

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2021 Legislative Session

Reference No.: CB-055-2021

Draft No.: 2

Committee: COMMITTEE OF THE WHOLE

Date: 09/23/2021

Action: FAV(A)

REPORT:

Committee Vote: Favorable as amended, 10-0 (In favor: Council Members Hawkins, Anderson-Walker, Davis, Dernoga, Franklin, Glaros, Harrison, Ivey, Turner and Taveras)

The Committee of the Whole convened on September 23, 2021 to consider CB-55-2021. The Planning, Housing and Economic Development (PHED) Committee Director summarized the purpose of the legislation and informed the Committee of written comments received on referral. As presented on July 13, 2021, CB-55-2021 DR-1 amends certain Zoning Ordinance regulations related to single-family dwelling development in the R-55 Zone on transit-oriented properties.

The Office of Law reviewed CB-55-2021 as it was presented on July 13, 2021 and finds it to be in proper legislative form. The Office of Law defers to the Park and Planning memo dated July 29, 2021 for potential conflicts with zoning.

The Planning Board opposed the legislation as drafted and provided the following analysis by letter dated July 29, 2021 to Council Chair Hawkins:

“CB-55-2021 adds a new category of regulations for one-family detached dwellings entitled “Lot included in a subdivision for property located in whole or part, within one-mile of a transit center” in the One-Family Detached Residential (R-55) Zone. The bill reduces the minimums for net lot area, lot width/frontage, and yard depths for one-family detached lots that fit in this category. It also increases the maximum area of the lot that may be covered by a structure. However, it does not include a corresponding increase in the applicable maximum residential density regulation. These provisions acting together would appear to facilitate the construction of more homes, and possibly larger homes, in some infill locations near transit. The provisions would not, however, allow a greater yield of dwelling units when subdividing a vacant parcel because the maximum residential density of 6.7 homes per acre has not been increased.

The Planning Board understands this legislation is intended to impact seven properties located on Swann Road in Suitland. However, as drafted, the bill would apply Countywide to any R-55-zoned properties wholly or partially, within one mile of a "transit center". While “transit center” is not defined in the bill or Zoning Ordinance, there are 25,867 tax account records associated with 33,643 properties that are wholly or partially located within one mile of a Metrorail station.

In addition, there are 14,142 tax account records associated with 16,336 properties that are wholly or partially located within one mile of a Purple Line station. The bill will create numerous unintended consequences if applied to all these properties.

The legislation may increase the housing supply. The Metropolitan Washington Council of Governments (MWCOG) forecasts that the County's population will increase by 91,400 to 995,900 people by 2045. The same forecasts show that the number of households will increase by 55,600 to 376,800 by 2045. Therefore, to accommodate future population growth, the County will need to look at ways to expand housing types to meet the needs of all residents. *Plan 2035 Prince George's County Approved General Plan* identifies a disconnect between the types of housing being developed in the County and future housing needs. There will be an oversupply of existing one-family detached dwelling units and an under-supply of multifamily dwelling units. Plan 2035 also emphasizes that the demographic profiles of households experiencing the most growth are interested in multifamily dwelling units in transit-accessible areas.

Furthermore, Plan 2035 recognizes the need to provide a range of housing options in walkable transit areas to position the County to attract new talent and employers and ensure the County remains economically competitive in the regional economy. In addition, transit-accessible locations are defined as areas within one half mile of a transit station, with higher densities of residential uses within one fourth mile. The bill's language permitting smaller one-family detached residential lots to be developed one mile from a transit center may advance these goals, although the bill does not allow townhouses or multifamily units.

The Planning Board recommends the term "transit center" be defined or revised to indicate a Metrorail station or Purple Line station. Also, language should be added to designate a specific point of measurement for the one-mile radius, such as the center of a platform. The addition of a definition and point of measurement would specify which properties would qualify under the proposed legislation.

On page 3, the incorrect table is used within the bill. The correct lot coverage and green area table should be added to the bill. In addition, the new category is listed under "Dwellings (including all accessory uses, home occupations)" within the lot coverage and green area table. It should be listed under "One-family detached, in general" which is the proper section within the table for this category.

The bill does not amend the density table and therefore does not alter the number of one-family detached dwelling units that can be built per acre. If the Council's goal is to increase density in R-55 neighborhoods near rail transit, it may wish to alter the maximum density to correspond with the reduced lot sizes within the proposed bill. This would represent a significant policy change for the R-55 Zone.

It is believed that the proposed legislation is intended to facilitate the development of one-family detached dwelling units in the Southern Green Line Station Area Sector Plan. If this is the case, the Planning Board would like to suggest the category language in each of the tables be revised to limit the application of the text amendment to the target properties, by amending the category to read: "Lot, included in a subdivision for property located within the Southern Green Line Station D-D-O Zone, but for which there are no applicable development district standards". This

proposed language is a suggestion to limit the applicability of the proposed legislation to R-55 zoned properties within the Southern Green Line Station Area D-D-O Zone and avoid unintended consequences in other parts of the County. However, additional review of any amendments to the bill would be required to ensure it sufficiently addresses this issue.

If the intention is to allow smaller one-family detached lots Countywide, the Planning Board recommends an additional study of the proposed legislation. As drafted the bill impacts numerous properties in the County.”

The Committee reviewed a Proposed Draft-2 (DR-2) containing amendments requested by the bill sponsor to address Planning Board comments. Proposed DR-2 included revisions to include the correct lot coverage and green area table on page 3, and amended language in the net lot area, lot coverage and green area, lot/width frontage and yards tables as follows:

Lot, included in a subdivision for property located ~~in whole or in part, within 1 mile of a transit center~~ within the Southern Green Line Station D-D-O Zone.

The PHED Committee Director informed the Committee of an additional revision necessary to correct a typographical error in the yards table on page 5 which should read “9/4” instead of “4/9” to reflect the minimum total of both yards/minimum of either yard.

On a motion by Council Member Glaros and second by Council Member Davis, the Committee voted favorable, 10-0, on CB-55-2021 as amended in Proposed DR-2 as well as the additional revision to the yards table.