THE PRINCE GEORGE'S COUNTY GOVERNMENT

OFFICE OF THE COUNTY EXECUTIVE

January 6, 2023

Hon. Thomas Dernoga, Chair
Prince George's County Council
1301 McCormick Drive
Largo, Maryland 20774

Re: Zoning Bill Repeals

Chairman Dernoga,

Last month the Council took action to begin repealing several zoning bills that had been approved in previous sessions. I am writing to ask that you reconsider the repeal of specific bills that were meant to support projects in the County slated to bring the kind of jobs, housing and amenities that are critical to our plan for economic growth.

Some of the specific bills from your December 6, 2022 agenda, specifically the repeal of several zoning bills that had been passed in previous Council sessions are of particular concern to me. The Zoning Rewrite (ZR) and the Countywide Map Amendment (CMA) were two of the most important things we have done in the County in recent years. It is a significant body of work with far-reaching impacts, and I think we all understand that the implementation of that body of work will require additional clarification to make sure it works for the type of growth we want to see in the County's future.

Last fall, I supported a group of bills that offered important clarifications to ensure our new zoning code works for the type of projects we want to see in the County, supports a platform for growth on which there is broad agreement, and aligns with our collective efforts to encourage businesses to bring more jobs, housing and amenities to Prince George's County. In each case, we knew of specific projects, ones that had broad support, that needed the clarifications offered by those bills.

Collectively, we put years of work into a new zoning code for the County because it was critically important to provide a new roadmap for the County's future. I firmly believe, however, that our new code must be a living and breathing document that adapts to the things we actually want to get done.

The clarifications offered last fall, and the ones that will undoubtedly be offered in the future, are important and I hope we can work together to ensure we are adjusting in the right moments, and for the right reasons.

For these reasons, I am concerned about several bills that will be before the PHED Committee on Monday, January 9th.

CB-12-2023 - repeals 22 bills dating back to 2018. Based on a review of the Planning Department's records on these bills, they are a mix of things where the Board supported, opposed and took no position. The same is true of the Executive Office. To revisit matters that have been settled destabilizes the environment in which we are inviting businesses to make investments in the County and undermines the confidence any of those businesses might have to make future investments.

CB-13-2023 - repeals CB-69-2022, which was meant to offer an important clarification for projects like the Hampton Park development on Central Avenue in District 6, along the Blue Line Corridor. Hampton Park is planned and being developed as a mixed-use destination to include office space, a hotel, retail, restaurants, recreation amenities and housing. In the ZR/CMA process, its designation was changed from MXT to IE, which does not allow the same types of uses. This means that Hampton Park could build tenant retail spaces today that they cannot then fill with similar tenants in the future if the original tenants vacate the space. For this reason, CB-69-2022 was an important clarification for Hampton Park and projects like it that were in the MXT zone under the old code, and are looking to be in a similar zone so their current investments into the County will last.

CB-14-2023 - repeals CB-77-2022 which was an important clarification to provide access for projects to the Use Tables under which they were planned and developed. I will again offer two important changes that we proposed on CB-77 when it was initially considered and passed – the clarification should offer access to the grandfathered uses only, and for a period of 20 years (the life cycle of a Conceptual Site Plan). I agree that the intent should not be to offer access to the entirety of the old zoning code or even just the old Use Tables indefinitely, but the ability to re-tenant with similar uses – also noted above in the Hampton Park example – is an important clarification. Further, I understand that while the Planning Department has offered an opinion via a department memo that supports the ability of projects to access their old Use Tables for 20 years, this opinion is not codified, which jeopardizes projects' ability to get financing to build out uses that may not be allowed in the future.

CB-15-2023 - repeals CB-78-2022 which was a clarification for properties that were split-zoned as a result of the ZR/CMA process. According to the Planning Department, there are very few properties affected by this, and I know of only one – a shopping center on Route 1 in District 2. Above all the other examples here, I think if we have changes that hurt a small number of property owners who are asking for relief, and that relief does not compromise the County's goals in any way, we owe it to them to respond favorably.

CB-16-2023 - repeals CB-79-2022 which was a clarification for properties that transition to the IE zone after the ZR/CMA process. The lot coverage and green area requirements in the new zone means that owners of properties that were I1 before the change lost as much as 50 percent of the development potential on their properties. Given that these parcels represent an opportunity to expand the County's commercial square footage, this change runs counter to long-stated economic growth goals.

CB-17-2023 – I understand that this bill is largely a response to previous actions concerning the proposed development at Freeway Airport. While I understand some of the concerns raised about the nature of the proposed development, and we do not typically prioritize any special capacity or incentives for non-affordable, single-family and townhouse development outside the beltway and not near transit, I am concerned about the general message this sends to those looking to do business in the County. According to the Planning Department, there was a full community process on this project, and there was a mutually agreed upon technical decision to hold final action on the project until after the CMA was approved. When we have projects moving through approvals, and making investments accordingly, we should not have these kinds of reversals in the 11th hour. As I understand, this "repeal" also takes away this project's opportunity to access the same grandfathering process that is available to all other projects, which makes this an even more onerous change.

CB-18-2023 - repeals CB-97-2022, which was a clarification for projects like the affordable multifamily project being developed by the Harambee Development Group and The Community Builders at the Addison Road Metro Station along the Blue Line Corridor in District 7. The development team needed the clarification to build the project with the amount of density and number of units they were encouraged to plan for by both the Planning Department and the Executive Office. There are at least three similar Blue Line Corridor projects planned at both Capitol Heights and Addison Road metros that need similar relief, including the 210 on the Park project headed by our own Redevelopment Authority. Two of them will offer much needed new retail space along the corridor in addition to multifamily housing, and one will offer affordable senior housing.

I ask that your consideration of these concerns will result in the Council reconsidering the bills noted above.

Sincerely,

Angela Alsobrooks

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County Executive

cc:

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