

# Prince George's County New Mixed-Use Zone

## INITIAL ANALYSIS: Zoning & Design

Technical Advisory Committee Meeting #1

July 18, 2007

# Today's Meeting

- Project Scope, Role of the Committee
- Preliminary Analysis
  - Zoning (Lee Einsweiler)
  - Design (Mary Madden)
  - Discussion
- Placemaking/Urban Form (Geoffrey Ferrell)
  - Discussion

# Project Team

- **Code Studio (Austin TX)**
  - Project lead, zoning, small area plan experts
- **Ferrell Madden Associates (DC)**
  - Urban design and form-based coding experts
- **Rhodeside & Harwell (Alexandria)**
  - Landscape, urban design, facilitation experts

# Project Scope

- **New Mixed Use Zone**
  - Comprehensive approach to county-wide tool
- **Steps:**
  - Analysis of zoning and design issues
  - Discussion of best practices
  - Proposed regulatory approach
  - Legislation drafting
  - Adoption

# Role of the Committee

- **“Technical Advice”**
  - Examples, experience from other communities
- **Sounding Board for Ideas**
  - Is this right for Prince George’s County?
- **Initial Reactions, Guidance on Direction**
  - First reviewers of draft materials

# Fact:

- **The transportation base is already in place in Prince George's County for compact, high-density, walkable, transit-accessible development**
  - Rail Service (Metro)
  - Line Haul Bus Service

# Additional Requirements:

- **Patience !**
- **Willingness to “Just Say No”**
  - **Examples: Arlington, Montgomery Counties have over 20-year history of holding out for quality mixed-use at station areas**

# What is Mixed-Use?

- **At its Best: Vertical Integration**
  - Mixed-Use Building
  - Residential, employment, commerce, open space
- **May Be Acceptable: Horizontal Integration**
  - Mixed-Use Project or Area
  - Mix of uses in adjacent buildings
  - Requires streets/blocks, physical connections, etc.
- **NOT Acceptable: No Integration**
  - Residential areas with no services
  - Employment areas that are “dead” after 5 PM

# Range of Settings

- **Rural Gas Stations = Mixed-Use**
  - Gas, convenience retail, restaurant, video store
  - Location at cross-roads
- **Corridors = Mixed-Use**
  - Gas, convenience retail, restaurant, video store in single-use buildings
- **Urban Metro Station Areas = Mixed-Use**
  - Convenience retail, restaurant and video store
  - Location becomes cross-roads due to transit access

# Implications:

- **Not a Single Tool, but a Toolkit !**
  - Comprehensive approach
  - Streamline, standardize regulations
  - Use controls **PLUS** urban design/form

# Ease of Use

- Primary Availability:
  - Legislative Information Service (web)
  - Separate MS-Word Documents
- Table of Contents = 27 Pages !
- Part, Division, Subdivision, Section

Section	
	Page 1 of 27
	<b>SUBTITLE 27. ZONING.</b>
	<b>PART 1. SCOPE OF ORDINANCE.</b>
<a href="#">27-101</a>	Title.
<a href="#">27-102</a>	Purposes.
<a href="#">27-103</a>	Conflicting ordinances.
<a href="#">27-104</a>	Minimum requirements.
<a href="#">27-105</a>	Territorial application of requirements.
<a href="#">27-106</a>	Severability.
	<b>PART 2. GENERAL.</b>
	<b>DIVISION 1. DEFINITIONS.</b>
<a href="#">27-107</a>	Applicability of definitions.
<a href="#">27-107.01</a>	Definitions.
	<b>DIVISION 2. INTERPRETATIONS AND RULES OF CONSTRUCTION.</b>
<a href="#">27-108</a>	Applicability of interpretations and rules of construction.
<a href="#">27-108.01</a>	Interpretations and rules of construction.
	<b>DIVISION 3. ZONES AND ZONING MAPS.</b>
<a href="#">27-109</a>	Classes of zones.
<a href="#">27-110</a>	Zoning map.
<a href="#">27-111</a>	Boundaries of zones.
<a href="#">27-112</a>	Newly annexed areas.
<a href="#">27-113</a>	Property conveyed by the United States of America or by the State of Maryland.
<a href="#">27-113.01</a>	Conveyance of public land in the R-O-S Zone to another public entity.
<a href="#">27-113.02</a>	Land conveyed by the Prince George's County Housing Authority, the Revenue Authority of Prince George's County, or the Redevelopment Authority of Prince George's County.
<a href="#">27-113.03</a>	Land conveyed to the Maryland-National Capital Park and Planning Commission.
<a href="#">27-113.04</a>	Property conveyed by the State of Maryland for the University of Maryland.
	<b>DIVISION 4. REGULATIONS APPLICABLE IN ALL ZONES.</b>
	<b>SUBDIVISION 1. USES.</b>
<a href="#">27-114</a>	Uses in general.
<a href="#">27-115</a>	Prohibited uses.
<a href="#">27-116</a>	Use of public right-of-way.
	<b>SUBDIVISION 2. HEIGHT.</b>
<a href="#">27-117</a>	Structures excluded from height control.
	<b>SUBDIVISION 3. BUILDINGS AND STRUCTURES.</b>
<a href="#">27-118</a>	Buildings and structures.
<a href="#">27-118.01</a>	Location of buildings.
<a href="#">27-119</a>	Roof structures.
	<b>SUBDIVISION 4. YARDS AND OPEN SPACES.</b>
<a href="#">27-120</a>	In general.
<a href="#">27-120.01</a>	Front Yards of Dwellings.
	<b>SUBDIVISION 5. PUBLIC BUILDINGS AND USES.</b>

# Example 1: Fragmented

- Comprehensive Design Zones
  - Sec. 27-479
  - “Mixed Uses”

Sec. 27-479. Mixed uses.

Uses may be mixed within a total development, or within buildings in the development.

# Example 2: Fragmented

- Use Regulations
  - Part 2. General
    - Division 4. Regulations Applicable in All Zones
    - Subdivision 1. Uses
  - Part 4. Special Exceptions
    - Division 3. Additional Requirements For Specific Special Exceptions
  - Part 8. Comprehensive Design Zones
    - Division 2. Specific Comprehensive Design Zones
    - Subdivision 2. L-A-C Zone (Local Activity Center)

# Development Standards

- Development standards such as parking, signs provided separately (hard to keep consistency)
- Landscaping standards external to regulations (in manual)

# Planning Policy Framework

- General Plan
- Sector Plan
  - Sectional Map Amendment
- Zoning Ordinance
- Subdivision Ordinance

# Extent of Review

- Base Zones
  - M-X-T
  - M-U-TC
  - M-U-I
- Overlay Zones
  - TDOZ
  - DDOZ
- Comprehensive Design Zones
  - L-A-C, M-A-C

# M-X-T Major Issues

- Requires “two out of three” uses
  - Office, retail, residential
  - Intent has been warped in application
- Limited guidance as to form; design standards and guidelines in each plan
- So far, each plan is different !

# M-X-T Uses

- Mandates mix of uses
- Mix = two out of three:
  - Retail businesses
  - Office, research or industrial uses
  - Dwellings, hotel or motel
- Single-use project can be built if it implements a Sector Plan

# Regulation of Uses

USE	ZONE	
	M-X-T	M-X-C
<b>(1) COMMERCIAL:</b>		
All Types Offices		
Banks, savings & credit institutions		
Bulk Retailing (CB-83-2006)		
Data processing		
Eating or Drinking Establishments:		
Drive-in restaurant		SE
Fast-food restaurant:		
(i) Within a wholly enclosed shopping mall, or department, variety, or drug store		P
(ii) Within an office building		P
(iii) Within a hotel		P
(iv) All others		SE
Other than a drive-in or fast-food restaurant (which may include incidental carry out service, except where specifically prohibited):		
(i) Without entertainment (of any sort) other than music, and no patron dancing		P
(ii) Within an office building		P
(iii) Accessory to an allowed use		P
(iv) All others		SE

# M-X-T

- **Mixed-Use Planned Community**
  - Requires specific mix of uses
  - Has substantial guidance for retail uses
  - Unclear how/when this gets applied?
- **Optional Method of Development**
  - Allows bonus increase for specific pedestrian and mixed-use amenities
- **Additional site plan application**

# M-U-TC

- Currently used along US 1 and adjacent to Suitland Federal Center
- Requires concurrent development plan
  - Standards in plan

# M-U-I

- Five areas planned for this zone, two added by developers
- Achieved through Sectional Map Amendment
- Requires use of an Overlay Zone (TDOZ or DDOZ) on private property
- Nominal regulations – standards in Plans
  - Applies C-S-C (“shopping center”) standards

# Comprehensive Design Zones

- **Nine classifications, wide range of settings (intensities)**
- **This review:**
  - **Local Activity Center (L-A-C)**
  - **Major Activity Center (M-A-C)**

# L-A-C, M-A-C

- “Plan implementation” zones
- Density/intensity depend on “public benefit features”
- L-A-C has three variations:
  - Community, Village, Neighborhood Center
- M-A-C has two variations:
  - Major Metro Center, New Town/Corridor City Center

# M-A-C, L-A-C Major Issues

- Wide range of forms, intensities allowed
- Bonus system to get quality features that should be requirements
- Retains significant focus on uses
- Nothing in regulations that creates or promotes mixed-use – relies on separate planning effort
- Requires 3-step site plan review

# M-A-C Density/Intensity

- Significant range from base to maximum

	MAJOR METRO CENTERS	NEW TOWN OR CORRIDOR CITY CENTERS
(1) Minimum size of zone (except as provided in Section 27-493)	40 adjoining gross acres	40 adjoining gross acres
(2) Base residential density	48 dwelling units per gross residential acre	10 dwelling units per gross residential acre
(3) Maximum residential density	125 dwelling units per gross residential acre	47.9 dwelling units per gross residential acre
(4) Base commercial intensity	1.0 FAR per gross commercial acre	0.2 FAR per gross commercial acre
(5) Maximum commercial intensity	2.7 FAR per gross commercial acre	0.88 FAR per gross commercial acre
(6) Minimum residential floor area	20% of the total floor area at time of full development	20% of the total floor area at time of full development
(7) Maximum mixed retirement development density	8 units per gross acre	8 units per gross acre

# Regulations Affecting Form

- Use of FAR Bonus creates “tower in the park” concept

	MAJOR METRO CENTERS	NEW TOWN OR CORRIDOR CITY CENTERS
(1) For at least 45% of the gross commercial acreage in green area, an increment factor may be granted, not to exceed	5% in FAR	10% in FAR
(2) For each additional 5% of the gross commercial acreage in green area (in excess of 45%), to a total of 70% of the gross commercial acreage in green area, an increment factor may be granted, not to exceed	3% in FAR	3% in FAR
(3) For each 5% of the gross residential acreage in green area (in excess of 55%) to a total of 70% of the gross residential acreage in green area, an increment factor may be granted, not to exceed	5% in dwelling units	2% in dwelling units

# Regulations Affecting Form

- Pedestrian system separated from vehicular rights-of-way
  - Separate system is fundamentally non-urban, takes pedestrians away from street environment

	MAJOR METRO CENTERS	NEW TOWN OR CORRIDOR CITY CENTERS
(5) For a pedestrian system separated from vehicular rights-of-way, which provides a direct, uninterrupted link either with a major transportation terminal between blocks, or between major structures located at least 500 feet from each other, an increment factor may be granted, not to exceed	15% in dwelling units; 15 % in FAR; and a 20% reduction in residential parking spaces for residential units located within a 1500-foot walking distance of a major transit stop	15% in dwelling units; 10% in FAR; and a 20% reduction in residential parking spaces for residential units located within a 1500-foot walking distance of a major transit stop

# Regulations Affecting Form

- Parking standards allow MAJOR increase in FAR, allow major reduction in spaces
  - Implies a variety of forms could be created

<p>(9) For placing all required parking for commercial uses in covered multilevel or underground parking structures, an increment factor may be granted, not to exceed</p>	<p>50% in FAR; 30% reduction in required commercial parking spaces, if it can be shown that the reduction is warranted in terms of number of spaces required during peak hours</p>	<p>50% in FAR; 30% reduction in required commercial parking spaces, if it can be shown that the reduction is warranted in terms of number of spaces required during peak hours</p>
<p>(10) For placing all required parking for residential uses in covered multilevel or underground parking structures, an increment factor may be granted, not to exceed</p>	<p>50% in dwelling units</p>	<p>50% in dwelling units</p>

# L-A-C, M-A-C Uses

- 10-page Use Table
- 4 additional pages of “notes”
- 5 options:
  - Permitted
  - Permitted with standards <sup>1</sup> (footnotes)
  - Permitted A or B (secondary, internal use)
  - Special Exception
  - Prohibited

# L-A-C, M-A-C uses

- Variety or dry goods store (not defined)

USE		
	M-A-C	L-A-C
(i) As a temporary use, in accordance with Sections 27-260 and 27-261	P	P
(ii) All others	P	P <sup>5</sup>
Florist shop (CB-53-1991; CB-10-1992)	P	P
Food or beverage store	P	P <sup>4</sup>
Hobby shop (CB-39-1988)	P	P <sup>5</sup>
Photographic supply store	P	P <sup>5</sup>
Seafood market (CB-49-1987)	P	P <sup>4</sup>
Seasonal decorations display and sales:		
(i) As a temporary use, in accordance with Sections 27-260 and 27-261	P	P
(ii) All others	P	P <sup>5</sup>
Specialty shop (featuring hard or soft wares)	P	P <sup>5</sup>
Variety or dry goods store	P	X
Video game or tape store (CB-53-1991; CB-10-1992)	P	P
Waterfront Entertainment/Retail Complex, in accordance with Section 27-532.03 (CB-44-1997)	X	X

# Project Review Steps

- Mixed-use districts mostly require detailed planning before zoning approval, and then:

## Sec. 27-270. Order of approvals.

(a) When a Conceptual Site Plan or Detailed Site Plan is required unless otherwise provided for in this Subtitle, the following order of approvals shall be observed:

- (1) Zoning;
- (2) Conceptual Site Plan;
- (3) Preliminary Plat of Subdivision;
- (4) Detailed Site Plan;
- (5) Final Plat of Subdivision (a final plat of subdivision may be approved prior to a detailed site plan, if the technical staff determines that the site plan approval will not affect final plat approval);
- (6) Grading, building, use and occupancy permits.

# Site Plan Review

- **Most districts allow two-tier site plan review**
  - **Conceptual, then Detailed**
- **Approved by Planning Board at both concept and detailed level**
- **L-A-C, M-A-C require three-tier review**
  - **Basic plan, comprehensive design plan, specific design plan**
- **M-U-TC includes citizen design review committee**

# Standards vs. Guidelines

- **Standards**
  - Mandatory – “shall”
  - Legally enforceable
- **Guidelines**
  - Flexible – “should” and “may”
  - Not currently treated as enforceable

# What does Prince George's want to be?

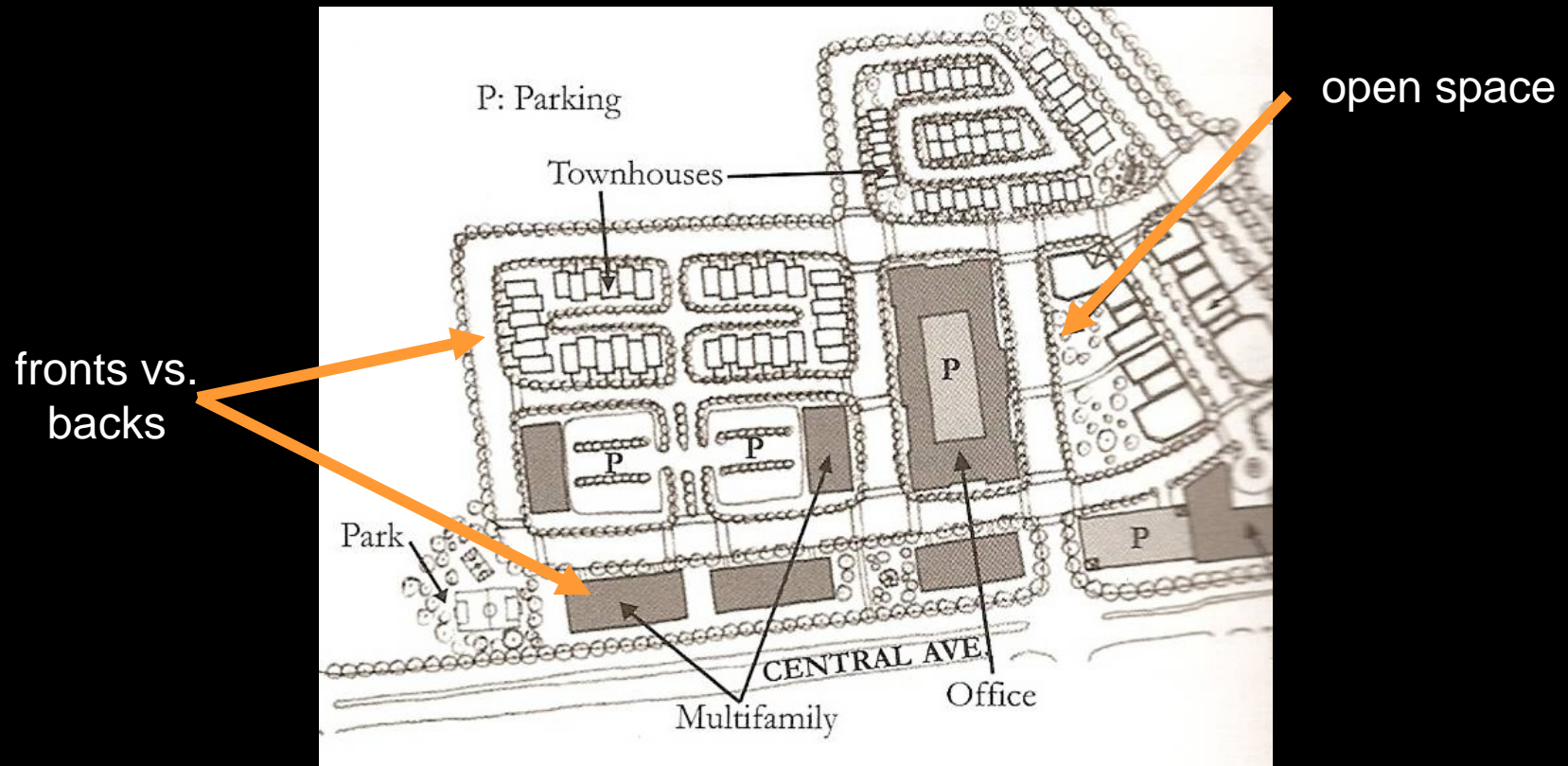
# urban vs. suburban

Current mixed-use zones and development standards attempt to be **both**



# urban vs. suburban

Current mixed-use zones and development standards attempt to be **both**



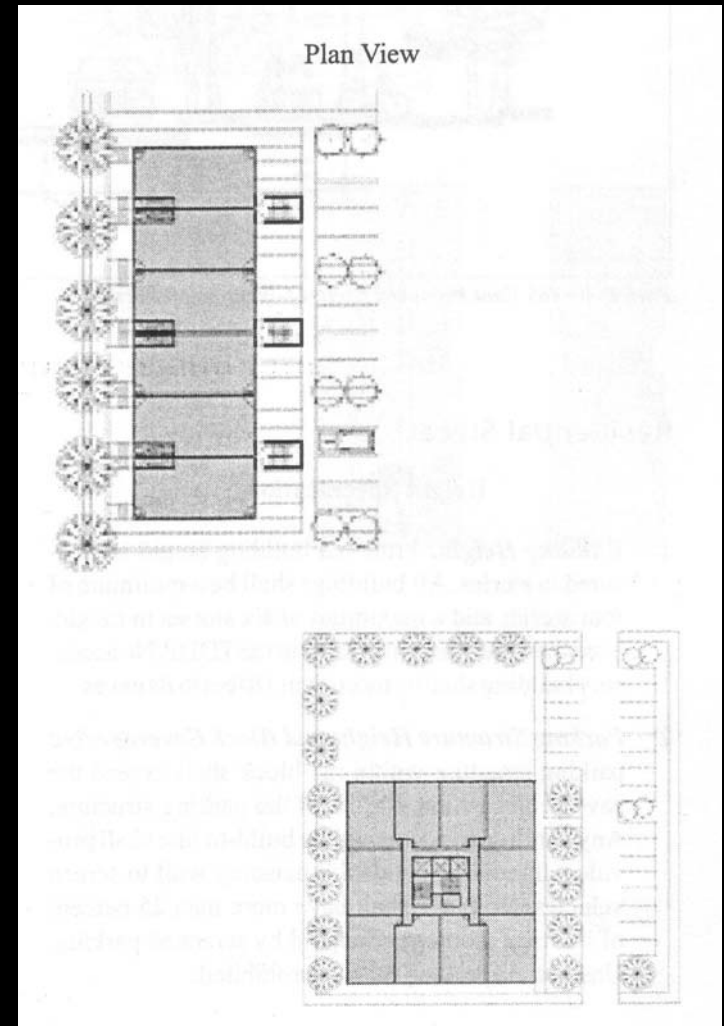
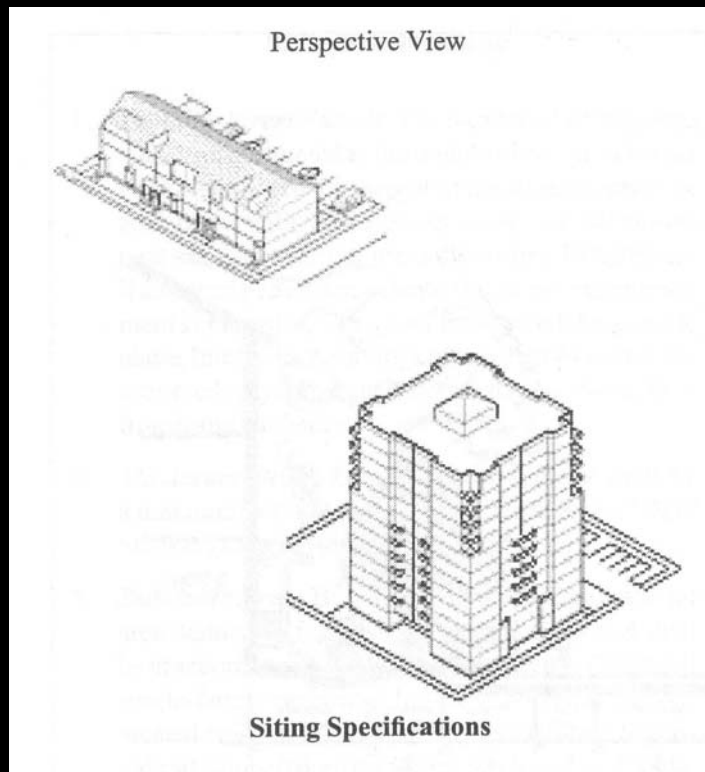
# urban vs. suburban

Current mixed-use zones and development standards attempt to be **both**



# allow good urban form, but don't require it

Standards that **do** exist are frequently **too flexible**



# non-existent or toothless standards

- intent is stated, but standards frequently don't follow (or if they do, they won't produce the stated intent!)
- shall vs. should – prohibited vs. discouraged

*minimize*

*compatible*

*whenever possible*

*avoid*

*inviting*

*overly small or large*

*preferred*

*similar*

*human-scale*

*attractive*

*recommended*

*desirable*

# non-existent or toothless standards

- standards are not objective – who interprets?  
who decides if they are being met?
  - “garage doors shall not **dominate** the street”
  - “building street frontages shall be **predominantly** glass”
  - “primary entrances shall **front** the street”

# what are the priorities?

- all standards are open to negotiation
- many development document standards *begin* with process for alternatives
- bonuses offered for abstract public benefits



# what are the priorities?

- *exceptions defeat standards*

## Height Specifications

1. ***Building Height:*** Principal building height is measured in stories. All buildings shall be a minimum of three stories and a maximum of four stories in height, as otherwise noted in the TDDP. Residential point towers are permitted on development blocks S, X, and CC (see Map 12). These buildings shall be a minimum of 10 stories and a maximum of 12 stories in height. Mid-rise condominium buildings are permitted in development block EE (see Map 12). These buildings shall be a minimum of four stories and a maximum of six stories in height.

# majoring in minors

- pages of specific details on signage and parking lot layout
- minimal detail on building form or required elements, but request washer/dryers in MF units
- no differentiation in public space hierarchy, standards or locations
- (still) focuses on land use

# not user-friendly

- numerous cross references
- information appears in multiple locations
- *contradictions*: between development standards and diagrams & between sections in the same standards – *which prevails?*
- no definitions
- vary from plan document to plan document

# What does Prince George's want?

## *current standards:*

- don't prevent good urban design and placemaking
- are suburban in nature – they focus on signage, parking, and undefined “quality architecture”
- use soft and subjective language

# What does Prince George's want?

- **decide** what is important
- **plan** it (be specific)
- **require** it!
- *have a light hand on the rest*

■	<b>FOCAL</b> MIN. 10 MAX. 20
■	<b>MAIN STREET</b> MIN. 4 MAX. 10
■	<b>GENERAL CENTER</b> MIN. 4 MAX. 10
■	<b>PARK SLOPE</b> MIN. 4 MAX. 12
■	<b>GENERAL EDGE</b> MIN. 4 MAX. 10
■	<b>LOCAL</b> MIN. 2 MAX. 4
■	<b>SOUTHSIDE SITES</b> MIN. 4 MAX. 8



# Overarching Zoning Comments

- **Difficult to Use**
  - Fragmented organization
  - Document and web-based system
- **Does NOT Broadcast County's Intent**
- **Overlay Complex, Non-Graphic Code**
- **Zoning Does Not Contain Regulations**
  - Many districts regulated by PLANS
  - Excessive reliance on process

# Mixed-Use Barriers

- **District Establishment**
  - Often requires detailed sector plan, with embedded standards and guidelines
- **District Intent Statement**
  - Often requires minimum tract area
- **Project Review**
  - Site plans reviewed multiple times at staff and political level
- **Focus on Use Regulations, Not Community or Building Form**

# Next Steps

- **Complete current work**
  - Stakeholder interviews
  - Zoning analysis
  - Design analysis
- **Best Practices (September)**
- **Regulatory Approach (October)**
- **Drafting (November/December)**

# Don't Forget !

- Stakeholder Open House Tonight
  - Newton White Mansion
  - 5 PM (Dinner)

# Food for Thought: Intent?

- Preserve or enhance the existing character of a place?
  - Contextual infill
- Establish new character for a place?
  - Greenfields development
  - Redevelopment/replacement
  - Intensification

# Food for Thought: Intent?

- Improving jobs/housing balance?
  - Locate jobs in the County
- Enhancing quality of life?
  - Provide additional services
  - Reduce trip lengths, especially commuting trips
- Jobs/housing for existing residents?  
For new (future) residents?

# Food for Thought: Analysis?

- **Did We Miss Anything Significant?**
  - Are there problems with the mixed-use zoning in Prince George's County that were not discussed?
- **Range of Settings?**
  - What is the range of settings we should consider?  
Where is this tool most appropriate? Least appropriate?
- **Models?**
  - Are there models from elsewhere we should consider?