



THE MARYLAND-NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Prince George's County Planning Department
Office of the Planning Director

(301) 952-3588
www.mncppc.org

August 14, 2018

MEMORANDUM

TO: The Prince George's County Planning Board

VIA: Andree Green Checkley, Planning Director, Planning Department *AGC*

FROM: Rana Hightower, Intergovernmental Affairs Coordinator *REH*

SUBJECT: **CB-64-2018**

Purpose: A bill for the purpose of permitting townhouses in the One-Family Detached Residential (R-80) Zone, under certain circumstances.

Recommendation: **Oppose with amendments**

Background: CB-64-2018 amends section 27-441 (Uses Permitted in Residential Zones) by adding an existing footnote in the One-Family Detached Residential (R-80) Zone for "townhouse all others". Footnote 127 permits the use if (A) the proposed use is on a property that has a minimum of eight (8) acres; (B) the property, or a portion of the property is located less than one thousand (1,000) feet from property designated as a regional park operated by The Maryland-National Capital Park and Planning Commission (M-NCPPC) or less than five hundred (500) feet from property designated as a historic site or resource on the National Register; (C) the property has frontage on a roadway with a functional transportation classification of "collector" or higher and (D) a Detailed Site Plan (DSP) is approved. Regulations concerning net lot area, lot coverage, frontage, setbacks, density, landscaping and other requirements or regulations of the R-80 Zone are not applicable. The requirements must be shown on the DSP.

There are approximately nine (9) properties which have eight (8) or more acres, zoned R-80 and are 1,000 feet from a M-NCPPC regional park and has frontage on a roadway classified as a collector. These properties are located in Council Districts 6 and 9. In addition, there are approximately three (3) properties which meet the criteria above but are less than five hundred (500) feet from a historic site or resource on the National Register. These properties are also in Council Districts 6 and 9.

On page 2 under footnote 127 letter (D) the language should be deleted and replaced. The current language effectively waives all requirements and regulations for the R-80 Zone by postponing the determination of development standards until the time of DSP review. This postponement process defeats the entire purpose of zoning by preventing the uniform application of objective development standards to all properties in the R-80 Zone established by the District Council in coordination with its adopted future land use recommendations in master plans. The R-80 Zone is intended for detached development at 4.6 dwelling units per acre.

If development standards are not established until DSP, there is a very strong possibility that a development may exceed the residential land use designation which would conflict with the District Council's approved master plans.

Furthermore, it is within the District Council's authority to establish development standards including density, net lot area, lot coverage, frontage, setbacks and landscaping, not the Planning Board. If this legislation is enacted, the Planning Board will have no zoning regulations to review the Preliminary Plan of Subdivision, including density and lot size. Private streets and alleys are not permitted in the R-80 Zone, except in circumstances listed under Section 24-128 (Private roads and easements.). The District Council should adopt objective development standards based on future land uses outlined in the applicable master plan to guide the Planning Board in its consideration of an application for a DSP that proposes townhouses in the R-80 Zone.

If it is the District Council's intent to permit townhouses in the R-80 Zone, development standards should be added to the bill to ensure uniform application of zoning. The appropriate development standards would be those of the Residential Townhouse (R-T) Zone.

Under letter (D) delete and replace the language. The revised language would read: "The regulations ordinarily applicable to development within the R-80 Zone shall not apply; instead the townhouse developments shall comply with the development standards of the R-T Zone and a DSP shall be approved for the development in accordance with Part 3, Division 9, of this Subtitle." This language adds objective standards for development of townhouses.

Lastly, it should be noted that the newly proposed Zoning Ordinance will reclassify the R-80 Zone to the Residential, Single Family-95 (RSF-95) Zone. Townhouses in the RSF-95 Zone are prohibited. The use is incompatible with the purposes of the R-80 and RSF-95 Zones.

Staff recommends that the Planning vote to oppose CB-64-2018 with amendments.