



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 17, 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 *REN*

SUBJECT: **CB-62-2018**

Purpose: A bill for the purpose of permitting certain industrial and residential uses in the Light Industrial (I-1) Zone, under certain circumstances.

Recommendation: **Oppose**

Background: CB-62-2018 amends Section 27-473 (Uses Permitted in Industrial Zones.) by permitting an "assisted living facility" and a "nursing or care home (may include private spa)" in the Light Industrial (I-1) Zone subject to newly created footnote. The bill also permits a "townhouse" in the I-1 Zone subject to language added to an existing footnote.

Footnote 66 as amended would permit by right a "townhouse" if (A) all or part of the property is located within (i) one-quarter mile from an existing mass transit rail station operated by the Washington Metropolitan Area Transit Authority (WMATA); or (ii) within a designated Community Center Edge in the applicable master plan or sector plan and abuts property zoned Mixed Use-Transportation Oriented (M-X-T); and (B) the use is subject to Detailed Site Plan (DSP) approval in accordance with this Subtitle; (C) the bedroom percentages for multifamily dwellings in Section 27-419 (Bedroom Percentages.) shall not be applicable; and (D) the regulations concerning the height of structures, lot size and coverage, parking and loading, frontage, setbacks, density, landscaping, and other development requirements of the I-1 Zone shall not apply. All such regulations shall be established and shown on the DSP.

Next, the new footnote 68 permits by right an "assisted living facility", and a "nursing or care home (may include a private spa)" if (A) all or part of the property is located within a designated Community Center Edge in the applicable master plan or sector plan and abuts property zoned M-X-T; and (B) a DSP is approved in accordance with this Subtitle. Regulations concerning the height of structures, lot size and coverage, parking and loading, frontage, setbacks, density, landscaping, and other development requirements of the I-1 Zone shall not apply. All such regulations shall be established and shown on the DSP.

Staff has numerous comments and suggestions for consideration. The comments are as follows:

It is believed the bill would constitute a fundamental shift of development focus in the I-1 Zone. The purposes of the I-1 Zone are (A) to attract a variety of labor-intensive light industrial uses; (B) to apply site development standards which will result in an attractive, conventional light industrial environment; (C) to create a distinct light industrial character, setting it apart from both the more intense industrial zones and the high-traffic-generating commercial zones; and (D) to provide for a land use mix which is designed to sustain a light industrial character.

This bill permits by right assisted living facilities, nursing or care homes and townhouses in the I-1 Zone. The proposed language could mean that residential dwellings and care facilities would end up very close to industrial uses. Industrial uses often generate significantly different impacts than residential uses. Without careful consideration of relationships of these uses in an industrial zone it is difficult to mitigate the different impacts.

On page 3 under both footnotes the term "Community Center Edge" should be clarified. There have been numerous "Community Centers" designated in past general, master and sector plans. Identifying potential sites that will be impacted by this bill will require a significant amount of time and effort since there are approximately two thousand (2,000) parcels zoned I-1 in the County.

Under both footnotes of the bill, regulations are developed during DSP review. This process defeats the entire purpose of zoning by preventing the uniform application of objective development standards to all properties in the I-1 Zone. Development standards are established by the District Council in coordination with its adopted future land use recommendations in master plans and sector plans.

If development standards are not established until DSP, there is a strong possibility that a development may conflict with the District Council's approved master plans or sector plans. Furthermore, it is within the District Council's authority to establish development standards including density, and 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 I-1 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 and sector plan to guide the Planning Board in its consideration of an application for a DSP that proposes assisted living facilities, nursing or care homes and townhouses in the I-1 Zone.

Staff recommends the Planning Board vote to oppose CB-62-2018.