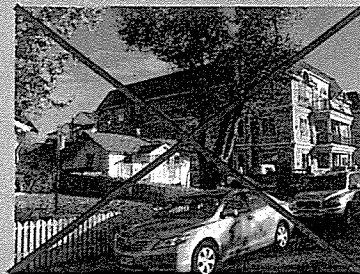
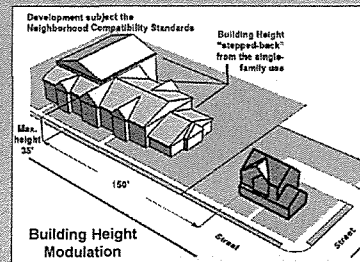
27-5.1500 Green Building Incentives

5

June 2016

Neighborhood Compatibility Standards (NEW)

- **Protects single-family neighborhoods**
 - Existing single-family/two-family homes or vacant land in the RE, RR, SFR-4.6, and SFR 6.7 zones
- **Applies to new:**
 - Multifamily,
 - Townhouse,
 - Live/work,
 - Nonresidential, and
 - Mixed-use development



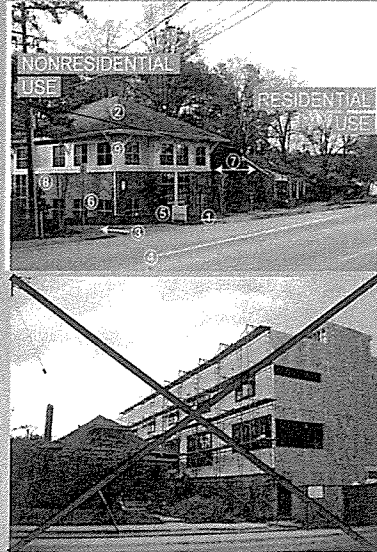
6

June 2016

Neighborhood Compatibility Standards (NEW)

- **Standards address**

- Building height and setbacks
- Building orientation, design, roofs, materials
- Multi-building placement
- Parking and loading area location
- Outdoor dining and drive-thrus
- Open space location
- Exterior lighting
- Signage
- Buffers
- Hours of operation



7

June 2016

Green Building Standards (NEW)

- **Applies to:**

- New residential with ≥ 10 units
- New nonresidential $\geq 10,000$ sf
- Major redevelopment projects

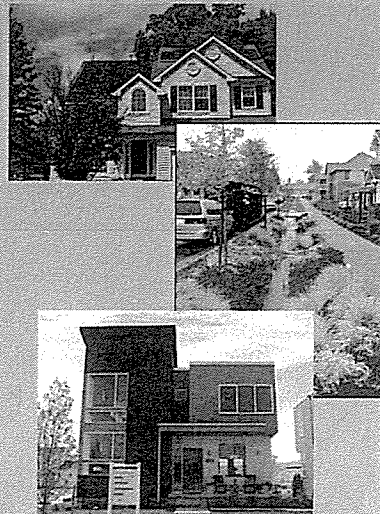
- **Development Must Earn Points**

- **Residential:**

- 10 to 29 units: 3 points
- 30 or more units: 4 points

- **Nonresidential:**

- 10,000 to 25,000 sq. ft.: 3 points
- More than 25,000 sq. ft.: 4 points

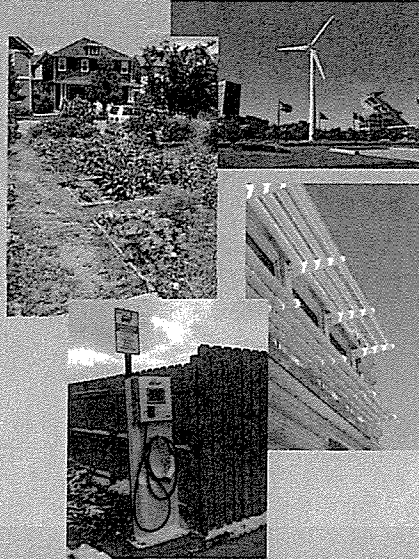


8

June 2016

Green Building Standards (NEW)

- **Points are Earned For:**
 - Location in a TOD/Activity Center
 - Redevelopment of Brownfields
 - Energy Conservation (ASHRAE, Energy Star)
 - Cool roofs, green roofs, skylights
 - Solar or tank-less water heating
 - Solar, wind, or alternative energy
 - Rainwater harvesting
 - Keeping natural vegetation
 - Community gardens
 - Recycled construction materials
 - EV charging stations
 - Shower facilities for bike users



9

June 2016

Green Building Incentives (NEW)

- **Voluntary green building incentives apply in Transit-Oriented/Activity Center and Nonresidential zones**
- **Rewards features provided in addition to those needed to comply with basic standards**
- **Incentives include limits (up to):**
 - 1 additional dwelling unit per acre
 - 1 additional floor of height
 - 10% additional lot coverage
 - 15% parking reductions



10

June 2016

*Only incentive
Nothing for affordable
housing or other
social benefits.*

Open Space Set-Aside Standards (NEW)

- Minimum requirements for private open space set-asides
- Applies to new development
- Open space defined to include:
 - Natural features
 - Required landscaping
 - Active and passive recreation
 - Squares, forecourts, plazas
 - Stormwater that is site amenity
 - Public access easements with paths and trails
- Supplements (does not replace) public land dedication



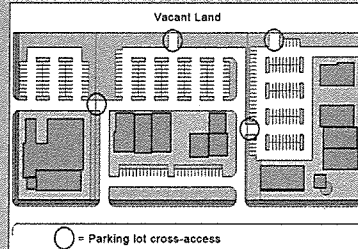
private open space

11

June 2016

Roadway Access, Mobility, and Circulation (NEW)

- Consolidates rules on circulation, mobility, and access for a multi-modal network of mobility
- Additional access and circulation standards:
 - Cross access (across adjacent parking lots) standards for RTO, LTO, TAC, NAC, and Nonresidential zones
 - Connectivity standards for new single-family development



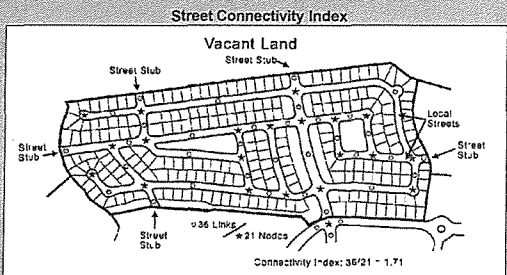
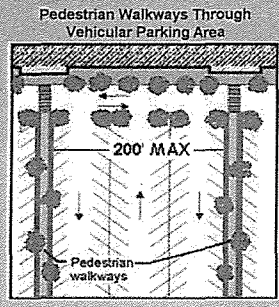
12

June 2016

Roadway Access, Mobility, and Circulation (NEW)

new development

- Shorter Vehicle Trips
- Traffic calming
- Pedestrian access and circulation
- Bicycle access and circulation

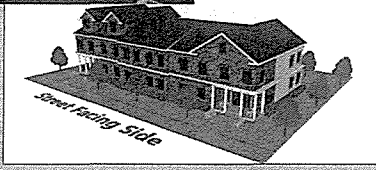
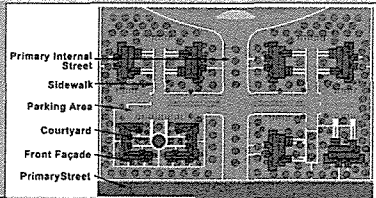


13

June 2016

Multifamily, Townhouse, and Three-Family Form and Design Standards (NEW)

- Key goal for design standards is ensuring attractive development
 - "No Junk"
- Standards address:
 - Site access
 - Parking and garage location
 - Building orientation and configuration
 - Building length and facades
 - Roofs
 - Transparency/windows
 - Location of outdoor activity areas

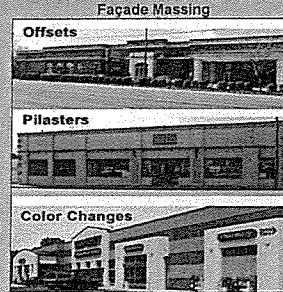


14

June 2016

Nonresidential and Mixed-Use Form and Design Standards (NEW)

- **General standards address:**
 - Building orientation
 - Single- and multi-building layout
 - Development of small parcels at the fronts and corners of big retail areas
 - Façade surface variety and materials
 - Windows and doors
 - Roofs
 - Location of parking
 - Loading, service, and equipment areas
- **Some distinctions between development inside versus outside Capital Beltway**

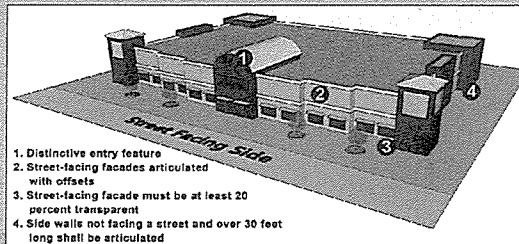
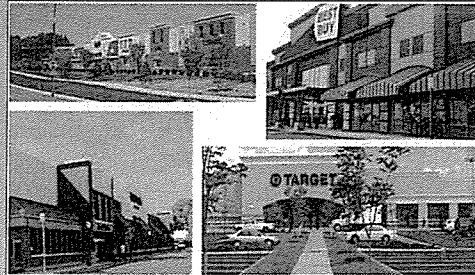


15

June 2016

Large Retail Development Standards (NEW)

- **Applies to single tenant buildings over 75,000 sf that devote 60% of space to retail sales**
- **Standards address:**
 - Building entrances
 - Façades
 - Roofs
 - Windows and doors
 - Location of parking



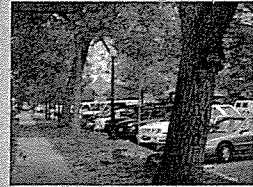
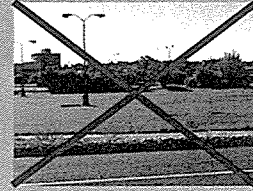
1. Distinctive entry feature
2. Street-facing facades articulated with offsets
3. Street-facing facade must be at least 20 percent transparent
4. Side walls not facing a street and over 30 feet long shall be articulated

16

June 2016

Off-Street Parking and Loading

- Updates minimum parking standards based on best practices and studies from maturing suburbs and auto-oriented communities investing in transit
- Different standards for different contexts:
 - RTO and LTO base and PD zones
 - NAC and TAC base and PD zones
 - Areas inside Capital Beltway/Interstate 95 (including all lands within Greenbelt)
 - Other areas in County



17

June 2016

Off-Street Parking and Loading

- Requirements for parking lot design
- Strengthen bicycle parking standards based on zone and location
- Expands flexibility provisions along with tools that support use of parking reduction strategies (Transportation Demand Management)

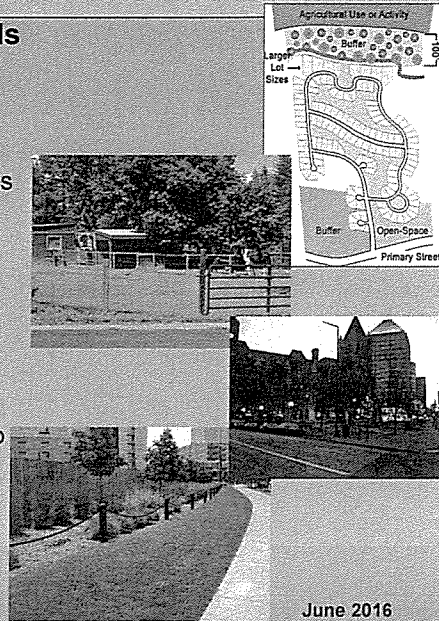


18

June 2016

Other Development Standards

- **New exterior lighting standards to support dark skies**
 - Full cut-off fixtures
 - Maximum footcandle limits
 - Maximum light fixture pole heights based on use
- **New agricultural compatibility standards**
 - 100 foot buffer, vegetative screening, and fencing
 - Location of open space
 - Treatment of lot edges adjacent to agriculture areas
- **Revised Landscape Manual**

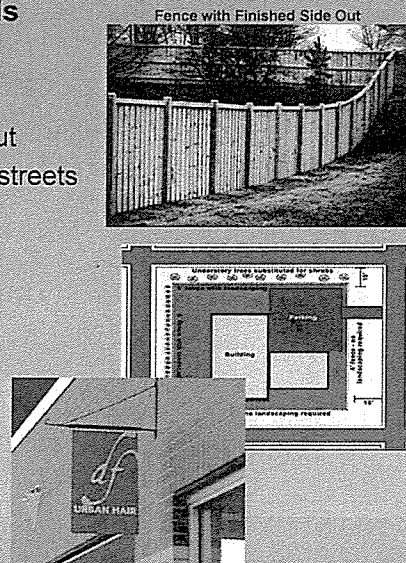


19

June 2016

Other Development Standards

- **Revised fence and wall standards**
 - Maximum heights
 - Materials
 - Finished side of fence must face out
 - Appearance standards apply near streets
- **Revised signage standards**
 - Modernized illumination standards
 - New standards for digital displays
 - Simplified table of standards for:
 - Building wall signs
 - Roof signs
 - Freestanding signs



20

June 2016

**Division 27-5: Development Standards
Division 27-8: Interpretation and Definitions**

QUESTIONS AND COMMENTS



June 2016

Division 24-3.500: Public Facility Adequacy Regulations

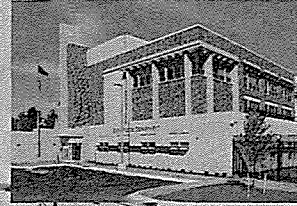
- Applies to transportation, water, sewer, police, parks and schools (fire/rescue discontinued)
 - Consolidates APF review, approval of Certificate of Adequacy by Planning Director
 - Requires APF review for projects with approvals and old APF determinations that have not proceeded with development (NEW)
- Sec. 24.3-500 Public Facility Adequacy**
- 24-3.501 Purpose
 - 24-3.502 Applicability
 - 24-3.503 Certificate of Adequacy
 - 24-3.504 Public Facility Adequacy-Generally
 - 24-3.505 Transportation Adequacy
 - 24-3.506 Water and Sewer Adequacy
 - 24-3.507 Police facility Adequacy
 - 24-3.508 Parks and Recreation Adequacy
 - Sec. 24.3-509 Schools Adequacy

22

June 2016

Division 24-3.500: Public Facility Adequacy Regulations

- For transportation adequacy:
 - Changes “road adequacy” to “transportation adequacy,”
 - Exempts RTO and LTO zones, establishes LOS “E” in balance of Service Area 1
 - Adds provisions for sidewalks, trails, bikeways, and transit to divert trips from automobiles
- For parks:
 - Links parks and recreation to *Formula 2040*, and
 - Reduces the recommended park LOS standards in the Transit-Oriented/ Activity Center zones to levels consistent with more urban development



23

June 2016

Division 24-3.500: Public Facility Adequacy Regulations

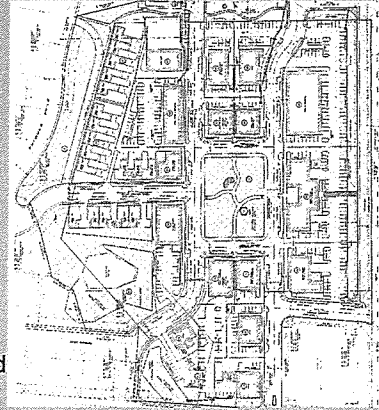
QUESTIONS AND COMMENTS



June 2016

Testing the Code

- 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 you want in the places supported by *Plan 2035* AND
 - Makes it hard to approve development you don't want, or in places not supported by *Plan 2035*
- Generally test 8 key projects, including a mix of:
 - Actual projects that you wish had turned out differently, AND
 - Projects you have never seen but want to attract to the County



25

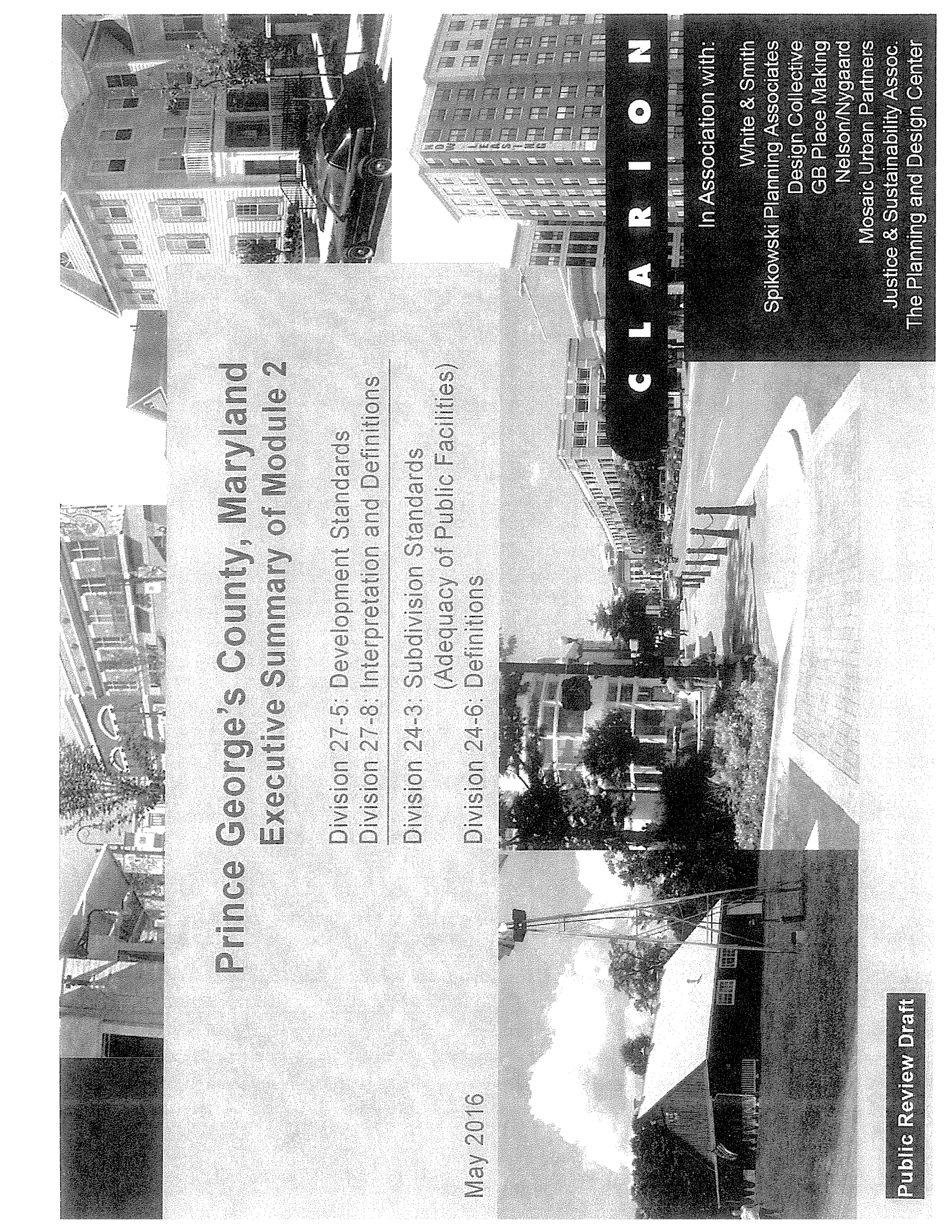
June 2016

Next Steps

- | | |
|---|---------|
| • District Council briefing | June 7 |
| • Three Countywide Public Forums | |
| – Central – Sports and Learning Complex | June 7 |
| – South – Southern Regional Tech/Rec Complex | June 8 |
| – North – Laurel-Beltsville Senior Activity Center | June 9 |
| • Zoning Technical Panel meeting | June 8 |
| • Combined Focus Group meeting | June 8 |
| • Planning Board work session | June 9 |
| • Interagency Committee meeting | June 9 |
| • Additional follow-up meetings | Ongoing |
| • Draft of Module 3: Administration and Subdivision | July |

26

June 2016



Prince George's County, Maryland Executive Summary of Module 2

Division 27-5: Development Standards

Division 27-8: Interpretation and Definitions

Division 24-3: Subdivision Standards

(Adequacy of Public Facilities)

Division 24-6: Definitions

May 2016

C L A R I O N

In Association with:

White & Smith
Spikowski Planning Associates
Design Collective
GB Place Making
Nelson/Nygaard

Mosaic Urban Partners
Justice & Sustainability Assoc.
The Planning and Design Center

Public Review Draft

Background: The Project and Schedule

At the direction of the County Council, the Prince George's County Planning Department of the Maryland-National Capital Park and Planning Commission (M-NCPPC) is conducting a comprehensive rewrite of the County's Zoning Ordinance and Subdivision Regulations ("development regulations"). The project will transform the current development regulations into a user-friendly 21st Century Zoning Ordinance and Subdivision Regulations.

Because the rewriting of the Zoning Ordinance and Subdivision Regulations is a significant task that requires special expertise and many hours of work, the County retained a nationally recognized team of consultants, led by Clarion Associates, to assist it in the effort. The work began in early 2014 and was organized into the four phases, as shown by the timetable to the right:

Schedule for Zoning and Subdivision Rewrite

<u>Phase</u>	<u>Timeframe</u>	<u>Status</u>
1. Public outreach and input	2014	Ongoing
2. Evaluation and Recommendations	2014	Completed
3. Drafting the new Ordinance and Regulations	2015 - early 2017	Ongoing
4. Implementing the new Ordinance and Regulations	2017	



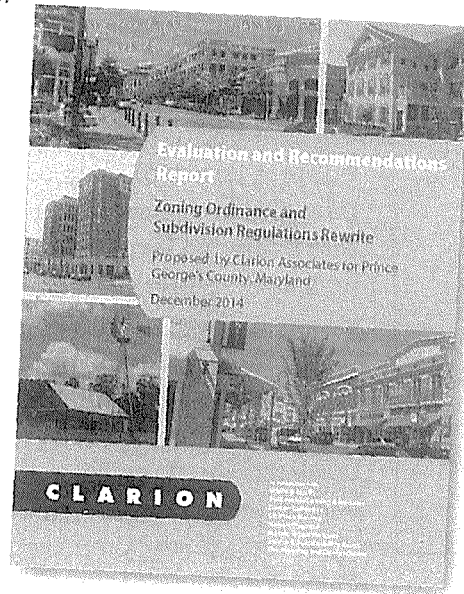
Public Outreach and Evaluation and Recommendations Report

The first year of the project involved:

- An extensive public outreach effort to gain community input on the most important goals to achieve in the rewrite (key themes);
- An independent review by the Clarion team of the plans, development regulations, and other relevant materials used by the County to review and approve development; and
- Identification of areas where the current development regulations fall short of best practices, as well as the zoning tools and changes needed to address the key themes.

This effort culminated in the consultant's preparation of an *Evaluation and Recommendations Report*, which synthesizes the key themes for the project, along with the consultant's evaluation of the current development regulations and recommendations on what needs to be changed and how to change it. The *Evaluation and Recommendations Report* identified four key themes for improvement. They are:

- Make the regulations more user-friendly and streamlined;
- Modernize, simplify, and consolidate zones and zone regulations;
- Implement key goals, policies, and strategies of *Plan Prince George's 2035*; and
- Modernize the regulations and incorporate best practices.



For each key theme, the *Evaluation and Recommendations Report* recommends changes to the development regulations. The last section in the *Evaluation and Recommendations Report*, the Annotated Outline, provides a detailed outline, or "road map," for how the rewritten regulations should be structured if the key themes are to be addressed. It also explains how the regulations should be written and where each change should be incorporated in the rewritten regulations. It recommends that the rewritten Zoning Ordinance be organized into the following eight divisions.

Proposed Structure for Zoning Ordinance

- Division 27-1: General Provisions**
- Division 27-2: Administration**
- Division 27-3: Zones and Zone Regulations**
- Division 27-4: Use Regulations**
- Division 27-5: Development Standards**
- Division 27-6: Nonconformities**
- Division 27-7: Enforcement**
- Division 27-8: Interpretation and Definitions**

It recommends that the rewritten Subdivision Regulations be organized into the following six divisions.

Proposed Structure for Subdivision Regulations

- Division 24-1: General Provisions**
- Division 24-2: Administration**
- Division 24-3: Subdivision Standards**
- Division 24-4: Chesapeake Bay Critical Area Standards**
- Division 24-5: Enforcement**
- Division 24-6: Definitions**

The Process for Rewriting the Zoning Ordinance and Subdivision Regulations

After receiving input from the public at community meetings, input from the Planning Board, and direction from the County Council, refinements were made to the Annotated Outline and the drafting of the development regulations began in 2015. The Annotated Outline from the *Evaluation and Recommendations Report* has been used as the “road map” for the drafting. Because the development regulations are lengthy and complex documents, the drafting process is being conducted in three separate modules. Each module includes a draft of part of the development regulations. The three separate modules are:

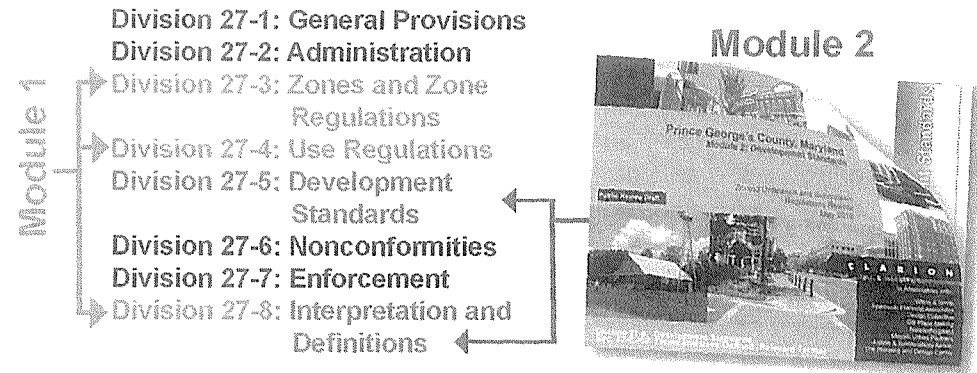
- Module 1: Zones and Use Regulations;
- Module 2: Development Standards; and
- Module 3: Administration and Subdivision

The Public Review Draft of Module 1: Zones and Use Regulations, was released in October of 2015 for review and community input. It includes all the regulations relevant to the zones and uses. They are found in three of the eight divisions of the rewritten Zoning Ordinance:

- Division 27-3: Zones and Zone Regulations;
- Division 27-4: Use Regulations; and
- Division 27-8: Interpretation and Definitions.

The consultant team then conducted a series of community meetings in north, central, and south County to present the module materials and answer questions. Meetings were also conducted with focus groups, the Planning Board, and the County Council. Module 1 is available for online commenting at the Zoning Rewrite’s OpenComment website, located at <http://pgplanning.opencomment.us>.

The Public Review Draft of Module 2: Development Standards, was released for review and community input in May 2016. It includes all development and design regulations in the Zoning Ordinance relevant to site development, as well as the adequacy of public facilities (APF) standards from the Subdivision Regulations. Module 2 covers Division 27-5 and 27-8



of the new Zoning Ordinance, and the Subdivision APF regulations and definitions of Divisions 24-3 and 24-6. A short summary of each of the two divisions in Module 2 follows this section.

Module 2 is available for online commenting beginning May 2016 at the Zoning Rewrite’s OpenComment website. OpenComment allows all Prince Georgians and other interested parties to comment on written documents, join conversations, and engage in a virtual discussion about the Clarion team’s recommendations. Hard copies of Module 2 are available in all 19 of the County’s public libraries.

The M-NCPPC and Prince George’s County welcomes public input on the draft materials. Elected officials, appointed officials, and residents of Prince George’s County are urged to read this material and note those areas that you agree with—as well as those that you do not agree with—so that key discussions can be vigorous, open, and honest.

Countywide listening sessions with Clarion Associates on Module 2 will be held on June 7-9, 2016 along with meetings with the Planning Board and County Council. Information about the community meetings, as well as other meetings and materials related to the rewrite, may be obtained from the project website. Module 2 can also be downloaded from the project’s website, located at <http://zoningpgc.pgplanning.com>.

Division 27-5: Development Standards

Overview

Division 27-5: Development Standards

- **Section 27-5.100 Roadway Access, Mobility, and Circulation**
- **Section 27-5.200 Off-Street Parking and Loading**
- **Section 27-5.300 Open Space Set Asides**
- **Section 27-5.400 Landscaping**
- **Section 27-5.500 Fences and Walls**
- **Section 27-5.600 Exterior Lighting**
- **Section 27-5.700 Environmental Protection and Noise Controls**
- **Section 27-5.800 Multifamily, Townhouse, and Three-Family Form and Design Standards**
- **Section 27-5.900 Nonresidential and Mixed-Use Form and Design Standards**
- **Section 27-5.1000 Industrial Form and Design Standards**
- **Section 27-5.1100 Neighborhood Compatibility Standards**
- **Section 27-5.1200 Agricultural Compatibility Standards**
- **Section 27-5.1300 Signage**
- **Section 27-5.1400 Green Building Standards**
- **Section 27-5.1500 Green Building Incentives**

Division 27-5: Development Standards, is an important division in the Zoning Ordinance. It consolidates in one place all the different standards that apply to the layout, form, and general quality of development on a site. In sum, it includes standards that establish:

- The basic template for on-site pedestrian, bicycle, and vehicular circulation emphasizing the importance of multi-modal transportation options;
- Modern off-street parking and loading standards that recognize the distinct development character in different places in the County and establish different standards for those different places;

- New open space set-aside standards that generally apply to all development while recognizing the different types of development and their location in the County;
- Revised and modernized landscaping standards in the Landscape Manual (which will be released for review subsequent to the Module 2 public draft) that recognize the new and different development character desired in the County;
- Modernized fence and wall standards that conform to the character differences in the County;
- Modern exterior lighting standards that support a dark night sky and prevent spillover light and glare from adjacent development;
- New sets of form and design standards for multifamily (and townhouse and three-family), nonresidential, mixed-use, and industrial development, that establish a minimum level of development quality in the County;
- New neighborhood compatibility standards that apply to all new nonresidential and multifamily development that is proposed to be located adjacent to existing single-family development and vacant lands in the single-family residential zones: these standards are designed to protect the character of single-family neighborhoods;
- New agricultural compatibility standards that protect on-going agriculture operations from new adjacent residential, commercial, and industrial development;
- Revised signage standards that simplify, consolidate, organize, and modernize current standards to improve ease of use and better address the range of signage in the County; and
- Green building standards and incentives that require a minimum level of green building practices, and provide incentives for development to go beyond the minimum standards.

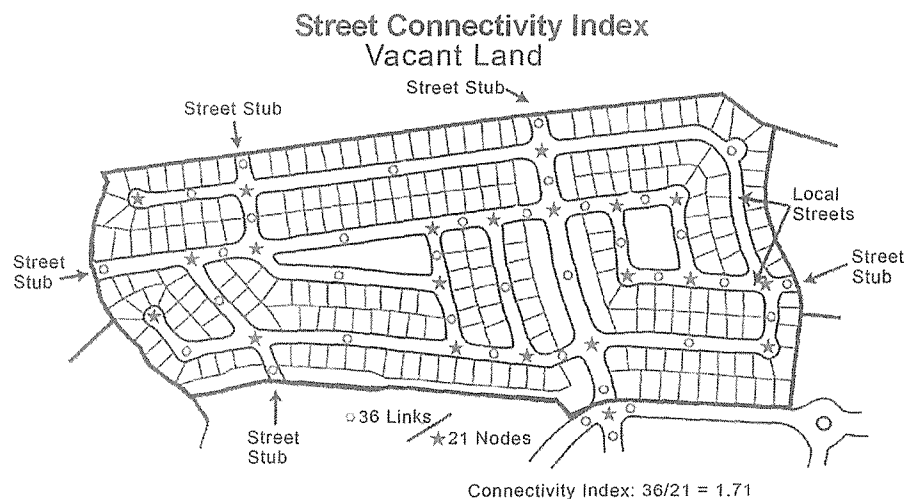
Section 27-5.100 Roadway Access, Mobility, and Circulation

Section 27-5.100: Roadway Access, Mobility, and Circulation, is a new section that consolidates the rules governing circulation, mobility, and access. Emphasis is placed on establishing, in the regulations, a framework for supporting a multi-modal network of transportation in the County, especially in places where the County wants to support walkable urbanism. Given this new emphasis, this section includes a number of additional access and circulation standards that address:

- Multi-modal transportation;
- Bicycle and pedestrian access and circulation;
- Connections and cross-access between adjoining similar developments;
- Better managed driveway access onto arterial and collector roadways; and
- Stacking space¹ standards for parking lot entrances and drive-through facilities.

Because some of the provisions in the section relate to the requirements in the Specifications and Standards for Roadways and Bridges, they are coordinated with the specifications, and will need to continue to be coordinated as the drafting continues and the specifications are updated (which is occurring now).

¹ The portion of a parking lot that is dedicated to a space for vehicles engaged in "drive-through" use of the development.



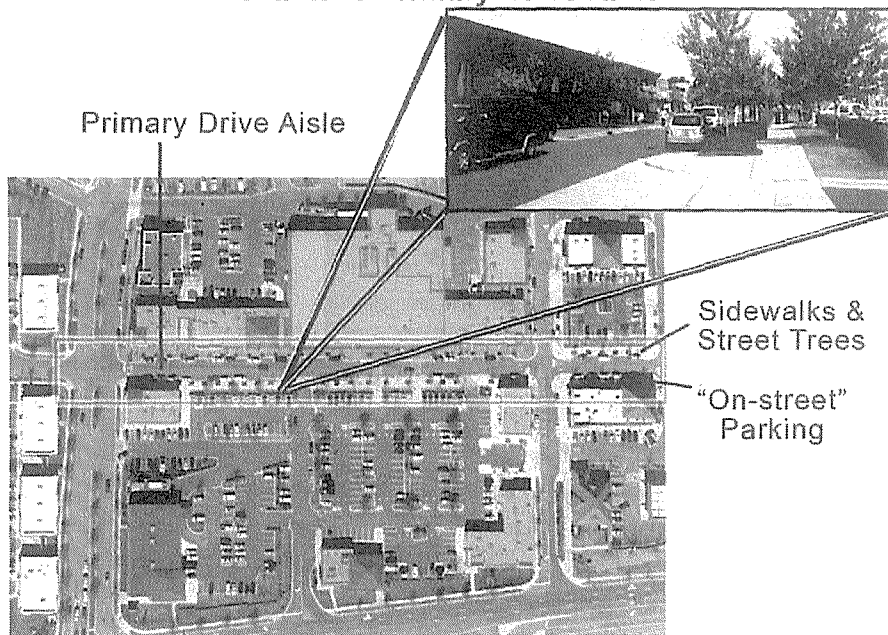
Section 27-5.200: Off-Street Parking and Loading

Section 27-5.200: Off-Street Parking and Loading, carries forward, modifies, and modernizes the off-street parking standards in Part 11, Off-Street Parking and Loading, of the current Zoning Ordinance, as well as regulations for the Mixed Use-Transportation (M-X-T) zone and regulations in Subtitle 27A, Urban Centers and Corridor Nodes Development and Zoning Code. It replaces the one size fits all set of parking standards in Part 11 with a set of different off-street parking space standards for:

- The Regional Transit-Oriented (RTO) and Local Transit-Oriented (LTO) base and planned development zones;
- The Neighborhood Activity Center (NAC) and Town Activity Center (TAC) base and planned development zones;
- Development "inside the Interstate Capital Beltway/Interstate 95" (which includes all lands inside the Capital Beltway and all

- lands within the corporate limits of the City of Greenbelt); and
- Development in all other areas of the County.

Location of Primary Drive Aisle



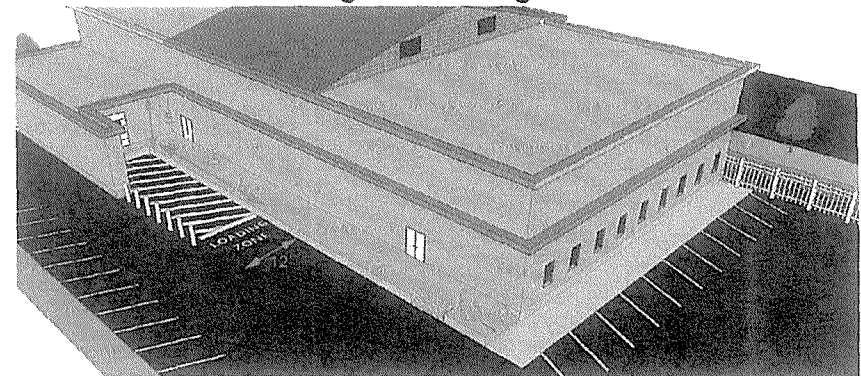
The section includes quantitative off-street parking standards for each principal use identified in the principal use tables proposed in Module 1. The proposed parking space standards reflect new studies and modern best practices regarding parking needs that generally justify reduced parking space requirements. This mirrors not only general trends in actual parking use, but also demands in maturing suburbs and in conventional auto-oriented communities that are now investing in transit infrastructure and prioritizing more walkable, compact development forms. The section also updates the dimensional standards for parking spaces and aisles, provides general location and design standards to promote safety and access for parking and loading areas, provides specific detail on how parking requirements are measured, and

establishes bicycle parking standards that differ based on the zone and general location in the County.

Finally, the section expands the flexibility provisions for off-street parking, and provides for reduced parking standards for parking demand reduction strategies (Transportation Demand Management). More specifically, it allows for administrative review and approval of requests for alternative parking plans that may include:

- Expanded sharing of parking spaces among complementary uses to allow reductions in parking;
- More extensive allowance of off-site parking, subject to proximity and pedestrian access standards;
- Deferred parking (where the developer provides a reduced number of spaces based on preliminary parking demand data, but reserves land for additional parking should post-development studies show more is needed);
- Provisions for valet and tandem parking;²
- Crediting adjacent on-street parking spaces towards minimum off-street parking space requirements in the Transit-Oriented/

Loading Area Configuration



² Tandem parking is a parking space within a group of two or more parking spaces arranged one behind the other.

Activity Center zones;

- Reductions in minimum parking space requirements for development in close proximity to transit stations and transit stops, beyond those reductions already specified in the minimum requirements table; and
- Reductions in minimum parking space requirements for development incorporating Transportation Demand Management strategies (especially in the Regional Transit-Oriented Zone and other zones in which more development intensity is expected to occur over time).

Section 27-5.300: Open Space Set-asides

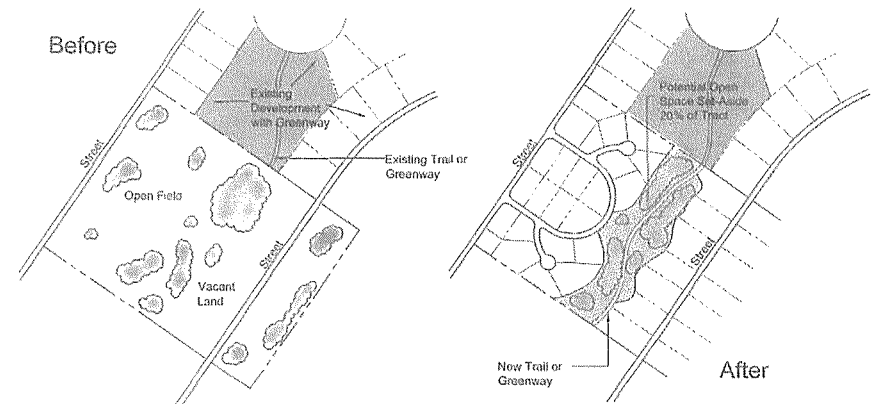
Section 27-5.300: Open Space Set-asides, is a new section that expands and consolidates the private open space standards that exist for certain types of development in certain zones in the current Zoning Ordinance. In addition, the section establishes minimum private open space set-aside requirements for all new residential, nonresidential, and mixed-use development, distinguishing the standards based on the use and the zone in which the use is located (expressed as a percentage of site area). These distinctions are made in the following categories:

- Rural and Agricultural base zones;
- Residential base and Planned Development (PD) zones;
- Nonresidential base zones and the IE-PD zone; and
- Transit-Oriented/Activity Center base and PD zones, and the MU-PD zone.

The section also identifies the types of open space that can be used to meet the open space set-aside standards: natural features; landscape areas required by the Landscape Manual; active recreational areas; passive recreation, including formal plantings and gardens; squares, forecourts, and plazas; stormwater management areas treated as site amenities;

and public access easements with paths or trails. It establishes priorities for the types of open space that should be set-aside on individual sites (distinguishing priorities in several instances, depending on the zone in which the set-aside is required) and identifies what cannot be counted as open space. It also establishes general standards for the design and lay-out of open space on a site and includes provisions identifying the type of development that can be located on open space. Finally, the section establishes rules for how the open space set-aside should be owned and managed, to ensure it remains as open space in perpetuity.

Example Open Space Set-Aside Configuration



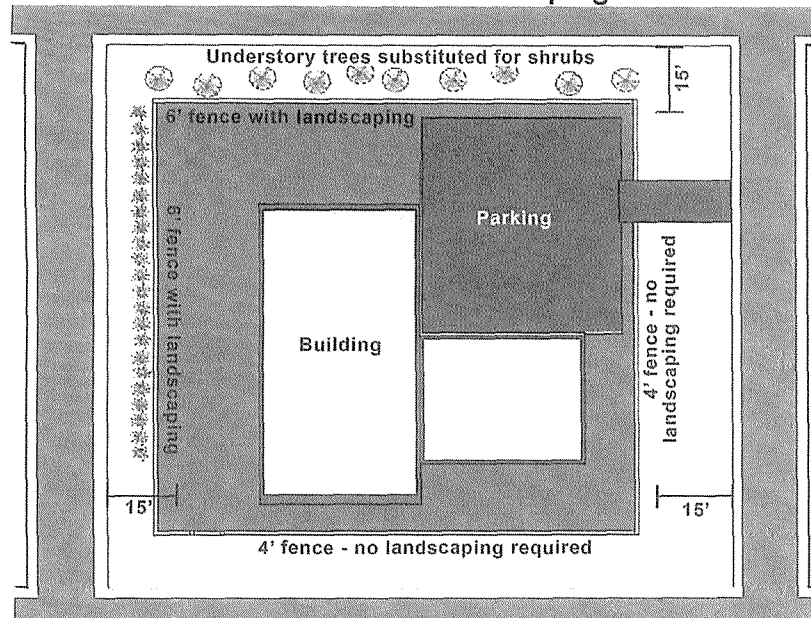
Section 27-5.400: Landscaping

The landscaping standards established in Section 27-5.400: Landscaping, are found in the Prince George's County Landscape Manual, which is incorporated into the Zoning Ordinance by reference. The Landscape Manual has been revised and modernized to conform to the policy direction for the new Zoning Ordinance. A draft of the revised Landscape Manual is scheduled for release and will be available for public review and comment by early June 2016.

Section 27-5.500: Fences and Walls

Section 27-5.500: Fences and Walls, modernizes standards governing the height and materials of fences and walls in the current Zoning Ordinance. The section includes:

Fence and Wall Landscaping



- Standards to ensure that fences and walls are not located where they might obstruct natural drainage flow, fire hydrants, and intersection sight distance;
- Maximum height standards for fences and walls in required yards and build-to zones;
- Standards establishing allowed fence and wall materials, with specific standards for Transit-Oriented/Activity Center zones;
- General appearance and landscaping standards for fences

and walls with an emphasis on fences and walls located near streets; and

- Standards for the maintenance of fences and walls.

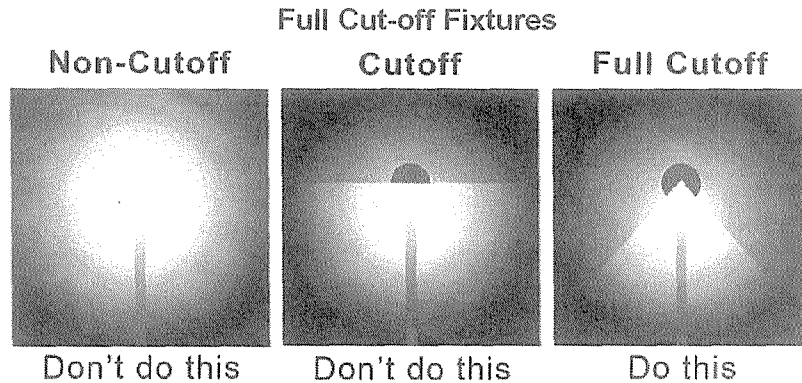
Additionally, to address unusual situations where fence height or materials need to be modified for safety reasons, a provision has been added that allows an applicant to request administrative approval of a security exemption plan that proposes a fence or wall taller than the maximum height standard allows, or the use of barbed and/or razor wire or electric wire atop a fence or wall, for security reasons.

Section 27-5.600: Exterior Lighting

Section 27-5.600: Exterior Lighting, is a new section that establishes a set of objective and measurable exterior lighting standards that apply to all development in the County (unless exempted, such as public monument lighting or outdoor recreational lighting operated until 11:00 p.m.). Their general purpose is to protect the night sky and ensure that exterior lighting does not intrude onto neighboring developments. This is done in a succinct and straightforward way through:

- Mandatory use of full cutoff light fixtures to prevent light overflow and glare on adjacent lands;
- Minimum energy efficiency standards (achievable through off-the-shelf products);
- Maximum footcandle limits to prevent glare and minimum limits footcandle requirements to ensure adequate lighting of public spaces and parking areas;
- Maximum light fixture pole or mounting heights that vary for different development contexts (shorter in residential areas and taller in industrial areas);
- A prohibition on canopy lighting that extends below the edge of the canopy; and
- A prohibition on full floodlighting of uniquely colored or designed

façades (which turns an entire building façade into a form of signage).



Finally, to address unusual situations where additional lighting is needed for safety and security reasons, the section allows an applicant to request an administrative security plan exemption, which is reviewed and decided based upon a specific set of review standards.

Section 27-5.700: Environmental Protection and Noise Controls

Section 27-5.700: Environmental Protection and Noise Controls, references the environmental protection and noise controls found in other parts of the County Code of Ordinances. This includes rules addressing woodland and wildlife habitat preservation, floodplain management, erosion and sedimentation control, stormwater management, Chesapeake Bay Critical Area Zone regulations, and noise controls. This is done to provide users of the Zoning Ordinance notice that there are other parts of the Code of Ordinances that might apply to their development.

Section 27-5.800: Multifamily, Townhouse, and Three-Family Form and Design Standards

Section 27-5.800: Multifamily, Townhouse, and Three-Family Form and Design Standards, is a new section that establishes form and design standards that apply to multifamily, townhouse, and three-family development, to generally ensure a minimum quality of development form. The standards address the following:

- Site access
- Parking location
- Building orientation and configuration (including multi-building development)
- Maximum building length
- Building façades
- Roofs
- Transparency/fenestration
- Garage placement
- Location of outdoor activity areas

Example of Building Façade, Roof, Transparency/Fenestration, and Materials Requirements for Multifamily Building



Section 27-5.900: Nonresidential and Mixed-Use Form and Design Standards

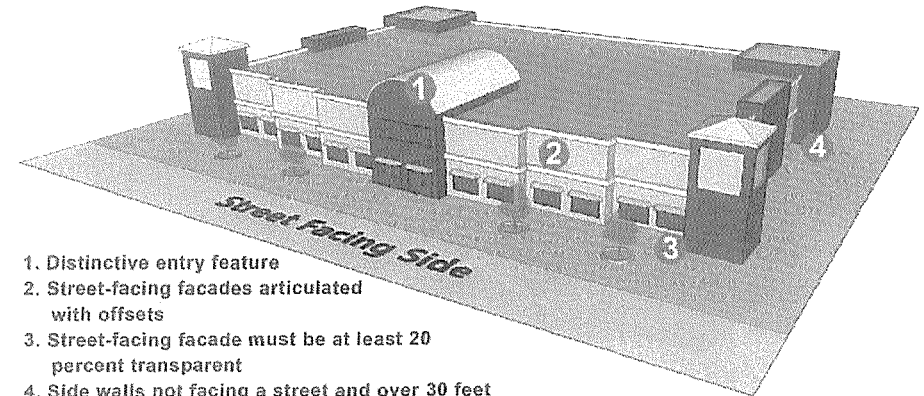
Section 27-5.900: Nonresidential and Mixed-Use Form and Design Standards, is a new section that establishes form and design standards that apply to nonresidential (including large retail buildings) and mixed-use development. Where there are distinctions in standards that need to be made between areas inside and outside the Capital Beltway, those distinctions are made in the regulations. The standards address the following:

- Building orientation (for both single and multi-building development);
- Outparcel development;
- Façade articulation; and
- Façade materials.

There are also additional standards established for large retail buildings (single-tenant buildings that have a gross floor area of 75,000 square feet or more and devote 60 percent or more of the total floor area to retail sales activities) that address:

- Building entrances
- Roofs
- Façades and massing
- Off-street parking location
- Fenestration/transparency
- Loading, service, and equipment areas
- Off-street parking location

Large Retail Building Entrances and Massing



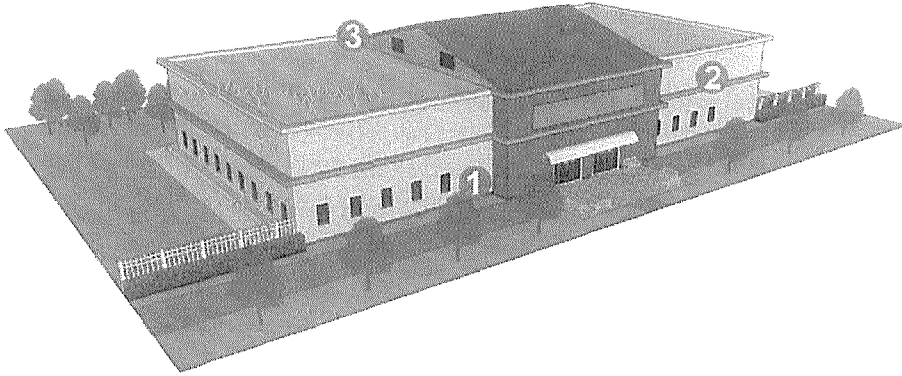
1. Distinctive entry feature
2. Street-facing facades articulated with offsets
3. Street-facing facade must be at least 20 percent transparent
4. Side walls not facing a street and over 30 feet long shall be articulated

Section 27-5.1000: Industrial Form and Design Standards

Section 27-5.1000: Industrial Form and Design Standards, is a new section that establishes some basic form and design standards for industrial development that address the following:

- Building orientation (for both single and multi-building development);
- Entrances;
- Façade articulation;
- Building façade materials; and
- Roofline variation;
- Off-street parking location.

Example of Façade Articulation for Industrial Building



1. Façades greater than 100 feet shall be articulated with wall offsets (e.g., projections or recesses in the façade plane), changes in façade color or material, or similar features at least every 60 feet.
2. Each façade greater than 30 feet in height shall incorporate a change in the wall surface plane or in façade color or material.
3. The façade shall include variations in roof planes and/or in the height of a parapet wall at least every 100 feet.

Section 27-5.1100: Neighborhood Compatibility Standards

Section 27-5.1100: Neighborhood Compatibility Standards, is a new section that establishes standards that would apply to multifamily, townhouse, live/work, nonresidential, and mixed-use development when located on land adjacent to, or across a street or alley from, existing single-family detached or two-family dwellings, or vacant lands in the RE, RR, SFR-4.6, and SFR-6.7 single-family residential zones.

The purpose of the section is to establish minimum standards to protect the character of the County's single-family neighborhoods. To accomplish this goal, the standards place limitations on:

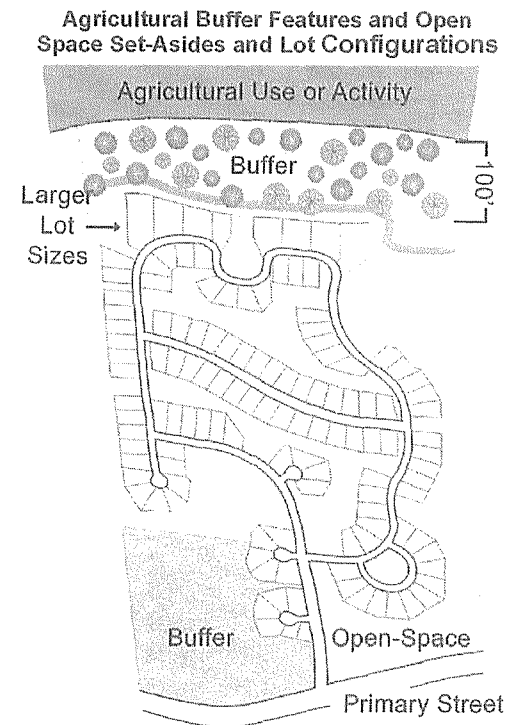
- Building height
- Setbacks
- Building orientation
- Buffers
- Location of open space set-asides
- Exterior lighting

- Building design (including roof treatment)
- Building materials
- Parking location
- Loading area location
- Signage
- Location of outdoor dining and drive-throughs
- Hours of operation

Section 27-5.1200: Agricultural Compatibility Standards

Section 27-5.1200: Agricultural Compatibility Standards, is a new section that establishes standards for new residential and nonresidential development (except conservation subdivisions) when located adjacent to an on-going agricultural use or activity in the AL and AR zones. The purpose of this section is to protect on-going farm activities from situations where a nuisance could arise when new development occurs on adjacent lands.

These agricultural compatibility standards require new development to provide and maintain a buffer of at least 100 feet along property lines that abut an agricultural use or activity within these two zones. Within the buffer, vegetative screening and other features are required to act as a physical separation and diffuse noise, light, dust, etc.



Fencing is also required to limit access and provide screening.

The standards require any open space set-asides to be located between the agricultural uses or activities and the buildings in the new development. They also require a “feathering” of lot sizes in relation to the agricultural use or activity so that small residential lots in particular will not be located proximate to the agricultural use or activity.

Section 27-5.1300: Signage

Section 27-5.1300: Signage, consolidates, refines, and modernizes signage standards in Part 12 of the current Zoning Ordinance. It generally requires a sign permit when a sign is erected, installed, constructed, altered, or moved. It also identifies signs that do not require a permit (so long as they conform to the standards) and signs that are exempt from the standards.

General standards address illumination and include a new set of standards for digital displays. Standards for building wall or roof signs (including projecting signs), canopy signs, and freestanding signs are simplified and consolidated into a table. Those standards regulate the location, number, height, area, and other attributes of signage within the various zones established in Module 1.

Standards for special purpose signs are carried forward, organized, and formatted for consistency and ease of use. Standards for temporary signs are also carried forward and consolidated into their own subsection.

A final provision allows for the approval of an alternative sign plan where site or development conditions make strict compliance with the sign standards impossible or impractical.

Table 27-5.1306: Standards for Specific Sign Types

Sign Attribute	Zones				
	Rural and Agricultural Zones and Residential Base and PD Zones	IE and IE-PD Zones	NC Zone	SC, GCO, and HI Base Zones	Transit-Oriented/Activity Center Base and PD Zones and MU-PD Zone
Height (maximum)	N/A for any residential use. For all other uses, 12 ft. above roofline or parapet wall, whichever is higher ²⁶³	Lowest point of roof of building ²⁶³	Lowest point of roof of building ²⁶³	N/A for any residential use. For all other uses, 12 ft. above roofline or parapet wall, whichever is higher ²⁶²	Lowest point of roof of building ²⁶³
Height (maximum) of Sign (from base to top)	N/A	18 inches ²⁶⁴	N/A	N/A	N/A
Area (maximum) [1], [2]	N/A for any residential use. For all other uses, one sq. ft. for each two linear ft. along front of building ²⁶⁵	1.50 sq. ft. for each linear ft. of building facing street, to a max. of 80 square feet ²⁶⁶	One sq. ft. for each two linear ft. along front of building ²⁶⁷	N/A for residential uses. One story or single-use building: Two sq. ft. per linear ft. along front of building. ²⁶⁸ Two or three story building: Three sq. ft. per linear ft. along	One sq. ft. for each two linear ft. along front of building. ²⁷²

Section 27-5-1400: Green Building Standards

Section 27-5-1400: Green Building Standards, is a new section that establishes green building standards, or requirements, with which new development and redevelopment of a certain size must comply. The section should be read in conjunction with Section 27-5.1500: Green Building Incentives, which provides incentives for applicants to integrate green building features in their development above and beyond the minimum requirements in this section.

In order to provide the applicant options and some flexibility in complying with the requirements of the section, a point system is established, and the applicant is required to earn a certain number of points, depending on the type and size of the development. The provisions allow the applicant to choose how they will gain the required number of points by choosing from a menu list of green building feature options. The points awarded for different types of green building features are based on their difficulty and expense to include in a development.

We see this draft as a starting point for community discussion on these provisions, and welcome any suggestions for revisions and input from all members of the community. It is also important to note that the menu option has been set up so that it can be easily amended over time by the County, as new green building technologies emerge and community values change.

Table 27-5.1404.B: Green Building Point System	
	Points Earned
of the dwelling.	
Provide skylights in an amount necessary to ensure natural lighting is provided to at least 15 percent of the habitable rooms in the structure	0.50
Use central air conditioners that are Energy Star qualified	0.50
Use only solar or tank-less water heating systems throughout the structure	0.50
Alternative Energy	
Generate or acquire a minimum of 50 percent of the electricity needed by the development from alternative energy sources (e.g., solar, wind, geothermal)	2.00
Generate or acquire a minimum of 25 percent of the electricity needed by the development from alternative energy sources (e.g., solar, wind, geothermal)	1.00
Pre-wire a minimum of 75 percent of residential dwelling units in the development for solar panels	1.00
Pre-wire a minimum of 50 percent of residential dwelling units in the development for solar panels	0.50
Pre-wire a minimum of 25 percent of residential dwelling units for solar panels	0.25
Install solar panels on a minimum of 25 percent of dwelling units contained in single-family, two-family, or townhouse dwellings	0.50
Install solar panels on primary structure, or at least 50 percent of buildings in a multi-building complex	0.75
Install small-scale wind energy conversion systems to provide electricity for 25 percent of single-family, two-family, or townhouse dwellings in development	1.00
Passive Solar	
Orient a minimum of 50 percent of the single-family detached dwellings or lots in the development within 20 percent of the east-west axis for maximum passive solar exposure	1.50
Orient a minimum of 25 percent of the single-family detached dwellings or lots in the development within 20 percent of east-west for maximum passive solar exposure	0.75
Orient at least 25 percent of the non-residential buildings with an axis oriented east-west for maximum solar exposure	1.00
Water Conservation and Water Quality	
Install a green vegetated roof on the primary structure, or on at least 50 percent of primary buildings in a multi-building complex – green or vegetated roofs shall include vegetation on at least 50 percent of the roof area (25 percent for renovated buildings) and shall use only plant materials permitted	2.00

Section 27-5.1500: Green Building Incentives

Section 27-5.1500: Green Building Incentives, is a new section that establishes incentives for green building features. The incentives are only provided if green building features are integrated into a development in addition to those required in Section 27-5.1400: Green Building Standards. Integration of additional green building features is voluntary on the part of the applicant, and can be proposed within the Transit-Oriented/Activity Center and Nonresidential base zones. The incentives provided are: increased residential density (for residential development); increased building height or stories (for nonresidential development); increased lot coverage (for nonresidential development); and off-street parking reductions (for residential and nonresidential development). Applicants may request one or more of the listed incentives through the provision of an array of different green building features set out in a menu in this section. This framework provides an open-ended approach that allows the County to modify and add to the provisions over time.

Division 27-8: Interpretation and Definitions

Division 27-8: Interpretation and Definitions consolidates all definitions and rules of measurement in one place in the Zoning Ordinance. It is organized into sections addressing:

- General rules for interpretation;
- Measurements, exceptions, and variations of intensity and dimensional standards;
- Use classifications and use definitions; and
- All other definitions

The first three sections in this division were drafted as a part of Module 1. Applicable definitions were also included in Section 27-8.400, Terms and Uses Defined. Module 2 adds definitions in Section 27-8.400, Terms and Uses Defined, that are relevant to Module 2.

Section 27-8.100, General Rules for Interpretation, addresses general issues related to interpretation of Zoning Ordinance language, like how time is computed; the meaning of standard terms such as “shall,” “should,” “will,” and “may;” the use of plural and singular nouns, and other general issues that arise in interpreting and administering the Zoning Ordinance.

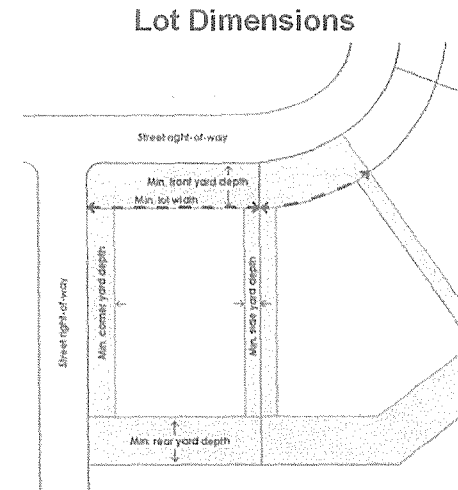
Section 27-8.200, Measurement, Exceptions, and Variations of Intensity and Dimensional Standards, consolidates in one location the rules for measurements. Graphics are used in this section to assist in the explanation of the different rules of measurement.

Section 27-8.300, Use Classifications and Interpretations, locates in one place all the descriptions of the characteristics and functions of each Use Category in the Principal Use Tables (found in Section 27-4.200, Principal Uses), as well as a definition for each use.

Division 27-8: Definitions

- **Section 27-8.100** General Rules for Interpretation
- **Section 27-8.200** Measurement, Exceptions, and Variations of Intensity and Dimensional Standards
- **Section 27-8.300** Use Classifications and Interpretation
- **Section 27-8.400** Terms and Uses Defined

Section 27-8.400, Terms and Uses Defined, includes in one place all other definitions. The definitions included in the Module 2 draft are definitions relevant to both Module 1 and Module 2. Definitions relevant to Module 3 will be added as the final module (Module 3) is drafted.



Subtitle 24: Subdivision Regulations

Section 24-3.500: Public Facility Adequacy

Section 24-6.200: Definitions

Subtitle 24: Subdivision Regulations

Section 24-3.500: Public Facility Adequacy

Section 24-3.500, Public Facility Adequacy, carries forward, with revisions, the current adequate public facility standards (APF standards) found in Secs. 24-122.01-02, 24-124, and 24-124.01 of the current Subdivision Regulations. The APF standards establish requirements that specific public facilities be available (or planned and funded) to accommodate proposed development, based on established level of service standards (LOS standards) for the specific public facility. The public facilities subject to the APF standards in the current Subdivision Regulations are carried forward, except for fire and rescue facilities.¹ They include: transportation, water, sewerage, police, parks and recreation, and schools.

One of the changes made in the rewritten APF standards is that the procedure for the review for compliance with the APF standards is consolidated into one Subsection (Section 24-3.503 B, Review Procedure for Certificate of Adequacy or Conditional Certificate of Adequacy). Applicants subject to the provisions are required to receive approval of a Certificate of Adequacy or Conditional Certificate of Adequacy prior to receipt of:

- A preliminary plan for subdivision;
- Under certain circumstances:
 - A final plat (when the preliminary plan for subdivision was approved prior to the adoption of the rewritten Subdivision Regulations, and limited development has occurred);² or

1 APF standards for fire and rescue facilities are not carried forward in the Section, because of the difficulty of establishing a good metric to measure adequate public facilities for fire and rescue facilities, and the fact that the availability of fire and rescue facilities can be evaluated as part of other parts of development review for a project.

2 This requirement is added to address situations where projects have been approved and reviewed for APF years ago but have not developed; they will be required to go through a new APF review at the final plat or building permit stage.

- A building permit (where a Planned Development Basic Plan or site plan was approved 10 years prior to the adoption of the rewritten Subdivision Regulations and limited development has occurred); and
- A rezoning to a nonresidential zone or a center base zone or planned development zone.

Another change is that the decision on the Certificate is made administratively, by the Planning Director. The Planning Director's decision may be appealed to the Planning Board.

Other changes that were made to implement *Plan Prince George's 2035 Approved General Plan (Plan 2035)* and other planning documents (such as *Formula 2040*), and better integrate the APF standards with the County's overall land development approval process and standards include:

- Consolidating the adopted LOS standards into a single table (Table 24-3.502) for a quick, user-friendly reference;
- Under transportation adequacy:
 - Changing the term "road adequacy" in the current Regulations to "transportation adequacy" to emphasize a more multi-modal approach to the transportation LOS standards;
 - Adding provisions for transportation adequacy that allow for "alternative trip capture" that encourage the use and consideration of transit, bicycle, and pedestrian infrastructure and development efficiencies through mixed-use development and transportation adjacency (Sec. 24-3.505.B-E);
 - Exempting development in the RTO and LTO zones from the transportation adequacy standards (Table 24-3.502),

and establishing a LOS standard of “E” in the balance of Transportation Service Area 1, to encourage more efficient and less auto-dependent development patterns; and

- Deleting the Surplus Capacity Reimbursement procedure that is in the current Regulations, since it has rarely been used;
- Linking the water and sewerage LOS to the Sustainable Growth and Agricultural Preservation Act, as shown in *Plan 2035* (Sec. 24-3.506);
- Linking the parks and recreation to *Formula 2040*, with a reduction in the LOS standards for the Transit Oriented/Activity Center zones (Table 24-3.502, 24-3.508.B); and
- Carrying forward the school adequacy standards (Sec. 24-3.509), while deleting the exemption for a preliminary plan for subdivision of fewer than 36 dwelling units that is not served by public water and sewerage systems.

Section 24-6.200, Definitions, will include in one place all other definitions relevant to the Subdivision Regulations. The definitions included in this draft are definitions relevant to the adequate public facility standards. The balance of the definitions will be added upon completion of the other parts of the Subdivision Regulations.

Division 24-6: Definitions

Division 24-6: Definitions, consolidates all definitions and rules of construction in one place in the Subdivision Regulations. It is organized into sections addressing Rules of Construction and Interpretation (Sec. 24-6.100), and Definitions (Sec. 24-6.200).

Section 24-6.100, Rules of Construction and Interpretation, will be drafted with the balance of the Subdivision Regulations. It will address general issues related to interpretation of the Subdivision Regulations language, like how time is computed; the meaning of standard terms such as “shall,” “should,” “will,” and “may;” the use of plural and singular nouns; and other general issues that arise in interpreting and administering the Subdivision Regulations.

