

CB-39-2023 – Planning Board Analysis (Attachment 1)

This bill would amend the Neighborhood Compatibility Standards Table 27-61203(a)(2), Maximum Height in Transitional Areas, to provide new building height standards for development of property within the Central Avenue Corridor in proximity to single-family homes.

The Planning Board has the following comments for consideration by the District Council:

Policy Analysis:

This bill amends the neighborhood compatibility standards Table 27-61203(a)(2), Maximum Height in Transitional Areas, to provide additional height flexibility along a portion of MD 214 and MD 332 for Nonresidential- and Transit-Oriented/Activity Center-zoned properties abutting Residential-zoned properties.

The Planning Board supports the intent of CB-39-2023. When the neighborhood compatibility standards were initially proposed and considered, there were questions from the Council and other stakeholders as to why flexibility was proposed along US 1 but not along other corridors in the County. At the time, US 1 was the only corridor where significant investment had been occurring along a corridor with narrow commercial or mixed-use frontages immediately adjacent to residential zones and it was appropriate to provide flexibility. It was recognized that additional corridors would be granted similar flexibility as market conditions evolved.

The time is now ripe for Central Avenue west of Landover Road. Central Avenue is the heart of the Blue Line Corridor, now the County's top focus for reinvestment, and is on the cusp of realizing new investment and redevelopment that now warrant the same flexibility regarding neighborhood compatibility as US 1.

Technical Amendments:

Two technical amendments are necessary prior to enactment of CB-39-2023:

1. There were questions raised pertaining to the proposed area wherein flexibility is desired along Central Avenue due to the different names MD 214 and MD 332 have west of Addison Road. MD 202 also possesses two names in this vicinity. For full clarity and accuracy, the language for the location where CB-39-2023 proposes additional height flexibility in Table 27-61203(a)(2) should be revised to read:

“Parcels fronting Central Avenue/EAST CAPITOL STREET (MD 214) or Old Central Avenue/CENTRAL AVENUE (MD 332) Between the County's Boundary with the District of Columbia and Landover Road/LARGO ROAD (MD 202)”

2. The underlined terms in the NOTES section of Table 27-61203(a)(2) should have the underlining removed. Legislative convention is that underlined terms are proposed new language; however, the underlining in this part of the table is a consequence of sourcing language from the online Zoning Ordinance, where underlined terms are hyperlinked to pop-up definitions and section references. These terms already exist in the NOTES, and it is not appropriate to retain the underlining suggesting added language in CB-39-2023.

Impacted Property:

This legislation will affect all property fronting MD 214 and MD 332 between Washington, D.C. and MD 202.

Following discussion, the Planning Board voted to support CB-39-2023 with recommended amendments to the bill.