

## Memo

To: Mayor and Council

From: Jim Chandler, Asst. City Admin & Director, Community & Economic Development  
Taylor Robey, City Planner

CC: Tracey Douglas, City Administrator

Date: September 26, 2022

Re: CB-97-2022

Attachments: CB-97-2022 – Amendment to Sec. 27-4204. Transit-Oriented/Activity Center Base Zones

The purpose of this memorandum is to advise the Mayor and Council regarding CB-97-2022, a Prince George's County legislative bill concerning zoning and land-use regulation of base zones for parcels eligible for expedited transit-oriented development.

### Summary

The Prince George's County Council, sitting as the District Council, have submitted CB-97-2022, an ordinance to repeal and reenact with amendments Section 27-4204 of the Zoning Ordinance of Prince George's County. This legislative item is scheduled for a Committee hearing on Tuesday, October 4, 2022. The ordinance is intended to apply to all Local Transit-Oriented (LTO) parcels of land and would effectively replace all applicable development standards adopted through County Zoning Rewrite and to require the applicant to submit proposed development standards at time of Detailed Site Plan Application. The County's updated zoning ordinance is effective as of April 2022 and provides land-owner to a period of 24-months to utilize the prior Zoning Ordinance for the purpose of land-use and development standards.

The language proposed in CB-97-2022 is as follows and is include as an attachment to this memorandum:

(b) Standards Application to all Transit-Oriented/Activity Center Base Zones

(2) Expedited Transit-Oriented Development Design Standards.

(A) Where there is an existing residential or commercial use that is to be re-developed as a mixed-use development project in accordance with the Expedited Transit Oriented Development Review, Section 27-3619 and is within the LTO Zone, then the redevelopment of the subject property shall be subject to a Detailed Site Plan approval process in accordance with Section 27-3619 of this Subtitle.

(B) The regulations for development in the LTO Zones and Section 27-4204 shall not apply to a property within 2,500 feet of an existing metro rail station. Instead, development regulations concerning density, setbacks, parking, loading, curb-cuts, driveway aisles, building height, landscaping, neighborhood compatibility standards, Floor Area ratio (FAR), and other development standards shall be established with and shown on the approved Detailed Site Plan.

### Staff Analysis

The purposes of the Local Transit-Oriented (LTO) Zone are to provide for moderate-intensity, vibrant, and transit-rich mixed-use centers; to incorporate walkable and bikeable areas that are well-connected to a regional transportation network through a range of transit options; to provide a mix of uses that serve community-wide needs; and to encourage development that is well integrated in terms of complementary uses, access and circulation and compatible design. Exhibits of sample development densities for LTO zones are included in images below:



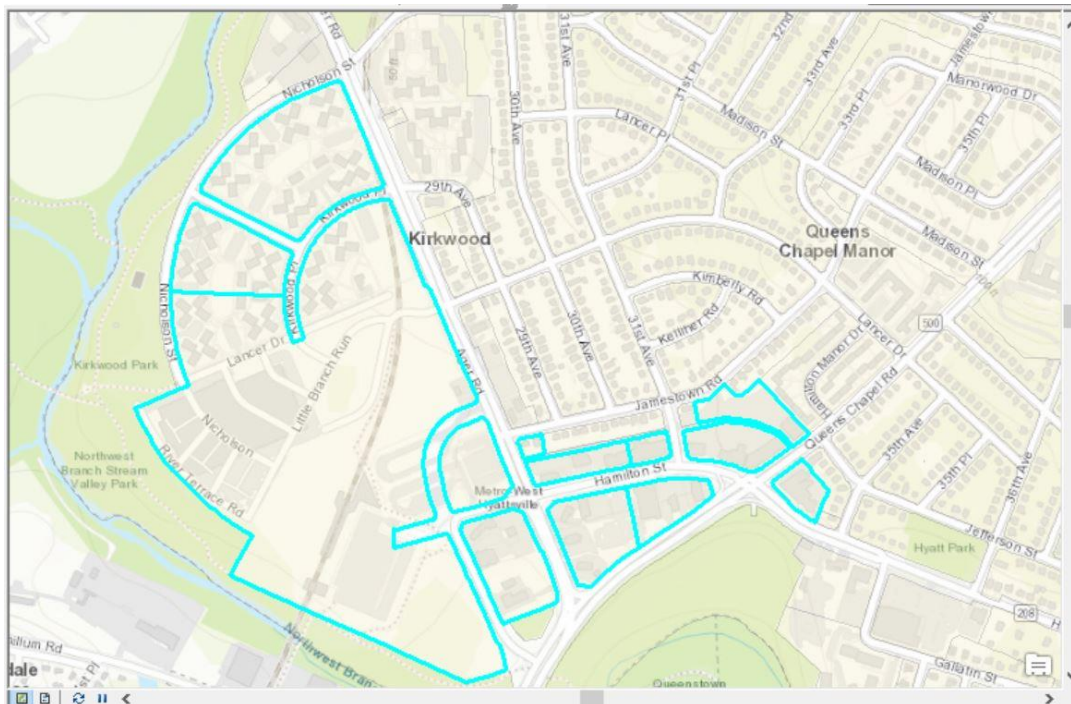
Additional information on the LTO zone and applicable standards are available here: <https://online.encodeplus.com/regs/princegeorgescounty-md/doc-viewer.aspx#secid-636>

The LTO development standards were developed through a comprehensive and transparent public planning process, the purpose of which was to provide certainty to residents, landowners, municipalities and other stakeholders on the predictability of future built-environment. The repeal and replacement of

applicable sections through CB-97-2022 undermines the intent of the LTO zone and diminishes certainty for stakeholders.

Development regulations include factors such as permissible height, density, parking, and neighborhood compatibility and the public deserves both the certainty of these regulations and a reasonable timeframe for review.

The Hyattsville Crossing (formerly Prince George's Plaza) TDOZ is exclusively zoned as Regional Transit Oriented (RTO) zoning, however the majority of commercial properties located within the West Hyattsville/Queens Chapel TDOZ are zoned as LTO and are highlighted in blue in the exhibit below:



It is Staff's opinion that any significant changes to the new Zoning Ordinance is premature, as the new land-use regulations have been in effective for five (5) months. Furthermore, enabling development applications to proceed with an expedited review, with less time for community input, and at the same time eliminate all regulations associated with the zone does not provide for adequate transparency or any reasonable public benefit.

Staff is recommending that the City Council adopt language, which includes the following communication to the Prince George's County Council, sitting as the District Council:

- The City of Hyattsville requests the County Council withdraw CB-97-2022, as the proposed revisions to the County Zoning Ordinance in no way furthers the vision of transit-oriented development and undermines the transparency of redevelopment with Local Transit-Oriented zones;
- If the County Council elects to adopt CB-97-2022, the City requests the Council amend CB-97-2022 to explicitly exempt parcels located within the City of Hyattsville.
- If the County Council's intent is to further specific redevelopment within certain land areas within Prince George's County, it is the City's recommendation that the County Council amend CB-97-2022 to limit the CB-97-2022 to those specific parcels or land-areas.