

# INTRO

## NEW Zoning Ordinance and Subdivision Regulations for Prince George's County, MD

### Background:

#### About the Zoning Ordinance and Subdivision Regulations Rewrite

On October 23, 2018, the new Zoning Ordinance and Subdivision Regulations for Prince George's County were adopted and are expected to take effect in late 2020.

The Zoning Ordinance and Subdivision Regulations determine where and how land can be developed, which helps shape how communities grow. The new 21st Century zoning code is aligned with Plan Prince George's 2035, the shared vision for the future of our County. Updating the County's development codes was necessary to create regulations that support the County's vision for smart growth, economic development, and improved quality of life. The next step of the process is to comprehensively update the County's Zoning Map, which geographically applies the new laws.



### WHAT IS ZONING?

Zoning is the law that shapes the look and feel of our neighborhoods. It helps determine what uses, or physical activities, can occur on specific pieces of land in a community—like shopping, housing, manufacturing, or agricultural and the height, width, and size of buildings.

Zoning works in two parts:

- **The Zoning Code or the Zoning Ordinance** establishes the written law and regulations that landowners must follow when building on their land and it establishes the procedures the government must follow for notifying or interacting with the public during the development review process.
- **The Zoning Map** places every property in one of the law's land use zones. These zones tell us what can and cannot happen on that property. The zoning map divides real land and legally applies the law to show what is permitted where, and how each property is zoned.

### THE ZONING REWRITE PROCESS

Creating a 21st Century Zoning Ordinance and Subdivision Regulations for Prince George's County is a two-phase process. First the Zoning Ordinance and Subdivision Regulations, or the text of the law, were updated. Now, a comprehensive update to the County's Zoning Map, or Countywide Map Amendment, must take place to geographically apply the new laws to real land in Prince George's County.

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### HOW TO GET INVOLVED

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## Phase 1 Zoning Ordinance Rewrite

In 2014, the Prince George's County Planning Department, working with the Prince George's County Council, launched an effort to comprehensively rewrite the County's Zoning Ordinance and Subdivision Regulations. The project team has held more than 400 (we're still counting!) meetings with community organizations, business owners, residents, and other community stakeholders. The purpose of the Zoning Ordinance Rewrite was to develop land use regulations that modernized the County's zoning code and subdivision laws into more user-friendly documents that are aligned with the County's vision for smart growth, economic development, and improved quality of life for Prince George's County residents. The new Zoning Ordinance and Subdivision Regulations were adopted October 23, 2018, by the Prince George's County Council.

## Phase 2 Countywide Map Amendment

The second step toward creating a 21st Century Zoning Ordinance and Subdivision Regulations for Prince George's County is implementing a Countywide Map Amendment. The Countywide Map Amendment is the process of applying the new zoning categories onto geographic lands in the County. The Prince George's County Council formally initiated this process on July 23, 2019. The Countywide Map Amendment is the last step before the County can begin using its new Zoning Ordinance and Subdivision Regulations.

The Countywide Map Amendment process is expected to take 16 months to complete and will include many opportunities for Prince George's County residents, homeowners, business owners, and property owners to speak with Planning Department staff to learn about the proposed changes.



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# 1 Site Plans, Departures, and Variances: Processes and Administrative Procedures in the New Zoning Ordinance

## The Process for Approving New Development in Prince George's County

Developers propose new buildings, or new subdivisions, on a regular basis. The County and its agencies apply the law to decide whether what is proposed is the appropriate size and design for the neighboring community. Major reviews, such as a detailed site plan, variance or major departure, are conducted by the Planning Board, Zoning Hearing Examiner, or District Council and include public hearings. Development proposals that are smaller in scale, such as a minor departure from the development standards, certification of a nonconforming use, or a minor change to an approved special exception, are often made by County staff. The new Zoning Ordinance proposes some changes to this process and to the public's role in the development review process.



purposes, and written summaries of meetings will not be included in the administrative record. Pre-application neighborhood meetings will be required for major cases including: zoning map amendments, planned development map amendments, special exceptions, detailed site plans, major departures, and validation of permit issued in error.

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### NOTICE TO THE PUBLIC

Neighbors need to know when a new development is proposed in their community. The new code consolidates all of the notification requirements for applications in one table (Table 27-3407(b): Required Public Notice) and includes flowcharts for each application that show what type of public notice is required. While most of the time frames for public notice remain the same as the existing ordinance, informational mailings for departures have been reduced from 30 days to 14 days. Applications for a certificate of nonconforming use require a sign posting 10-days after the application has been determined complete.

### PRE-APPLICATION NEIGHBORHOOD MEETINGS

Pre-application neighborhood meetings are new public engagement opportunities which provide affected communities and proposed applicants the opportunity to meet and discuss comments and concerns about the proposed development prior to an application being filed with the County. Meetings must be held at a time and location convenient to the community. The purpose of these meetings is to give earlier notification to the neighborhood and encourage a dialogue between residents and the developers. The meetings are for informational

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## STREAMLINED PROCEDURES

The new Zoning Ordinance consolidates 67 prior development procedures into 20 procedures by combining duplicative procedures and removing obsolete procedures. This consolidation also makes it easier for the public to understand which procedures will be used for specific development applications. To streamline the process, decisions on small projects will be made at the permit level and by the Planning Director. Larger projects with special circumstances will be determined by the Planning Board, as is the current procedure. Master and sector plans, rezoning applications, legislative amendments, and other decisions will be made only by the District Council. The District Council's ability to elect to review, on its own motion, any decision appealable to the Council (such as a detailed site plan or special exception) will continue. Table Sec. 27-3200: Summary of Development Review Responsibilities in the new Zoning Ordinance provides a detailed account of which government agencies are responsible for commenting or deciding on a particular application type.

## DETAILED SITE PLANS

Site plans are drawings that explain how buildings, roads, parking, landscaping, and many other features will be laid out in the development. The new Zoning Ordinance eliminates the redundant conceptual site plan process and eliminates most of use-specific detailed site plans in favor of one detailed site plan process for applications that exceed identified sizes and thresholds. Detailed site plan review is now required and reviewed based on the size, scale, and potential impact of the proposed development application, rather than the specific use type. Detailed site plans would be required for any application for 10 or more residential dwelling units, 25,000 square feet or more of nonresidential development, or for mixed-use development with 10 or



more residential dwellings and 10,000 square feet or more of nonresidential development. Projects smaller than the minimum detailed site plan thresholds are exempt from the detailed site plan review process and would be reviewed through the permitting process.

## DEPARTURES AND VARIANCES

Sometimes a developer (or a homeowner) needs an adjustment to the rules. For example, the law requires a shopping center to have 100 parking spaces, but the developer wants to forgo five spaces to save a beautiful old oak tree. The variance and departure process allows adaptations to a project's conformance with the development standards. The variance procedure is similar in many ways to the current provisions, but there are restrictions on applying for variances for new development applications in some zones. The departure procedure is refined to clarify the maximum extent to which the Planning Director or the Planning Board can approve a departure from the design standard. The Planning Director is generally authorized to grant departures up to 30 percent and the Planning Board is permitted to grant departures for up to 50 percent.

## ABOUT THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS REWRITE

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## The New Zones of Prince George's County: Changes to the Zone Classifications

### Looking at Zones (Also Known as Zoning Districts)

All land in the County is placed in a zone, and that zone determines what can be built on the land (the allowed uses), the location of buildings on the lot, building height, and the look and feel of the development permitted. The existing code has 73 different zones; the new code will have 43 zones. Some zones are changing very little, while others will see significant changes. Some zones are being eliminated and several new zones are being created.



be renamed RSF-65 since it requires lot sizes to be a minimum of 65,000 square feet.

### THE TOWNHOUSE ZONE

Replacing the County's inconsistent approach to townhouses, the new code creates a new townhouse zone: RSF-A (Residential, Single-Family Attached). Attached single-family homes, townhomes, duplexes, and triplexes would be permitted in these zones.

### MULTIFAMILY RESIDENTIAL (RMF) ZONES

There will be three multifamily zones for apartments and condominiums, with different levels of density: RMF-12, RMF-20, and RMF-48. The number refers to the maximum number of units allowed per acre. These zones

### AGRICULTURAL AND OPEN SPACE ZONES

The new Zoning Ordinance promotes the County's agricultural legacy by establishing the Rural and Agricultural Base Zones, which are zones designated specifically for agricultural purposes. The County currently has three of these zones (R-O-S, O-S, and R-A) in the residential zone category, and they will continue, but with new names. The zones will be renamed ROS (Reserved Open Space), AG (Agriculture and Preservation Zone), and AR (Agricultural Residential). These zones allow farming and homes on very large lots and public preservation areas. These zones are not changing much, although the definition of "farming" has expanded.

### DETACHED SINGLE-FAMILY RESIDENTIAL (RSF) ZONES

Nearly 35 percent of zoning in the County is composed of zoning for single-family homes. Our single-family neighborhoods range from traditional single-family suburban communities to more rural estate neighborhoods. The County currently has four of these zones today (R-E, R-R, R-80, and R-55). The existing detached single-family residential zones allow homes on smaller lots, ranging from 1 acre in the R-E Zone to about 1/5th acre in the R-55 Zone. The single-family residential zones aren't changing very much but the zone names will be updated. The existing R-E Zone will be renamed to RE and the existing R-R Zone to RR. The R-80 Zone will be renamed to RSF-95 because the minimum lot size is 95,000 square feet. The R-55 Zone will

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consolidate nine existing multifamily zones, some of which are hardly ever used. One big change: community-serving retail and services (for example, a grocery store) will now be allowed in multifamily zones. This change better meets residents' needs and allows for an easier transition for blighted or vacant properties.

## COMMERCIAL ZONES

Here is where the big changes begin. Existing zones are being consolidated to eliminate redundancy and allow more uses in the same zones. Offices, retail, health care, and apartments will coexist. Instead of regulating uses, these zones have density and design standards to control the look and feel of commercial areas. The least dense commercial zone is the CN (Commercial, Neighborhood). The CS (Commercial, Service) is denser and the CGO (Commercial, General and Office) is the most intense.

## EMPLOYMENT AND INDUSTRIAL ZONES

The Industrial/Employment (IE) Zone combines current light industrial and employment zones to allow for warehouses, research and development, and light manufacturing. The County's current I-2 Zone for heavy manufacturing and other truly industrial activities is carried forward with little change, and is renamed IH (Industrial, Heavy).

## TRANSIT-ORIENTED AND ACTIVITY CENTER ZONES

This is probably the biggest change in the new code. An entirely new set of zones is created to support mixed-use, pedestrian-friendly development around transit stations (think College Park, Capitol Heights, or Downtown Largo) and in nontransit centers (think National Harbor). These zones acknowledge that the County is no longer exclusively suburban. Five new zones are created, ranging from Neighborhood Activity Center (the least dense) to Regional Transit-Oriented, High-Intensity (the most dense). They allow a very broad range of uses—but development must be designed to be attractive, pedestrian-friendly, and amenity-rich.

## PLANNED DEVELOPMENT (PD) ZONES

When increased flexibility in design and density is desired, Planned Development Zones provide alternatives to the Residential, Nonresidential, and Transit-Oriented/Activity Center Base Zones. This comes with the expectation that the development quality will surpass what is achievable in the comparable base zone. A planned development application must be approved through a rezoning and would be subject to a public review process.

## LEGACY ZONES

There are four Legacy Zones that provide for smooth transitions between obsolete zones and the new Zoning Ordinance. Legacy zones preserve regulations and procedures for specific properties within the County that developed under a different set of rules than exist today. No property in the County can be rezoned as one of these legacy zones after the approval of the Countywide Map Amendment (expected late 2020). The legacy zones include the current Planned Mobile Home Community Zone, a Legacy Comprehensive Design (LCD) Zone to provide a new base zone for the 11 current Comprehensive Design Zones, a Legacy Mixed-Use Community (LMXC) Zone, and a Legacy Mixed-Use Town Center (LMUTC) Zone.

## OVERLAY ZONES

Overlay Zones in Prince George's County consist of two types: policy area and other. Policy area overlay zones reinforce County or state policies concerning the Chesapeake Bay and the health, safety, and welfare of residents close to general aviation airports and Joint Base Andrews. They are more restrictive in parts of the County than the underlying zones in order to preserve and restore environmental features and water quality or to minimize noise and safety hazards. Another overlay zone is intended to help achieve unique or highly specialized County policies that the underlying zones are ill-suited to implement: the Neighborhood Conservation Overlay Zone (NCOZ).

## ZONES THAT ARE DISCONTINUED

The transit-oriented/activity center zones and design regulations of the new Zoning Ordinance will replace mixed-use zones and design regulations of the old Zoning Ordinance, that have become very difficult to administer: the Transit District Overlay (T-D-O) and Development District Overlay (D-D-O) Zones and two mixed-use zones (M-X-T and M-U-I). These zones, well-intentioned when first created, no longer represent best practices and have not gotten us the development we want.

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# 3 Uses and Use Categories in the New Zoning Ordinance

## Uses (Activities and Operations) Allowed in Each Zoning District

All land in the County is placed in a zone, and that zone determines what uses are allowed. Today's Zoning Ordinance has more than 1,100 uses; the approved ordinance reduces the number of uses to approximately 250. The current Zoning Ordinance includes seven permitted use tables for residential, commercial, industrial, comprehensive design, and mixed-use zones. In addition, nearly all of the County's 18 development district and transit district overlay zones contain separate, modified permitted use tables. The new Zoning Ordinance greatly simplifies the use tables, reduces the total number of uses, and adds a more logical format.



Commercial). The second tier, Use Categories, represents major subgroups of the use classifications that have common functional product, or physical characteristics (e.g. Retail Sales). The third tier is Use Type. The Use Type identifies specific principal land uses whose characteristics are considered to fall within the various use categories (e.g. Consumer Goods Establishment).

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### WHAT IS A USE? WHAT IS A USE TABLE?

Generally, a use is an activity, occupation, business, or operation occurring in a building or on a parcel of land within a specific zoning district. It is very important to understand that uses do not address the form of the buildings or the design quality of a neighborhood. Uses are controlled by the zoning of the property. One of the easiest and most user-friendly ways to show which uses are permitted on a parcel of land, within a building, or on a structure is to develop a table. This table frequently referred to as a use table, shows which uses are allowed within each zone.

### ORGANIZATION OF USE TABLES

Our current Zoning Ordinance mixes different types of uses into seven use tables in multiple sections of the code, including the zone sections, temporary use sections, and the definitions sections. The new Zoning Ordinance clearly distinguishes between the three major use types –principal uses, accessory uses, and temporary uses—by using separate use tables for each type. Each use-table in the new Zoning Ordinance is organized in a three-tiered hierarchy. This is done to help the reader navigate through the use table. The first tier of the use-table is the Use Classification, which is a general description (e.g.,

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## CONSOLIDATION OF USES

The old Zoning Ordinance has multiple use tables which result in duplicative uses while creating slight variations of the same basic use. Throughout the hundreds of pages of use regulations in the code and the hundreds more in separate documents, there are over 1,100 uses, making it very difficult for the public, and potential County investors, to make sense of the code. The new Zoning Ordinance consolidates duplicated uses, removes obsolete uses, and classifies all the uses into a straightforward organization in one location in the code. The new ordinance reduces the total number of uses to approximately 250. This consolidation recognizes that small differences among similar uses can be broadly grouped together. Broader uses will significantly improve the utility of the ordinance.

## USE-SPECIFIC STANDARDS

The new Zoning Ordinance includes use-specific standards, or additional requirements for a particular use regardless of the zone where it is allowed. Specific standards are proposed to be applied for certain permitted uses, regardless of how that use may be approved (either a detailed site plan or a use and occupancy permit). Use-specific standards are proposed for uses that are classified as principal, accessory, or temporary.



## SPECIAL EXCEPTIONS

A special exception is a use that necessitates certain findings or requirements that must be satisfied through a separate process and approved by the Zoning Hearing Examiner or the County Council before development can begin. The current Zoning Ordinance contains an entire section devoted to special exception criteria and identifies more than 125 special exception uses, with specific additional requirements. The Council retained about 70 current special exceptions uses in the new Zoning Ordinance. The permissions and requirements for these uses are identical to the current ordinance but are appropriately translated to the new zone structure and names. A separate section at the end of Part 5 includes the special exception requirements for these uses.

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# 4 Development Standards— Increasing Design Quality of New Development

## Fifteen Elements Intended to Increase the Design Quality of New Development in the County

These development standards include how new development should be compatible with existing neighborhoods, building form and design standards, parking and connectivity requirements, green building standards, and open space requirements.



### NEIGHBORHOOD COMPATIBILITY STANDARDS

Neighborhood Compatibility Standards are new development standards that are designed to protect the character of existing single-family detached and attached neighborhoods and provide for a smoother transition between single-family properties and higher intensity development. Under the new Zoning Ordinance, applications for new development would have to comply with standards such as regulating building heights and setbacks, the location of trash collection and parking and loading areas, and hours of operation. These standards would apply to new townhouse, multifamily, nonresidential, or mixed-use development when in proximity to existing townhouse, single-family detached dwellings, two-family dwellings, or vacant lands in the Residential Estate (RE); Residential,

Rural (RR); Residential, Single-Family-95 (RSF-95); or Residential, Single-Family-65 (RSF-65) Zones.

### REQUIRED FORM AND DESIGN STANDARDS

Form and design standards help shape the public realm. Mandatory form and design standards for new nonresidential, mixed-use, industrial, and multifamily development will help to improve the County's overall level of design quality, as well as provide a predictable expectation of how new development would impact the surrounding community. Proposed design elements to be regulated include the placement of buildings on a lot, location of off-street parking areas, the shape and massing of buildings, and the percentage of a building that should contain windows and doors. Additional requirements are applied to large retail buildings that are greater than 75,000 square feet.

### MODERNIZED PARKING REQUIREMENTS

Excess parking is costly to build and maintain. In terms of impacts on the environment, it creates unnecessary impervious surfaces that could be reconfigured and used for improved stormwater management or creative public spaces. The new off-street parking and loading development standard modernizes the parking requirements for new development and eliminates minimum parking requirements for most uses in the core areas of the Regional Transit-Oriented (RTO) and Local Transit-Oriented (LTO) Zones, so that more urban areas with greater access to transit would require less parking. Furthermore, smaller parking space sizes are required, and shared parking and off-site parking provisions allow further reductions to total parking lot surface area.

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## **GREATER CONNECTIVITY AND MOBILITY**

The new Zoning Ordinance encourages a multimodal approach to moving both vehicles and people throughout our communities—pedestrians, bicycles, transit, and cars are treated equally. To help accomplish this goal, a street connectivity index has been created to determine how connected a single-family residential development is by calculating the number of blocks and intersections. The street connectivity index helps to determine how many paths a person can take to get to any destination in a development. The result will help improve circulation throughout a community by improving cross-access, creating a more defined street grid, and reducing congestion at access points to main roadways.

## **UPDATED LANDSCAPE MANUAL**

The County's Landscape Manual includes several new and updated landscaping requirements that better address the different development characters within Prince George's County: urban, suburban, and rural. The Landscape Manual includes two new sections of regulations intended to ensure higher-quality landscaping between the streetscape and the area in front of buildings.

## **IMPROVED CYCLIST AND PEDESTRIAN INFRASTRUCTURE**

There are several recommendations meant to help improve the safety and mobility of pedestrians and cyclists throughout the County. These include required bike parking facilities at schools, multifamily housing, and nonresidential properties; mandated construction of sidewalks, bike lanes, and bike paths in new developments; new safe pedestrian accessways through large parking areas; and design standards that will help create more attractive and easier to navigate streetscapes.



## **GREEN BUILDING STANDARDS**

The new green building standards will result in development that promotes healthy lifestyles, reduces greenhouse gas emissions, and protects our natural resources. Implemented through a scoring system, applicants would have to select from a list of green practices to satisfy the minimum point requirement to get an approval or permit for their development. All new development that consists of 10 or more dwelling units or nonresidential space of at least 25,000 square feet would need to comply with these regulations.

## **OPEN SPACE SET-ASIDES**

Open space set-aside standards establish minimum private open space requirements for new residential, nonresidential, and mixed-use development. These requirements can be met by providing natural areas, paths, trails, gardens, squares, plazas, stormwater management facilities designed as amenities, or vegetated walls. Up to 20 percent of the site, depending on the use, would need to be set aside for open space.

## **HEALTH IMPACT ASSESSMENTS**

Prince George's County was one of the first jurisdictions to require large-scale development projects and master plans undergo review by the Prince George's County Health Department to understand the impacts on population and environmental health. The new Zoning Ordinance carries forward this procedure and requires that detailed site plans, the General Plan, functional master plans, area

master plans, and sector plans be referred to the Prince George's County Health Department for review and to provide health-related recommendations.

## **OTHER DEVELOPMENT STANDARDS**

New standards have also been proposed to strengthen noise regulation and ensure compatibility between new development and existing farms. There are also updated standards for signage, fences and walls, and exterior lighting to accommodate new and emerging technologies.

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## How Pending Applications will be Impacted or Transitioned Once the New Zoning Ordinance is Enacted

The new Zoning Ordinance expands the transitional provisions that clarify how to handle pending development applications, approvals, and permits once the new Zoning Ordinance takes effect. Generally, applications submitted and accepted as complete prior to the day the new codes take effect will be processed under the codes that were in place at the time of submission of the application. Simply, if an application was accepted, or a development application or permit was approved, prior to the effective date of the new Zoning Ordinance, the application will be processed to conform to all requirements of the old ordinance.



### THE EFFECTIVE DATE OF THE NEW ZONING ORDINANCE

The new Zoning Ordinance cannot be made effective until a Countywide Map Amendment (CMA) is approved. It is likely that the new Zoning Ordinance will be made effective the same day that the CMA is approved by the Prince George's County Council. The CMA is expected to be adopted in November 2020 with the new ordinance taking effect immediately after adoption.

### REVIEW PROCEDURES FOR DEVELOPMENT APPLICATIONS ACCEPTED PRIOR TO THE EFFECTIVE DATE OF THE NEW ORDINANCE

Any development application that is filed and accepted prior to the effective date of the new ordinance may be reviewed and decided according to the requirements of the existing Zoning Ordinance. Additionally, the review must also conform with the timeframes that have been established by the old ordinance. Applicants have the option of choosing if they would like their proposal to be reviewed under the requirements of the new Zoning Ordinance.

### VALIDITY THRESHOLDS OF DEVELOPMENT APPLICATIONS ACCEPTED OR APPROVED PRIOR TO THE EFFECTIVE DATE OF THE NEW ORDINANCE

Most development entitlements and applications (for applications prior to the effective date of the new Zoning Ordinance) will keep the same validity timeframes that are currently present in the old ordinance. Applicants of these projects can apply for the same timeframe extensions that are available in the old Zoning Ordinance. However, approvals for conceptual site plans (CSP), special permits, comprehensive sketch plans,

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or comprehensive design plan (CDP), will remain valid for twenty years whereas today's process permits these to be valid indefinitely.

**DEVELOPMENT APPROVALS IN LEGACY ZONES**

Property in the Legacy Comprehensive Design (LCD) Zone and Legacy Mixed-Use Community (LMXC) Zone will be able to proceed to develop in accordance with the standards and procedures of the Zoning Ordinance in existence prior to the effective date of the new ordinance, subject to the terms and conditions of the development approvals which it has received. Properties in the Legacy Mixed-Use Town Center (LMUTC) Zone will be able to proceed with development in accordance with the guidelines, standards, and procedures of the specific Mixed-Use Town Center Development Plan in which the property is located as may be modified by the new Zoning Ordinance. Additionally, the design review committees will also remain active. If a building permit that was authorized by an approved special exception and was issued prior to October 16, 1975,

the development may continue, and new development may proceed in accordance with that special exception approval.

**ABOUT THE ZONING ORDINANCE AND SUBDIVISION REGULATIONS REWRITE**

On October 23, 2018, the Prince George's County Council adopted a new Zoning Ordinance and Subdivision Regulations, completing a four-year journey to update the County's land use regulations. The Zoning Ordinance and Subdivision Regulations determine where and how land can be developed, helping shape how communities grow. The new 21st Century zoning code is aligned with Plan Prince George's 2035, the shared vision for the future of our County. Updating the County's development codes was necessary to create regulations that support the County's vision for smart growth, economic development, and improved quality of life. The next step of the process is to comprehensively update the County's Zoning Map, which geographically applies the new laws to the County.



**HOW TO GET INVOLVED**

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# 6

## Countywide Map Amendment

### Mapping the New Zoning Ordinance for Prince George's County

On July 23, 2019, the Prince George's County Council authorized The Maryland-National Capital Park and Planning Commission (through Council Resolution CR-27-2019) to prepare a comprehensive update to the County's zoning map or Countywide Map Amendment (CMA) to implement the zones contained in a new Zoning Ordinance for the County adopted by the Council through Council Bill CB-13-2018 on October 23, 2018. The CMA is the second phase of the Zoning Ordinance Rewrite project and the last integral component for Prince George's County to begin using its new Zoning Ordinance and Subdivision Regulations. The new development codes cannot be used until the new zones are applied to properties throughout the County.



#### WHAT IS THE COUNTYWIDE SECTIONAL MAP AMENDMENT?

The CMA is the second phase of the Zoning Ordinance Rewrite project that will apply the new zones to properties in the County. The CMA covers all of Prince George's County except for the City of Laurel. It will apply the new zoning regulations to land in the County and transition the existing zones to the most similar zones contained in the new Zoning Ordinance.

The CMA is a technical, non-substantive mapping procedure that will replace the current zone on each property in the County with a similar new

zone and ensure zoning conversions are objective, transparent, fair, and consistent. The CMA is NOT an opportunity to make drastic changes, NOT a free-for-all, NOT a substitute for comprehensive planning and zoning, NOT an amendment to Plan 2035. It will also not impact properties that are within the City of Laurel.

The CMA process is expected to take 16 months to complete and will include many options for Prince George's County residents, homeowners, business owners, and property owners to speak with Planning Department staff to learn about the proposed changes.

#### HOW WILL THE COUNTYWIDE MAP AMENDMENT IMPACT ME?

In most circumstances, properties within Prince George's County will only experience very minor changes to their zoning. The most common change to single-family residential zones is that the name of the zone may change. Most requirements of these zones and the uses that are allowed in these zones remain the same as current laws. For example, if you live in a single-family house today, your property is most likely in a single-family zone under current regulations. Your new zone will

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also be a single-family zone under the new regulations. Multifamily, commercial, industrial, and mixed-use properties are likely to experience more changes, most typically to expand flexibility in terms of the types of uses these zones will permit in the future.

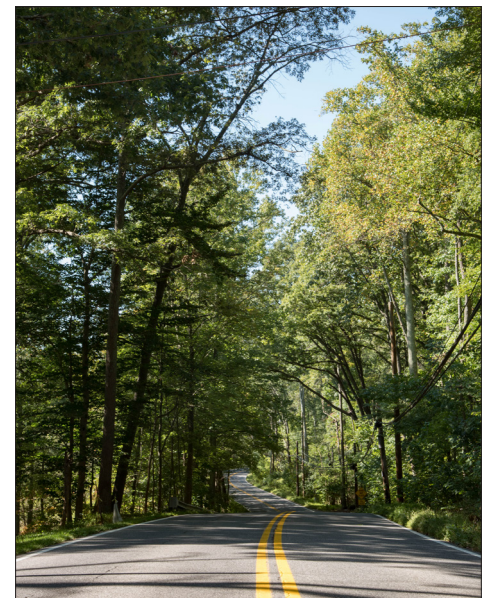
The CMA will not affect the permitting or development review process for most applications that are submitted prior to the effective date of the new Zoning Ordinance (expected to occur in late 2020). Permit applications and most development applications submitted prior to the effective date of the new Zoning Ordinance will continue to adhere to the regulations that are currently in place and processing will continue. Certain rezoning applications filed as a Zoning Map Amendment request will be held if they are still pending at the time the Planning Board transmits its zoning recommendations to the District Council.

## WHERE CAN I FIND...

Planning Department staff developed a comprehensive document titled the New Zoning Ordinance and Subdivision Regulations which highlights the major changes of the new Zoning Ordinance compared to the existing one. In addition, you can also review the Visual Guide to New Zoning Categories which summarizes each of the purposes, dimensional regulations, and proposed uses for each zone category. This information can be found on the project's website at [zoningpgc.pgplanning.com](http://zoningpgc.pgplanning.com).

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Prince George's 2035, the shared vision for the future of our County. Updating the County's development codes was necessary to create regulations that support the County's vision for smart growth, economic development, and improved quality of life. The next step of the process is to comprehensively update the County's Zoning Map, which geographically applies the new laws to the County.

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# 7 Subdivision

### Subdivision Regulations Updated to Better Align with New Zoning Ordinance

Subdivision is the division, by plat or deed, of a piece of property into two or more lots, plots, sites, tracts, parcels, or other land division in accordance with Subtitle 24 of the Prince George's County Code. The Subdivision Regulations are the legal requirements and standards that an applicant must adhere to when dividing land into smaller portions of land. The subdivision process is typically the first step of the development review process and is the phase in which critical public infrastructure issues such as transportation, water and sewer, school adequacy, and emergency services are addressed. In Prince George's County the Subdivision Regulations control private and public street layout, environmental impacts, and public facilities.



### REVISED THRESHOLDS FOR PRELIMINARY PLANS OF SUBDIVISION

The new Subdivision Regulations revise the threshold determining what constitutes a major or minor subdivision. The threshold for minor subdivisions was increased slightly to 10 or fewer dwelling units in general and remains 7 or fewer lots in Sustainable Growth Tier IV. Preliminary Plans of Minor Subdivision are decided by the Planning Director. All other subdivisions are Preliminary Plans of Major Subdivision, and are decided by the Planning Board.

### VALIDITY PERIODS FOR PRELIMINARY PLANS OF SUBDIVISION

Under the existing regulations, Preliminary Plans of Subdivision are valid for two years and, under select circumstances, six years. The validity period for approved Preliminary Plans of Minor Subdivisions has been increased to an initial validity period not to exceed six years. This validity period may be extended by three years by the Planning Director for a total validity not to exceed nine years. The validity period for approved preliminary plans of major subdivision has been increased to an initial validity period not to exceed 12 years. The Planning Board may grant

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two extensions of this validity period, for up to three years each, for a total validity not to exceed 18 years.

## CERTIFICATES OF ADEQUACY

In order to determine if public infrastructure (transportation, schools, police, parks, and emergency services) in a neighborhood has sufficient capacity to support a new development project, an adequacy test is conducted. With today's regulations, development projects that are deemed to have enough available capacity in public infrastructure are determined to meet adequacy. This determination is permanent and does not expire. The updated Subdivision Regulations implement validity periods for adequacy determinations for 12 years with an option to extend the validity for six years upon approval from the Planning Board. If that adequacy determination expires, an applicant will need to retest to meet the public facility adequacy requirements.

## TRANSPORTATION SUBDIVISION STANDARDS

Transportation, pedestrian, bikeway, and circulation standards include updates such as requiring conformance to new Section 27-6200 (Roadway Access, Mobility, and Circulation) for road connections and roadway, pedestrian, and bicycle circulation. Exemptions from requiring public streets are updated and clarified (these exemptions allow privately owned and maintained streets under certain circumstances). The current requirement for 10-foot-wide public utility easements (PUE) on both sides of all streets has been reduced to a single PUE for all roads (public or private).

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### UTILITY EASEMENT

The new Zoning Ordinance defines a Public Utility Easement as an easement that grants the right to install and maintain utilities including, but not limited to, water lines, sewer lines, storm sewer lines, electrical power lines, telephone lines, natural gas lines, and community antenna television systems. The current requirement for 10-foot-wide public utility easements (PUE) on both sides of all streets has been reduced to a single PUE for all roads (public or private). For redevelopment and revitalization projects, the PUE may be reduced by the Planning Director for good cause, after consideration of any adverse impacts. The PUE shall be located outside the sidewalk, where a sidewalk is constructed or Subtitle 24: Subdivision Regulations or Subtitle 27: Zoning Ordinance require a sidewalk, and shall be contiguous to the right-of-way.

### MANDATORY REFERRAL

Many public facilities uses and structures will continue to be reviewed under the Mandatory Referral process. Mandatory Referral is a review process through which public sector development projects (from federal, state, and local governments) and public and private utilities are referred to the Planning Board for review and recommendation. Federal, state, and local governments including municipalities, and public and private utilities are required to submit proposed projects for a Mandatory Referral review and recommendation in accordance with Sections 20-301 to 20-305 of the *Maryland Land Use Article*. Such Mandatory Referral review shall follow the Planning Department's *Adopted Uniform Standards for Mandatory Referral Review*.

### USE PERMISSIONS FOR UTILITY USES

Utility buildings and structures are categorized as Utility Uses in the new Zoning Ordinance Use tables. Utility uses include *solar energy systems, large-scale; wind energy conversion system, large-scale; and public utility uses, large and small scale*. Public utility uses and structures, major are permitted with

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the approval of a special exception in all Rural and Agricultural and Residential Zones and in the following zones:

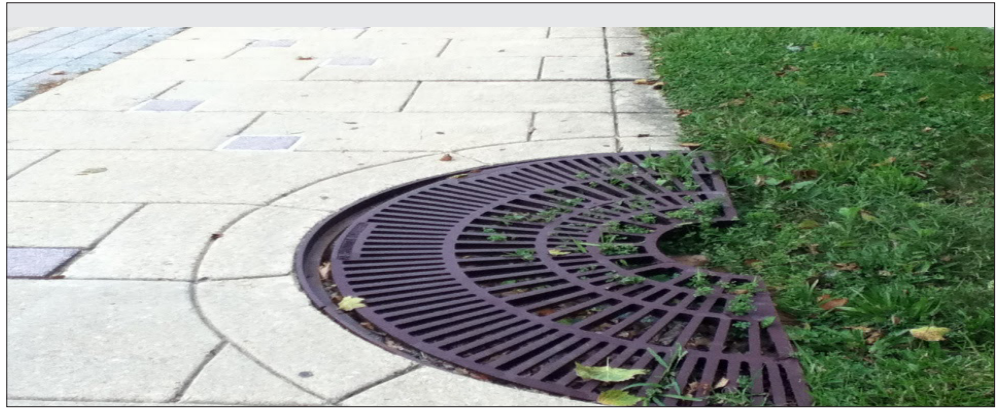
- Commercial, General Office (CGO)
- Industrial-Employment (IE)
- Town Activity Center (TAC)
- Local Transit-Oriented Edge (LTO-E)
- Regional Transit-Oriented Low Edge (RTO-L E)

This use is also permitted by right in the Commercial, Service (CS) and Industrial, Heavy (IH) zones. It is prohibited in all other zones.

Public utility uses or structures, minor are permitted in all zones.

## USE-SPECIFIC STANDARDS AND SPECIAL EXCEPTION STANDARDS

There are several Use-Specific Standards and Special Exception Standards that are applicable for the public utility uses and structures. Use-specific standards are applicable to major public utility uses. Whenever a public utility use is permitted as a Special Exception in any Rural and Agricultural or Residential Zone, or on land proposed to be used for residential purposes in the Residential Mobile Home (RMH) Zone, the use shall (whenever feasible) have the exterior appearance of residential buildings. Overhead lines, poles, radio or television transmitter towers, and other towers shall not be located in airport approach areas, in Rural and Agricultural or Residential zones, or on land proposed to be used for residential purposes on an approved Basic Plan for the LCD Zone or any approved detailed site plan. In addition, telephone, radio, or television transmission towers shall be set back (from the boundary line of the special exception) a distance equal to its height (measured from its base) plus 50 feet.



## SUSTAINABLE PUBLIC UTILITIES

Modern zoning ordinances address the increasing need for the built environment to be less harmful to the natural environment. New green building standards require development to promote healthy lifestyles, reduce greenhouse gas emission, and protect natural resources. Implemented through a scoring system, applicants would select from a list of green practices to satisfy the minimum point requirement and receive an approval. The Green Building Standards encourage the use of alternative energy sources and increased water conservation.

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# Neighborhood Activity Center Planned Development Zone (NAC-PD)

## What is a Planned Development Zone?

Planned Development (PD) zones are new tools in Prince George's County's new Zoning Ordinance, which was adopted by the County Council through CB-13-2018 on October 23, 2018. These zones are "intended to encourage innovative land planning and site design concepts that support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and other County goals and objectives." To place use these zones on a property, the owner must apply and be approved by the District Council. Each of these zones includes locational criteria that limits where they may be applied in the County.

These zones encourage innovation, mixed-use development, interesting and practical design amenities, and improved community services and multimodal transportation alternatives in exchange for increased density and flexibility for developers.



## How Many Planned Development Zones Were Approved?

1. Residential Planned Development (R-PD)
2. Mixed-Use Planned Development (MU-PD)
3. Industrial/Employment Planned Development (IE-PD)
4. Four PD zones targeted to the County's designated growth centers:
  - Neighborhood Activity Center (NAC-PD)
  - Town Activity Center (TAC-PD)
  - Local Transit-Oriented (LTO-PD)
  - Regional Transit-Oriented (RTO-PD)

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## What Kinds of Standards Apply to Planned Development Zones?

PD Zones balance high-quality development with greater flexibility. Instead of a maximum or range of density, the PD Zones establish density minimums. Most other standards that focus on lot area, height, or maximum density are set through the approval of the PD Basic Plan.

The development standards of the adopted Zoning Ordinance are the baseline requirements. An applicant may propose – and the District Council may approve – modifications

to accommodate innovation and the context of the proposed development. Each PD Zone features additional development standards.

In the NAC-PD Zone, the additional development standards focus on creating vibrant and active street spaces, encourage vertical mixed-use development, and foster increased pedestrian and vehicle connectivity.

The minimum required residential density is 10 dwelling units per acre, and the minimum nonresidential floor area ratio is 0.25. Other standards are set by the PD Basic Plan.

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## How Do I Get a Planned Development Zone?

PD Zones may only be approved by the District (County) Council through an application and review process initiated by the property owner/developer. The applicant will meet with the affected community prior to applying. A PD Basic Plan and PD Conditions of Approval will be reviewed with the application by the Planning Board and District Council in separate public hearings, which will be advertised. The Planning Board will make recommendations and may suggest revisions to the PD Basic Plan and PD Conditions of Approval; the District Council makes the final decision regarding approval.

In determining whether to approve a PD Map Amendment application, the District Council will consider the recommendations of applicable plans, the purposes of the proposed PD zone, all applicable standards of the proposed PD zone, and impacts on surrounding properties.



## NAC-PD

### Neighborhood Activity Center Planned Development

Accommodates and promotes high-quality, vibrant, lower- to moderate-density, mixed-use development. Incorporates a well-integrated mix of complementary uses. Well-connected within the development and adjacent communities. Incorporates buildings, open spaces, amenities, and design features intended to foster inviting, walkable, safe, interactive, and human-scale environments.

**Minimum floor area ratio (nonresidential development)\*** 0.25

**Minimum dwelling units per net acre (all dwellings)\*** 10

### Other NAC-PD Points of Note

The NAC-PD Zone is specifically intended, among other purposes, “to accommodate and promote the establishment of high-quality, vibrant, lower- to moderate-density, mixed-use development that fosters economic development, reduces automobile dependency, supports walkable areas, and provides opportunities for alternative modes of travel.” The NAC-PD fosters mixed-use, transit-supportive development; a live, work, shop, and play environment; robust and safe pedestrian, bicycle, and vehicular

connections; integrated open and public spaces; and a range of housing options.

A mix of residential types are required in the NAC-PD Zone: approximately 2/3 of the zone shall be residential at build-out, with a minimum of two residential types (e.g. a multifamily building and townhouses, or two-over-two condominium buildings and live/work dwellings). Each of the two required residential types must account for at least 25 percent of the total dwelling units built on the site. The other 1/3 of the NAC-PD Zone, at build-out, could include an array of shops, services, arts uses, restaurants, offices, and recreation opportunities.