

West Hyattsville



TRANSIT DISTRICT DEVELOPMENT PLAN (TDDP)

ADMINISTRATION AND APPLICABILITY

West Hyattsville TDDP Components

The West Hyattsville TDDP is subdivided into three neighborhood character areas—Hamilton Square, North Park, and Queenstown. Each of the three neighborhoods has its particular set of development standards that implement the concepts and recommendations for the three neighborhoods.

The TDDP components for each neighborhood character area that guide development to achieve the transit-oriented development concept are as follows:

- Neighborhood Character Areas and Map
- Block Registration Plan
- Hamilton Square (blocks A, B, C, D, E, F, G, H, I, J, K, OO)
- North Park (blocks L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, BB, CC, DD, EE)
- Queenstown (blocks FF, GG, HH, II, JJ, KK, LL, MM, NN, PP)
- Preferred Land Use Plan
- Detailed Use Table
- Building Envelope and Block Standards
- Streetscape Standards
- Architecture Standards
- Parking Standards

Frequently Asked Questions

Question 1:

What will future development look like in the TDOZ?

Step 1

Start with Vision: Transit-Oriented Development in the West Hyattsville TDOZ, which sets forth the plan vision and overall development concept for the TDOZ.



Step 2

Continue to Building Envelope and Block Standards, Streetscape Standards, Architectural Standards, and Parking Standards, which specifies the details of what approved development will look like and how it will perform. This section illustrates the design standards so that the intent behind the regulations is made clear to the reader.

Question 2:

I am interested in a particular property in the TDDP. How do I learn more about development requirements?

Step 1

Find the block(s) that contain your property on Map 13: Block Registration Plan.



Step 2

Refer to Map 14: Preferred Land Use Plan to find out what land use(s) are recommended for the development block that contains your property. Refer to Table 2: Uses Permitted for uses allowed on your property.



Step 3

Check West Hyattsville Transit District Development Plan Parking Requirements under Parking Standards to see what parking requirements apply to your development site.



Step 4

See Building Envelope and Block Standards, Streetscape Standards, Architectural Standards, and Parking Standards for more detailed information about development form, standards, and guidelines. See Map 11: West Hyattsville TDDP/TDOZ Parking Plan for specific information about the type and location of required parking facilities.

Question 3:

How long is the approval process for development in the TDOZ? Is it true that the development application process has been streamlined and made easier?

Understanding the Vision for the West Hyattsville TDOZ and the Development Concept of the TDDP

The development review process for the West Hyattsville TDOZ is the result of local communities and regulatory agencies working together to make it much easier for interested developers to “do the right thing” in helping to implement the vision contained in the West Hyattsville TDDP.

Following the TDDP can result in a streamlined approval process that takes approximately two to three months. Deviating from the TDDP will require a lengthier design review process that could take four to six months to complete.



All proposed development applications must include a detailed site plan (see 3. Submittal Requirements). Applications that conform to the development standards of the TDDP will require less time for site plan review.

Estimated processing time: two to three months.

If a developer wants to develop in a way that is different in form or use(s) from the TDDP, then that developer must submit a conceptual site plan and go through the full design review process.

Estimated processing time: four to six months.

Question 4:

If I am interested in developing in the TDOZ, how do I proceed?

Step 1

Preapplication meeting with the Prince George’s County Planning Department. All parks and open space facilities likely to be lost to, or impacted by, the proposed development shall be identified at the preapplication meeting. Based on this information, the applicant shall develop a plan for the prior mitigation/replacement of these facilities. Amounts and locations of replacement facilities shall be determined during site plan review.



Step 2

Review Map 14: Preferred Land Use Plan to see what land uses are permitted where in the West Hyattsville TDOZ.



Step 3

All applicants must notify civic associations, municipalities, and adjacent neighbors of proposed developments 30 days prior to filing applications in accordance with the requirements of CB-12-2003.



Step 4

Design Review

If Proposed Development Conforms to TDDP Requirements:

Submit detailed site plan (DSP) and application fees

M-NCPPC staff reviews DSP

DSP is referred to agencies and municipalities for review

Revise as necessary

Staff recommendation to Planning Board

District Council acts on proposed DSP after Planning Board hearing

Planning Board Action

Estimated processing time is two to three months

Note: Applicants or other parties of record may appeal Planning Board action to the District Council pursuant to Section 27-290 of the Prince George's County Zoning Ordinance.

Design Review

If Proposed Development Does Not Conform to TDDP Requirements:

Submit conceptual site plan (CSP) and application fees (if proposed development does not conform to TDDP development standards)

M-NCPPC staff reviews CSP

Revise CSP as necessary

Staff recommendation to Planning Board

Planning Board Action

If CSP is approved, submit detailed site plan (DSP) and application fees

M-NCPPC staff reviews DSP

DSP is referred to agencies and municipalities for review

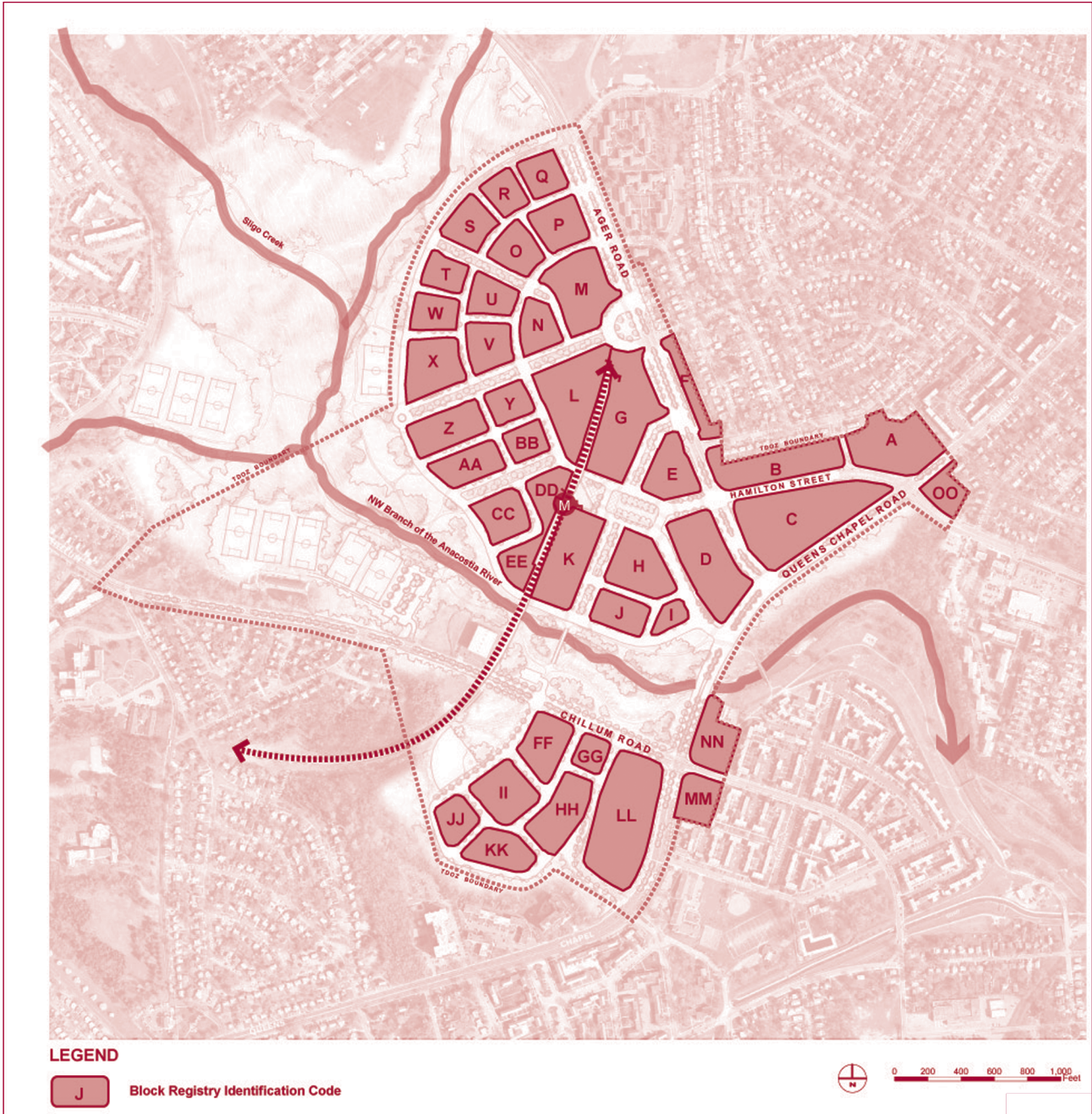
Revise as necessary

Staff recommendation to Planning Board

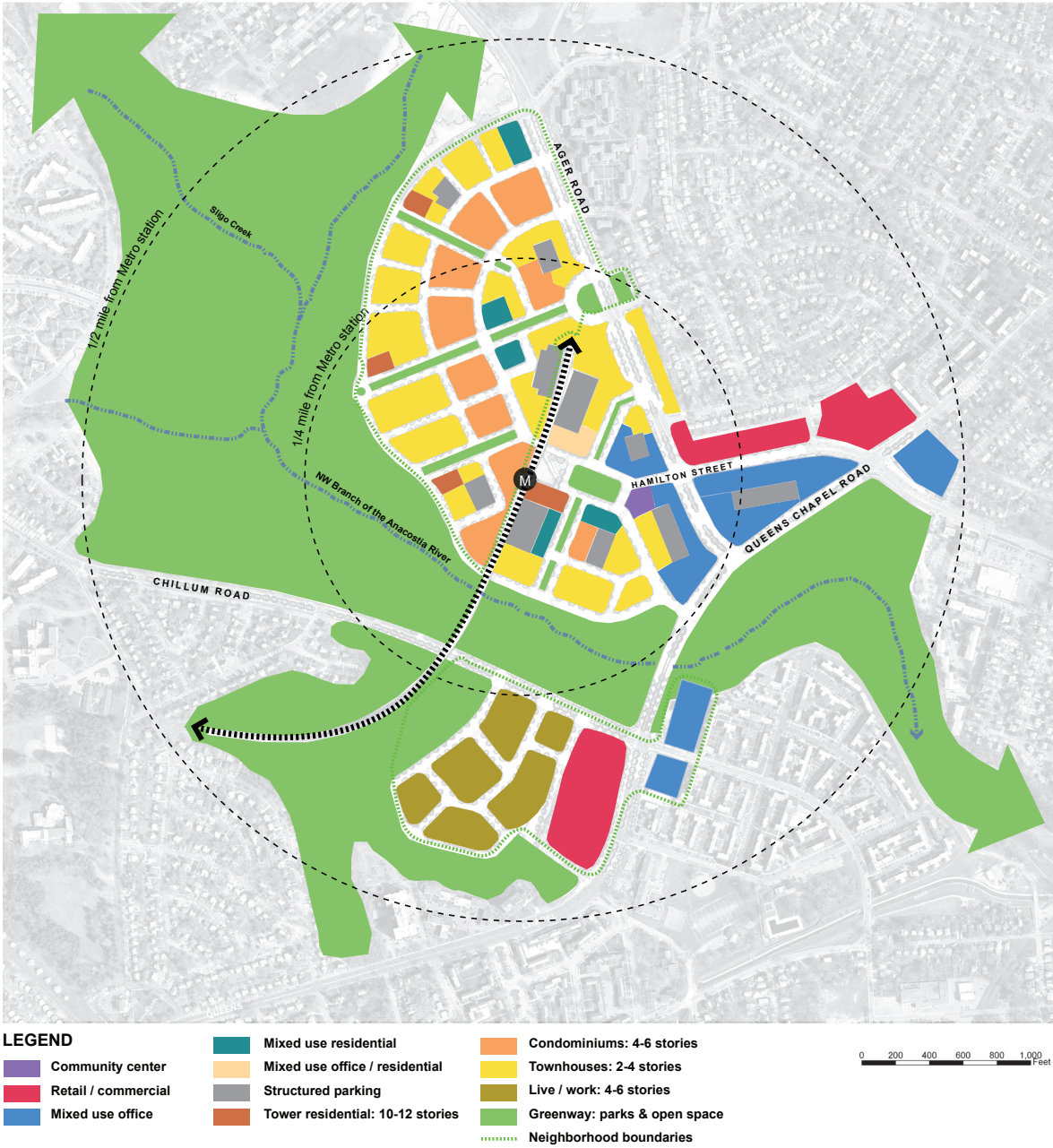
Planning Board action

Estimated processing time is four to six months

Note: An applicant or other party of record may appeal Planning Board action on a CSP to the District Council pursuant to Section 27-280 of the Zoning Ordinance. Appeal of Planning Board action on a DSP may be made pursuant to Section 27-290.



Map 13 Block Registration Plan



Map 14 Preferred Land Use Plan

Submittal Requirements

Applicants are encouraged to meet with Planning Department staff while developing the project concept (well in advance of final plans) to review applicable standards, obtain a preliminary evaluation of foreseeable conformance issues, and identify required review documentation. All submittals will be reviewed for conformance with the TDDP standards. The recommendations of the Urban Design Section will be considered by the Planning Board in reviewing plans submitted for conceptual site plan (CSP) and detailed site plan (DSP).

Each applicant or the applicant's heirs, successors, and/or assignees shall submit the following:

1. **Aerial Photograph**—Show the development site and a general location map.
2. **Detailed Site Plan**—Include narrative and graphic descriptions of the proposed development and a site plan that clearly identifies:
 - a. Architectural elevations, building types, sections, perspectives, building materials, building locations, and building envelopes in conformance with the West Hyattsville TDDP design standards.
 - b. All required streetscape improvements including pedestrian crosswalk locations and designs, sidewalks, bikeways, street trees and other plantings, signage (including bicycle route and vehicular parking/travel lane markings), and paving details.
 - c. Location of all buildings and other improvements.
 - d. Build-to lines.
 - e. Overall site dimensions.
 - f. Location of utilities.
 - g. Existing woodlands and landscape trees (caliper and type).
 - h. Landscaping, buffering, and screening improvements (including the entire public street frontage of the development site).
 - i. Paved surfaces and type of paving material.
 - j. Park and/or plaza location and design (where applicable, depending on the threshold size of the proposed development).
 - k. Zoning, existing improvements, streets, alleys, sidewalks, and curb lines within 150 feet of the site.
 - l. Existing and proposed rights-of-way and existing street centerline.
 - m. Parking plan (the total number of parking spaces by type [on-street, surface, and structured] and parking share utilization schedule, if applicable).
 - n. Lighting plan (lighting details and specifications including type, height, location, and method of illumination in foot-candles for exterior building facades, streetscapes, and outdoor spaces).
 - o. Existing environmental features (streams, wetlands, floodplains).
3. **Traffic Study and Circulation Plan**—Show all pedestrian, bicycle, and vehicular circulation and access routes within and adjacent to the development site. Submit a traffic impact analysis for the proposed uses on the site.
4. **Photographs and Locations of Adjacent Properties**—If adjacent to a single-family residential neighborhood, submit photographs and locations of properties within 150 feet that show massing, scale, materials, and roof pitches of single-family homes.
5. **Sign Plan**—Sign permit applications shall submit both sign details and a graphic representation of the locations of the proposed signage on all buildings. The plan shall include the location(s), size, height, color, lettering style/size, construction details, architectural materials, specifications, and method of illumination. The plan shall be in conformance with the sign standards for the West Hyattsville TDDP.
6. **Conceptual Stormwater Management/Low-Impact Development Plan**—Submit all conceptual stormwater management plans to the Prince George's County Department of Environmental Resources (DER) for

review and approval. DER approval must be obtained before building or grading permits can be issued.

7. **Tree Conservation Plan I**—Include all information required by the Woodland Conservation Ordinance, especially the location, type, and caliper of existing trees to be preserved.
8. **Other Supporting Documentation**—Include supporting documentation where requested in the development standards (e.g., streetscape or parking provisions).

All streetscape lighting shall be coordinated with the Prince George's County Department of Public Works and Transportation (DPW&T) and the Maryland State Highway Administration (SHA).

In addition to conforming with all TDDP standards, all site plan applications shall address applicable land use and urban design guidelines contained in the TDDP.

With the exception of Number 6 (Conceptual Stormwater Management/Low-Impact Development Plan) and Number 8 (Other Supporting Documentation), all applications must meet the above submittal requirements at the time of submission in order to be considered complete. Incomplete site plan applications will not be accepted for site plan review.

Applicability of Site Plan Requirements

New development in the West Hyattsville Transit District Overlay Zone (TDOZ) is subject to detailed site plan review. New development must show compliance with the West Hyattsville Transit District Development Plan (TDDP) standards in the site plan review process.

The Zoning Ordinance defines development as any activity that materially affects the condition or use of land or a structure. Redevelopment, rehabilitation, and renovation of existing structures are all forms of development. A change from a lower intensity to a higher intensity use, as indicated in Table II in Section 4.7 of the *Landscape Manual*, is also a form of development.

The following are exemptions from the TDDP standards and the requirements of site plan review.

1. **Legally existing development.** Until a site plan is submitted, all buildings, structures, and uses that were lawful or could be certified as a legal nonconforming use on the date of sectional map amendment (SMA) approval are exempt from the TDDP standards and from site plan review and are not nonconforming. However, if a permit application is submitted and it is determined that the legally existing building, structure, or use has been discontinued for more than 180 days in accordance with Section 27-241(c), it shall comply with all applicable TDDP standards and site plan review.
2. **Legally existing parking and loading.** Until a site plan is submitted, all legally existing parking and loading spaces in the TDOZ that were lawful and not nonconforming on the date of TDOZ/TDDP approval are exempt from the TDDP standards and site plan review, need not be reduced in amount or size, and are not nonconforming. The number of parking spaces, loading spaces, and landscaping remaining after the acquisition or dedication of right-of-way for new streets in the TDOZ shall be deemed as adequate.
3. **Single-family residential dwellings.** All additions to single-family residential dwellings are exempt from TDDP standards and site plan review, if the residential use continues.
4. **Multifamily development.** An addition to a multifamily residential structure that was lawful and not nonconforming on the date of TDOZMA approval is exempt from the TDDP standards and site plan review if the addition does not increase the gross floor area (GFA) by more than 10 percent or 1,000 square feet, whichever is less.
5. **Nonresidential development.** An addition to a nonresidential structure that was lawful and not nonconforming on the date of TDDP/TDOZ approval is exempt from the TDDP standards and site plan review if the addition does not increase the GFA by more than ten percent.
6. **Parking facilities.** Resurfacing, restriping, or adding landscaping to parking facilities not required by the standards are exempt from the TDDP standards and site plan review if the facilities were lawful and not

nonconforming on the date of TDOZMA approval and remain in conformance with all previously applicable regulations.

7. ***Nonconforming buildings, structures, and uses.***

- a. Restoration or reconstruction of a nonconforming building or structure, or a certified nonconforming use, is exempt from the TDDP standards and site plan review if it meets the requirements of Section 27-243(a)(1) of the Zoning Ordinance.
- b. Except for improvements listed below in Number 8, a property owner may not expand a certified nonconforming use, or a use or structure that was lawful on the date of TDOZMA approval but does not conform to the TDDP standards, unless a detailed site plan is approved with findings that the expansion is compatible with adjacent uses and meets the goals of the sector plan.

8. ***General.*** The following are exempt from the TDDP standards and site plan review if the existing or proposed use is permitted:

- a. Permits for alteration or rehabilitation, with no increase in gross floor area
- b. Canopies
- c. Fences
- d. Decks
- e. Ordinary maintenance
- f. Changes in occupancy
- g. Changes in ownership

9. ***Signs.***

- a. Signs for development that does not otherwise require a detailed site plan will be reviewed in the permit review process for compliance with TDDP standards. Departures for signs that do not comply with the TDDP standards and that do not otherwise require a detailed site plan will be reviewed in the site plan process. Signs in a development requiring a detailed site plan will also be reviewed in the site plan process.

- b. New and replacement signs are subject to the TDDP standards.

- c. Refacing of an existing sign is exempt from the TDDP standards.

Responsibility for Required Improvements

Within the West Hyattsville TDOZ, the developer/property owner shall be required to construct streetscape and/or public improvements as part of any development project. Strong consideration should be given to the inclusion of appropriate LID structures. Maintenance of public improvements shall be coordinated with the applicable state, county, and municipal agencies. Dedication and maintenance of all new rights-of-way and streetscape improvements shall be determined at the time of preliminary plan of subdivision approval. All new road improvements recommended by the plan shall have a public easement and be privately maintained with the exception of existing publicly maintained roads, the extension of Hamilton Street, “Main Street,” the new access road from Ager Road to the “Main Street,” and Jamestown Road between the “Main Street” and Queens Chapel Road.

The developer/property owner of the blocks identified on Map 12 of the plan (Block Registration Plan, page 31) as Development Blocks D, E, G, H, I, J, K, L, Y, Z, AA, BB, CC, DD, and EE shall be required to construct a new 13,000-square-foot community multipurpose use facility within convenient walking distance of the residential areas in the Hamilton Square and North Park neighborhoods. Activities in the proposed center should include, but not be limited to, a gymnasium, billiard tables, video games, and meeting rooms. The center should be available to all residents of the development for an assessed monthly fee, and should be accessible to all City of Hyattsville residents for a fee. The location shall be determined at conceptual site plan review.

a. List of Improvements

Consideration should be given to the creation of a Business Improvement District (BID) within the TDOZ that would be charged with maintaining the following list of public improvements. Examples of improvements required as part of development include:

- Installing sidewalks, including curbs and gutters.
- Undergrounding utilities: This standard applies only to new utilities to be placed with proposed development or redevelopment.
- Installing street furniture (benches, trash receptacles, bicycle racks, etc.) along privately maintained rights-of-way within the TDOZ.
- Installing street trees and street lights.
- Constructing other public spaces such as parks, plazas and community multipurpose facility.
- Dedicating public access easements.
- Providing public art.
- All development projects with less than 30 feet of street frontage and a GFA footprint less than 10,000 square feet of new space shall be exempt from TDDP public improvement requirements.

All street furniture on private rights-of-way within the TDOZ shall be maintained by the property owner/developer. No street furniture or public works of art, other than publicly maintained streetlights and street trees, shall be installed within the public rights-of-way without the permission of DPW&T and/or the City of Hyattsville expressed through an executed memorandum of understanding (MOU) with the developer/applicant. All non-M-NCPPC parks and open space elements within the TDOZ shall be maintained in accordance with a written agreement negotiated between the county and the City of Hyattsville or other appropriate local entity.

b. Thresholds

- All development projects with a minimum street frontage of 30 feet and a minimum GFA footprint of 10,000 square feet of new space shall be subject to the requirement to provide streetscape improvements with the exception of undergrounded utilities, dedicated easements, and public open spaces such as parks and plazas.
- All development projects with a minimum street frontage of 100 feet and a minimum GFA footprint of 35,000 square feet of new space shall be subject to the requirement to provide streetscape improvements, including undergrounded utilities, dedicated easements, and public open spaces such as parks and plazas.

Detailed Use Table

The following Use Table controls uses permitted in the West Hyattsville TDOZ and supersedes the underlying uses listed in the Zoning Ordinance. This table is to be used in conjunction with Map 12: Block Registration Plan, which maps the planned development blocks; and Map 13: Preferred Land Use Plan, which maps the land use categories referred to in the table. These categories form the column headings in the use table. To determine which uses are permitted within a development site, please carry out the following steps:

1. Identify the development block that contains the development site on Map 12.
2. Locate the development block on the map in Map 13 and note its preferred land use(s).
3. Locate the corresponding land use column in the Use Table and note which uses are marked “P” or “SP” for that column (see below).

Areas within the TDOZ that are proposed exclusively for townhouse development are in the R-T (Townhouse) Zone. Parks and other open spaces are in the O-S (Open Space) Zone. In general, the dominant underlying zone is the M-X-T Zone, which supports a mix of uses of varying scale and intensity. Some uses permitted in a neighborhood might be prohibited or permitted in the underlying M-X-T, R-T, or O-S Zones, but are now prohibited or permitted depending on whether the use is consistent with the intended TOD character of the proposed neighborhoods. The intensity of development is guided by the development standards established in the TDDP for West Hyattsville as opposed to development standards provided for in the underlying zones.

A number of uses not permitted in the underlying M-X-T Zone have been added to the Use Table. These include arts-production; arts-related services; artistic endeavors; computer and digital arts; lifestyle uses such as cafés and artists’ studios; and dwelling styles that support artists. Certain uses have been identified as disruptive to the goals of TOD and, while previously allowed in the underlying zone, are now prohibited.

Consequently, no use shall be allowed in the West Hyattsville TDOZ, except as provided for in the following Use Table. In the table, the following applies:

- (1) The letter “P” indicates that the use is permitted in the zone indicated.
- (2) The letters “SP” indicate that the use is permitted, subject to the following:
 - (A) The use shall be related to, dependent on, and secondary to a principal use on the premises;
 - (B) The use shall be located on the same record lot as the principal use;
 - (C) The use shall not be located within a building not occupied by the principal use; and
 - (D) The floor area of any building (and the land area occupied by any structure other than a building) devoted to the use shall not exceed an area equal to 45 percent of the gross floor area of the building within which the principal use is located.
- (3) The letter “X” or a blank (unless otherwise clear from the context) indicates that the use is prohibited.
- (4) All uses not listed are prohibited.

Table 2
Uses Permitted

PREFERRED LAND USE PLAN CATEGORIES (From Map 13)										
Permitted Use	Community Center	Retail/Commercial	Mixed-Use Office	Mixed-Use Residential	Mixed-Use Office/Residential	Structured Parking	Multifamily (Tower and condo)	Townhouses (2-4 stories; R-T Zone)	Live/Work (4-6 stories)	Greenway (Parks and open space; O-S Zone)
(1) Retail/Commercial:										
All Types Offices and Research	X	P	P	P	P	X	X	X	P	X
Banks, savings and loan association, or other savings or lending institution	X	P	X	X	X	X	X	X	X	X
Data processing facilities	X	P	P	X	X	X	X	X	X	X
Eating or drinking establishments with live music and patron dancing	X	P	P	X	SP	X	X	X	SP	X
Offices (may include a private spa in a medical practitioner's office or medical clinic)	P	X	P	P	P	X	X	X	P	X
Research, development, and testing laboratory (may include testing facilities and equipment), medical or dental laboratory	X	P	P	X	X	X	X	X	X	X
Services and trade (generally retail):										
Barber or beauty shop	X	P	P	P	P	X	X	X	P	X
Blue printing, photostatting, or other photocopying establishment	X	P	P	X	X	X	X	X	X	X
Book (except adult book store), camera, gift, jewelry, music, souvenir, or other specialty store not specifically listed (CB-63-1992)	X	P	P	P	P	X	X	X	X	X
Department store	X	P	P	X	X	X	X	X	X	X
Pet grooming establishment (CB-63-1992)	X	P	P	X	X	X	X	X	X	X
Dry cleaning or laundry establishment	X	P	P	P	P	X	X	X	X	X
Drug store	X	P	P	P	P	X	X	X	X	X

Permitted Use	PREFERRED LAND USE PLAN CATEGORIES (From Map 13)								
	Community Center	Retail/Commercial	Mixed-Use Office	Mixed-Use Residential	Mixed-Use Office/Residential	Structured Parking	Multifamily (Tower and condo)	Townhouses (2-4 stories; R-T Zone)	Live/Work (4-6 stories)
Food or beverage store (CB-63-1992)	X	P	P	P	P	X	X	X	X
Gas station with or without a service center for minor repairs (placed underground or in a wholly enclosed structure) and without a car wash	X	X	X	X	X	P	X	X	X
Hardware store (CB-63-1992)	X	P	P	P	P	X	X	X	X
Hobby shop	X	P	P	P	P	X	X	X	X
Pet (sales) shop, provided all animals are confined to the interior of the building and adequate measures are taken to control noise and odor (CB-63-1992)	X	P	P	P	P	X	X	X	X
Photographic supply store	X	P	P	P	P	X	X	X	X
Seafood market (CB-49-1987)	X	P	P	P	P	X	X	X	X
Seasonal decorations display and sales as a temporary use, in accordance with Sections 27-260 and 27-261	P	P	P	P	P	P	P	P	P
Studio for artistic practice	P	P	X	X	X	X	X	X	X
Repair shops for small items (such as bicycles, watches, clothing, and shoes) (CB-63-1992)	X	P	P	P	P	X	X	X	X
Valet shop	X	P	P	P	P	X	X	X	X
Variety or dry goods store	X	P	P	P	P	X	X	X	X
Veterinary clinic (CB-63-1992)	X	P	P	P	P	X	X	X	X
(2) Institutional/Educational:									
Adult day care facility (CB-63-1992)	P	X	X	X	X	X	X	X	P
Assisted living facility, subject to the requirements of Section 27-464.04 (CB-26-2002)	P	X	X	P	P	X	P	P	X

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Church or similar place of worship, convent, or monastery (CB-23-1988)	P	X	X	X	X	X	X	X	X	X
Day care center for children (CB-23-1988)	P	P	P	P	P	X	P	X	X	X
Eleemosynary or philanthropic institution (excluding hospital)	P	X	SP	SP	SP	X	X	X	X	X
Family day care	P	X	SP	SP	SP	X	SP	SP	X	X
Nursing or care home (CB-26-2002)	P	X	SP	SP	SP	X	X	X	X	X
School, private or public, all types (which may include private spas)	P	SP	SP	SP	SP	X	X	X	X	X
Small group child care center (CB-131-1993)	P	P	P	P	P	X	P	X	X	X
(3) Miscellaneous:										
Other uses of appropriate size, which can be justified as similar to one of the uses listed in this section	SP	SP	SP	SP	SP	X	X	X	X	X
Real estate subdivision sales office as a temporary use, in accordance with Sections 27-260 and 27-261	P	P	P	P	P	P	P	P	P	P
Signs, in accordance with Part 12	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Temporary contractor's office (must include sanitary facilities), construction yard, construction shed, or storage building, in connection with a construction project on the same property; provided no item stored or assembled there is offered for sale at the location, and in accordance with Sections 27-260 and 27-261	P	P	P	P	P	P	P	P	P	P
(4) Public/Quasi Public:										
Library	P	P	P	P	P	P	P	P	P	P
Post office	P	P	P	P	P	P	P	P	P	P

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Public building and use, if not otherwise specified (CB-63-1992)	P	P	P	P	P	P	P	P	P	P
Volunteer fire, ambulance, or rescue station1	P	P	P	X	X	P	X	X	X	X
(5) Recreational/Entertainment/Social/Cultural:										
Community building (Community multi-purpose facility which may include the following uses: meeting rooms, class rooms, party rooms, reducing/exercise salon or health club, swimming pool, indoor, day care center for children, on properties less than 5 acres, park or playground (not public, associated with the day care), recreational program, before- and after-school, summer camp, community center or similar nonprofit social use (not publicly owned or operated))	P	P	P	P	P	X	X	X	X	X
Convention center	P	P	P	P	P	X	X	X	X	X
Exhibition halls and facilities	P	P	P	P	P	X	X	X	X	X
Golf course or country club (CB-63-1992)	X	X	X	X	X	X	X	X	X	P
Indoor theater or recital hall	P	P	P	P	P	X	X	X	X	X
Museum, art gallery, aquarium, cultural center, or similar facility (noncommercial)	P	P	P	P	P	X	X	X	X	P
Outdoor exhibition, displays, entertainment, or performance	P	P	P	P	P	X	X	X	X	P
Park, playground, or other outdoor recreational area	P	P	P	P	P	X	P	P	X	P
Private club or service organization	P	X	X	X	X	X	X	X	X	X
Recreational or entertainment establishment (commercial or noncommercial)	X	P	P	P	P	X	X	X	X	P
Reducing/exercise salon or health club	P	P	P	P	P	X	X	X	X	X
Skating facility (CB-89-1994)	P	P	X	P	P	X	X	X	X	P

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Spa, community	P	P	P	P	P	X	P	X	X	X
Spa, private	P	P	P	P	P	X	P	X	X	X
Spa, public, accessory to hotel, motel, reducing/exercise salon, health club, or swimming pool	P	P	P	P	P	X	P	X	X	P
Swimming pool (indoor or outdoor) commercial or noncommercial (CB-63-1992)	P	P	P	P	P	X	P	P	X	P
Tennis, basketball, handball, or similar court (indoor or outdoor) commercial or noncommercial (CB-63-1992)	P	P	P	P	P	X	P	P	X	P
(6) Residential/Lodging:										
Single-family dwellings except mobile homes and single family detached (CB-56-1996)	P	X	X	P	P	X	X	P	P	X
Multifamily dwellings with ground-floor retail uses	P	X	P	P	P	P	P	X	X	X
Hotel or motel	X	P	P	X	X	X	X	X	X	X
(7) Transportation/Parking/Communications/Utilities:										
Helistop	P	P	P	X	X	P	X	X	X	X
Parking lot or garage, or loading area, in accordance with Part 11	P	P	P	P	P	P	P	P	P	P
Passenger transportation station or depot (such as rapid transit station, bus stop, taxi or auto rental stand)	P	P	P	P	P	X	X	X	X	X
Public utility use or structure with the exception of fuel storage tanks, railroad yards (including storage and maintenance facilities), or rail freight stations	P	P	P	P	P	X	X	X	X	X
Radio or television broadcasting studio	P	P	P	P	P	X	X	X	X	X

PREFERRED LAND USE PLAN CATEGORIES (From Map 13)		Community Center	Retail/Commercial	Mixed-Use Office	Mixed-Use Residential	Mixed-Use Office/Residential	Structured Parking	Multifamily (Tower and condo)	Townhouses (2-4 stories; R-T Zone)	Live/Work (4-6 stories)	Greenway (Parks and open space; O-S Zone)
Permitted Use		Satellite dish antenna, in accordance with Section 27-541.02, serving four or more dwelling units (CB-19-1985)	SP	SP	SP	SP	SP	SP	SP	SP	SP
		Storage of any motor vehicle that is wrecked, dismantled, or not currently licensed, except where specifically authorized ⁴ (CB-4-1987)	X	X	X	X	X	X	X	X	X
Telegraph or messenger service		P	P	P	P	P	X	X	X	X	X
Tower, pole, or antenna (electronic, radio, or television, transmitting or receiving), except a public utility structure or a satellite dish antenna: 8											
1	Provided the site is either: (A) In the proximity of an area designated as a fire or rescue station on an approved functional master plan of fire and rescue stations; (B) In a location that the Fire Chief has indicated (in writing) is appropriate; or (C) Is occupied by a station that was in use immediately prior to July 1, 1982.										
4	This shall not apply to: (A) Storage accessory (and related) to an allowed use; or (B) One such vehicle stored in a wholly enclosed garage.										
8	Any related telecommunications equipment building shall be screened by means of landscaping or berming to 100 percent opacity. (CB-103-1997)										

TRANSIT DISTRICT OVERLAY ZONING MAP AMENDMENT

This TDOZMA was initiated and processed under the rules and guidelines of the sectional map amendment process.

The comprehensive rezoning process, also known as the transit district overlay zoning map amendment (TDOZMA) in Prince George's County, allows for the rezoning of a section of the overall county zoning map in order to bring zoning into conformance with approved county plans and policies. This section contains the proposed TDOZMA for the West Hyattsville TDOZ. This TDOZMA is intended to implement the land use recommendations of the approved West Hyattsville TDDP for the foreseeable future.

The SMA was initiated by the Planning Board in 2003 with the concurrence of the District Council, with the express intent to process the SMA concurrent with the West Hyattsville TDDP. The procedure followed was in accordance with CB-33-1992, which establishes the framework for the process whereby the District (County) Council approves the TDDP or sector plan and SMA simultaneously. The procedural sequence for this concurrent process is illustrated in Appendix A: Procedural Sequence Chart.

Comprehensive rezoning, through the TDOZMA, is a necessary implementation step in the land use planning process. It attempts to ensure that future development will be in conformance with county land use plans and development policies, reflecting the county's ability to accommodate development in the foreseeable future. Existing zoning, which hinders such development, will be corrected, and piecemeal rezonings will be reduced through the TDOZ. The approval of the zoning pattern as proposed by the TDDP and implemented by this TDOZMA will bring zoning into greater conformity with county land use goals and policies as they apply to the West Hyattsville TDOZ, thereby enhancing the health, safety, and general welfare of all Prince George's County residents and citizens.

The county's Capital Improvement Program and Ten-Year Water and Sewerage Plan, as well as existing land use and zoning, and pending zoning applications

were examined and evaluated in the preparation of both the preliminary land use plan and this proposed comprehensive rezoning. Consideration has also been given to the environmental and economic impact of the land use and zoning proposals. The approval of the TDOZMA will result in the revision of the official 1" = 200' zoning map(s) for this sector area. Future comprehensive examinations of the zoning within these areas will occur in accordance with the procedures established for TDOZMAs.

The last comprehensive rezoning for the West Hyattsville TDOZ took place in June 1998 with the approval of the 1998 Approved Transit District Development Plan for the West Hyattsville Transit District Overlay Zone (CR-57-1998).

Comprehensive Rezoning Implementation Policies

A number of established comprehensive rezoning implementation policies are utilized as necessary guidelines for developing the zoning proposal.

a. Public Land Policy

The established public land policy states that all public land should be placed in the most restrictive and/or dominant adjacent zone, whichever bears the closest relationship to the intended character of the area. Therefore, the zoning of public land, just as private land, should be compatible with surrounding zones. This policy should eliminate any islands of inharmonious zoning, while still providing for the public use. It should further assure compatibility of any future development or uses if the property is returned to private ownership.

A distinction is made where a large parcel of land has been set aside specifically for public open space. In this case the R-O-S Zone is applied.

Federal and state government property, which is scattered throughout the county, is not subject to the requirements of the Zoning Ordinance. The intent of the comprehensive rezoning process is to apply a zoning category to all land, including federal and state property, without regard to its unique zoning status. The R-O-S Zone is generally applied to federal and state properties, unless specific uses of the property or intended character

of the property and/or area should warrant another zoning category.

b. Zoning In Public Rights-Of-Way

Policies governing the zoning of public street and railroad rights-of-way (both existing and proposed) are contained in Section 27-111 of the Prince George's County Zoning Ordinance. This proposed TDOZMA has been prepared in accordance with this section.

c. Limitations On The Use Of Zones

Zoning classifications proposed in the TDOZMA are limited only by the range of zones within the ordinance available at the time of final action by the District Council. However, there are certain restrictions on when these may be applied to properties (Section 27-223 of the Zoning Ordinance).

Reclassification of an existing zone to a less intense zone is prohibited where:

g)(1) "The property has been rezoned by Zoning Map Amendment within five (5) years prior to the initiation of the Sectional Map Amendment or during the period between initiation and transmittal to the District Council, and the property owner has not consented in writing to such rezoning;" or

g)(2) "Based on existing physical development at the time of adoption of the Sectional Map Amendment, the rezoning would create a nonconforming use. This rezoning may be approved, however, if there is a significant public benefit to be served by the rezoning based on facts peculiar to the subject property and the immediate neighborhood. In recommending the rezoning, the Planning Board shall identify these properties and provide written justification supporting the rezoning at the time of transmittal. The failure of either the Planning Board or property owner to identify these properties, or a failure of the Planning Board to provide the written justification, shall not invalidate any Council action in the approval of the Sectional Map Amendment."

Finally, in order to clarify the extent to which a given parcel of land is protected from less intensive rezoning by virtue of physical development, the Zoning Ordinance states in Section 27-223(h) that:

"The area of the 'property,' as the word is used in Subsection (g)(2), above, is the minimum required by the Zoning Ordinance which makes the use legally existing when the Sectional Map Amendment is approved."

d. Guidelines For Commercial Zoning

The comprehensive rezoning proposal will recommend the most appropriate of the use-oriented commercial zones listed in the Prince George's County Zoning Ordinance. The choice of zone is determined by the commercial needs of the area, the sector plan recommendations, and the type of use and status of the development on the property and surrounding area.

e. Conditional Zoning

The inclusion of safeguards, requirements, and conditions beyond the normal provisions of the Zoning Ordinance that can be attached to individual zoning map amendments via conditional zoning cannot be utilized in TDOZMAs. In the piecemeal rezoning process, conditions are used to (1) protect surrounding properties from potential adverse effects that might accrue from a specific zoning map amendment and/or (2) to enhance coordinated, harmonious, and systematic development of the Regional District. When approved by the District Council, and accepted by the zoning applicant, conditions become part of the county zoning map requirements applicable to a specific property and are as binding as any provision of the County Zoning Ordinance (see Conditional Zoning Procedures, Section 27-157(b)).

In theory, zoning actions taken as part of the comprehensive rezoning (TDOZMA) process should be compatible with other land uses without the use of conditions. However, it is not the intent of a TDOZMA to repeal the additional requirements determined via conditional zoning cases that have been approved prior to the initiation of a TDOZMA. As such, it is appropriate that, when special conditions to development of specific properties have been publicly agreed upon and have become part of the existing zoning map applicable to the site, those same conditions shall be brought forward in the TDOZMA. This is accomplished by continuing the approved zoning with conditions and showing the zoning application

number on the newly adopted zoning map. This would take place only when it is found that the existing zoning is compatible with the intended zoning pattern or when ordinance limitations preclude a rezoning. Similarly, findings contained in previously approved TDOZMAs shall be brought forward in the TDOZMA where the previous zoning category has been maintained.

f. Transit District Overlay Zones

TDOZs may be included in a TDOZMA. However, the flexible nature of these zones requires a basic plan of development to be submitted through the zoning application process (zoning map amendment) in order to evaluate the comprehensive design proposal. It is only through approval of a basic plan, which identifies land use types, quantities, and relationships, that a TDOZ can be recognized. Therefore, an application must be filed (including a basic plan) and the Planning Board must have considered and made a recommendation on the zoning application in order for the TDOZ to be included within the TDOZMA. During the comprehensive rezoning, prior to the submission of such proposals, property must be classified in a conventional zone that provides an appropriate base density for development. In theory, the base density zone allows for an acceptable level of alternative development should the owner choose not to pursue full development potential indicated by the sector plan. (See Section 27-223(b); Section 27-225(b) (1); Section 27-226(a)(2); and Section 27-226(f)(4)).

g. Comprehensive Rezoning Changes

To implement the development policies and land use recommendations contained in the West Hyattsville TDDP, many parcels of land must be rezoned to bring the zoning into conformance with the TDDP. The comprehensive rezoning process (via the TDOZMA) provides the most appropriate mechanism for the public sector to achieve this. As such, the TDOZMA is approved as an amendment to the official zoning map(s) concurrently with sector plan approval.

The proposed TDOZMA includes 11 zoning changes that affect 48 properties within the amended West Hyattsville TDOZ. The TDOZ is intended to ensure that the development of land around the West Hyattsville

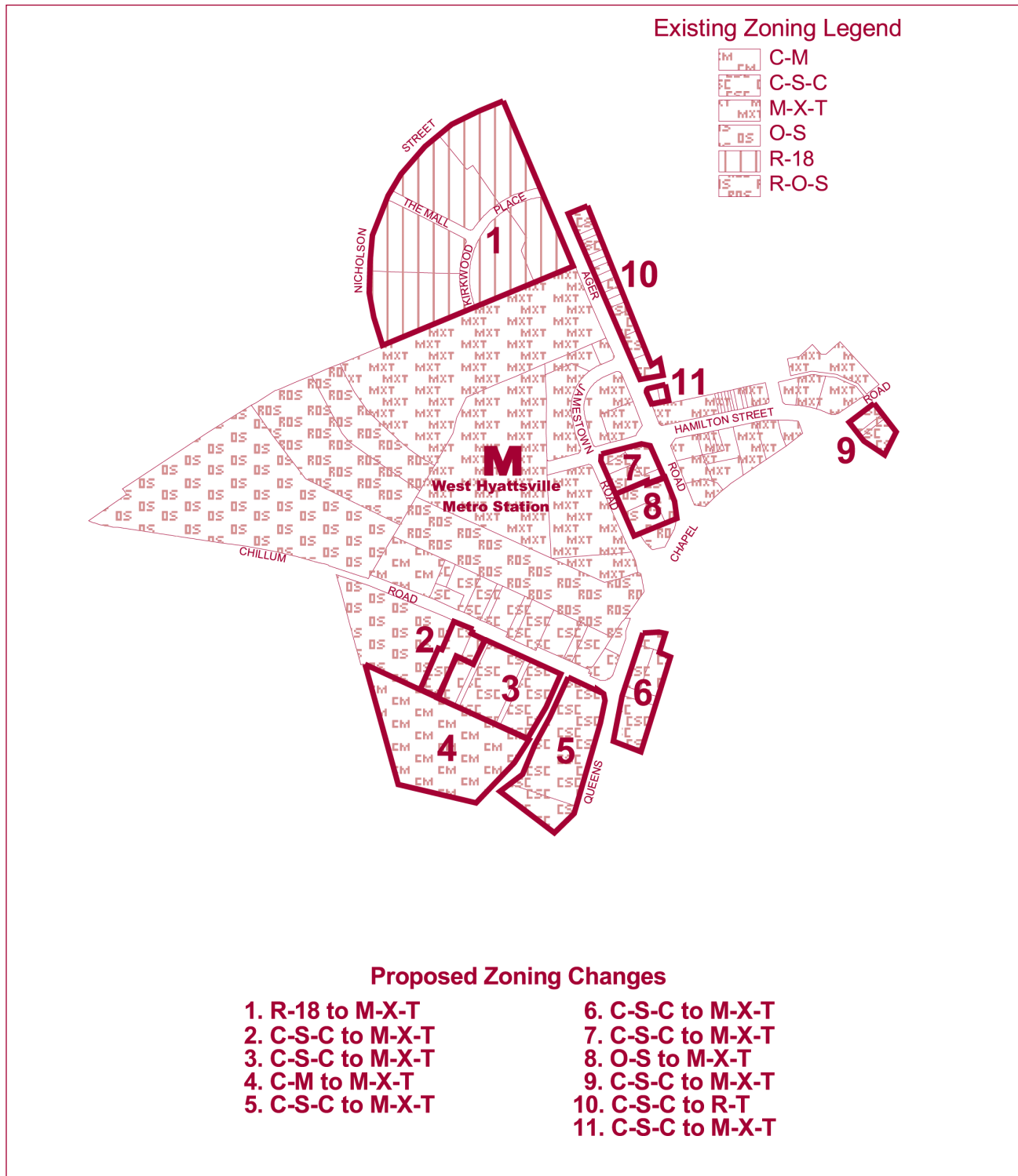
Metro Station meets the goals established in the West Hyattsville TDDP.

The comprehensive rezoning proposal is organized using the TDDP subareas identified in the 1998 West Hyattsville TDDP. The zoning changes will result in a new zoning inventory for the area (see Table 3: Existing and Proposed Zoning Inventory). Specific changes to existing zoning are shown on the following maps. These maps are included for illustrative purposes only. The 1"= 200' scale zoning maps will represent the official zoning boundaries once the TDOZMA is approved.

Application of the Mixed-Use Transportation Oriented Zone

The Mixed-Use Transportation Oriented (M-X-T) Zone is intended to encourage transit- and pedestrian-friendly, mixed-residential and commercial development around transit stations or stops. Property in a TDOZ area may be reclassified from its underlying zone to the M-X-T Zone as part of the TDOZMA or through the property owner application process (Section 27-548.26(b)) of the Zoning Ordinance. The uses permitted in the M-X-T Zone according to Section 27-547 are modified by the Use Table of the West Hyattsville TDDP.

Table 3 Existing and Proposed Zoning Inventory West Hyattsville Transit District Overlay Zone (in acres)			
Zone	Existing Zoning	Proposed Zoning	Net Change
R-O-S	13.40	13.40	0.00
O-S	31.00	28.38	-2.62
R-T	0.00	3.03	+3.03
R-18	27.17	0.00	-27.17
C-S-C	26.70	0.00	-26.70
C-M	10.68	0.00	-10.68
M-X-T	58.50	122.64	+64.14
Subtotal	167.45	167.45	0.00
R-O-W	35.68	35.68	0.00
Total	203.13	203.13	0.00
Source: M-NCPPC, July 2005 Note: All acreage is approximate.			



Map 15 Proposed Zoning Changes

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-1	R-18 to M-X-T	27.17 ac	TDOZ	June 1998	-	207NE02

Use and Location: Kirkwood Village Apartments located on the southwest side of Ager Road, northwest of the West Hyattsville Metro Station. TM 41, Grid E-4, Subdivision Plat 1366, Parcels A, B, C, D, and E.

Discussion: Rezoning from the R-18 Zone to the M-X-T Zone will allow for redevelopment of these properties with mixed-use residential and ancillary retail uses to fulfill the goal of the plan to implement the plan's vision for the North Park residential neighborhood.

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-2	O-S, C-S-C to M-X-T	1.74 ac (C-S-C)	TDOZ	June 1998	-	206NE02

Use and Location: Undeveloped lots located on the south side of Chillum Road, west of the Chillum Road Shopping Center. TM 49, Grid E-1, Parcels 4 and M.

Discussion: Rezoning of these properties from the O-S and C-S-C Zones to the M-X-T Zone will allow for redevelopment of these properties with mixed-use live/work residential uses consistent with the vision for the Queenstown neighborhood.

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-3	C-S-C to M-X-T	7.36 ac	TDOZ	June 1998	-	206NE02

Use and Location: Chillum Road Shopping Center located on the south side of Chillum Road west of the Queens Chillum Shopping Center. TM 49, Grid E-1, Parcel K.

Discussion: Rezoning of these properties from the C-S-C Zone to the M-X-T Zone will allow for redevelopment of these properties with mixed-use live/work residential uses consistent with the vision for the Queenstown neighborhood.

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-4	C-M to M-X-T	10.68 ac	TDOZ	June 1998	-	206NE02

Use and Location: Miscellaneous commercial U-Haul facility located behind the Chillum Road Shopping Center on the south side of Chillum west of the Queens Chillum Shopping Center. TM 49, Grid E-1, Subdivision Plat 3741, Parcel L.

Discussion: Rezoning of these properties from the C-M Zone to the M-X-T Zone will allow for redevelopment of these properties with mixed-use live/work residential uses consistent with the vision for the Queenstown neighborhood.

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-5	C-S-C to M-X-T	8.5 ac	TDOZ	June 1998	-	206NE02

Use and Location: Queens Chillum Shopping Center located in the southwest quadrant of the intersection of Queens Chapel and Chillum Roads. TM 49, Grid E-1, Parcel 13.

Discussion: Rezoning of these properties from the C-S-C Zone to the M-X-T Zone will allow for redevelopment of these properties with mixed-use retail uses with offices or residential uses above the ground floor consistent with the vision for the Queenstown neighborhood.

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-6	C-S-C to M-X-T	2.14 ac	TDOZ	June 1998	-	206NE02

Use and Location: A variety of commercial retail establishments located on the east side of Queens Chapel Road, north and south of Chillum Road, west of the Queenstown apartments. TM 49, Grid E-1, Subdivision Plat 1165, Parcels 2 and 9.

Discussion: Rezoning of these properties from the C-S-C Zone to the M-X-T Zone will allow for redevelopment of these properties with mixed-use retail uses with offices or residential uses above the ground floor consistent with the vision for the Queenstown neighborhood.

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-7	C-S-C to M-X-T	1.8 ac	TDOZ	June 1998	-	206NE02

Use and Location: Commercial-retail and service uses located in the southwest quadrant of the intersection of Hamilton Street and Ager Road. TM 49, Grid E-1, Parcels 116, 117, 145, and 180.

Discussion: Rezoning of these properties from the C-S-C Zone to the M-X-T Zone will allow for redevelopment of these properties with mixed-use retail uses with offices or community service uses above the ground floor consistent with the vision for the Hamilton Square neighborhood.

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-8	O-S to M-X-T	2.62 ac	TDOZ	June 1998	-	206NE02

Use and Location: Undeveloped and service-commercial uses located in the southwest quadrant of the intersection of Queens Chapel and Ager Roads. TM 49, Grid E-1, Parcels 118, and 119.

Discussion: Rezoning of these properties from the O-S Zone to the M-X-T Zone will allow for redevelopment of these properties with mixed-use residential and retail/office uses consistent with the vision for the Hamilton Square neighborhood.

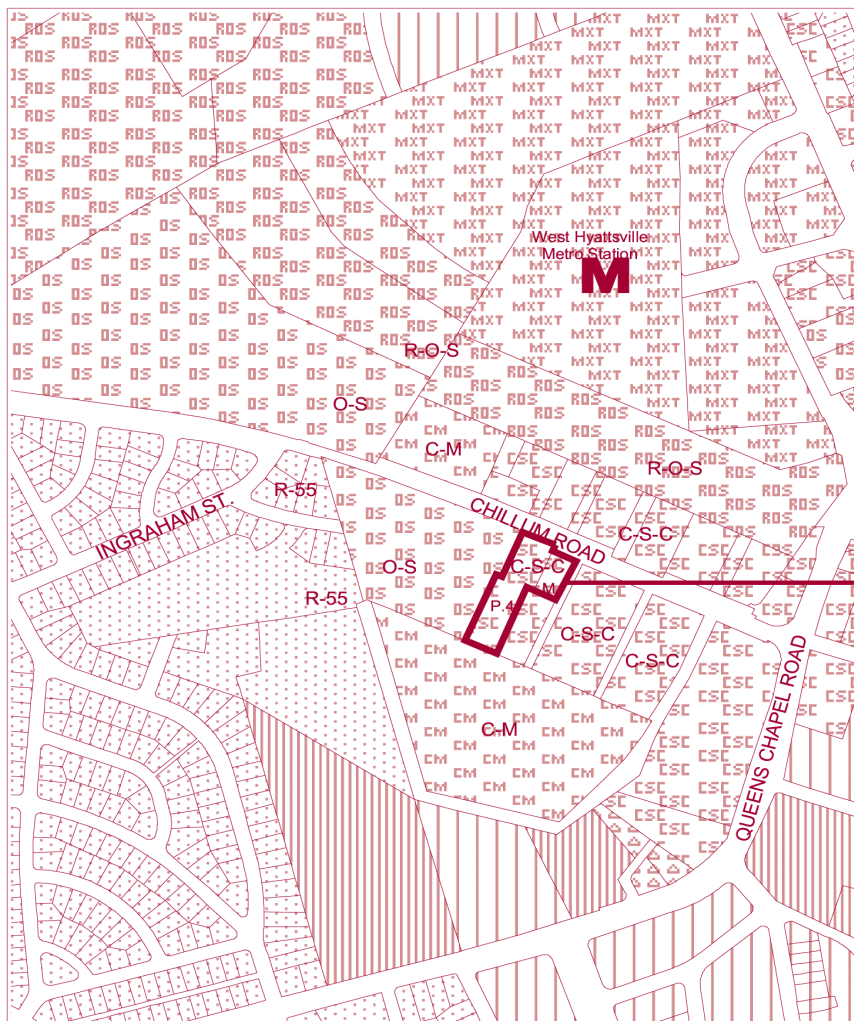
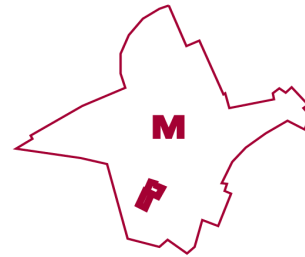
Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-9	C-S-C to M-X-T	1.86 ac	TDOZ	June 1998	-	206NE02
<i>Use and Location:</i> Commercial-retail uses located in the northwest quadrant of the intersection of Hamilton Street and Queens Chapel Road. TM 49, Grid E-1, Subdivision Plat 0527, Parcels A-1, A-2, and A-3.						
<i>Discussion:</i> Rezoning of these properties from the C-S-C Zone to the M-X-T Zone will allow for redevelopment of these properties with mixed-use retail/offices uses consistent with the vision for the Hamilton Square neighborhood.						

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-10	C-S-C to R-T	3.03 ac.	TDOZ	June 1998	-	206NE02
<i>Use and Location:</i> Several commercial uses and residential uses located on the east side of Ager Road between 29th Avenue and Jamestown Road. TM 41, Grid E-4, Subdivision Plat 1430, Lots 1-8; Plat 0494, Lots 1-4; Plat 3562, Lot A-3; Plat 5140, Parcel A-2; Plat 2901, Parcel A-2.						
<i>Discussion:</i> Rezoning of these properties from the C-S-C Zone to the R-T Zone will allow redevelopment of these properties with medium-density single-family townhouse residential uses that are consistent with the vision for the Hamilton Square and North Park neighborhoods. These uses are prohibited within the current C-S-C Zone.						

Change Number	Zone Change	Area of Change	Approved SMA/ ZAP/SE Number	Date	Pending ZAP	200' Scale Index Maps
WHTDOZ-11	C-S-C to M-X-T	0.27 ac.	TDOZ	June 1998	-	206NE02
<i>Use and Location:</i> Two lots located on the east side of Ager Road fronting Jamestown Road. TM 41, Grid E-4, Subdivision Plat 0444, Lots 13,14.						
<i>Discussion:</i> Rezoning of these properties from the C-S-C Zone to the M-X-T Zone will allow for redevelopment of these properties with mixed-use retail/offices uses consistent with the vision for the Hamilton Square neighborhood.						



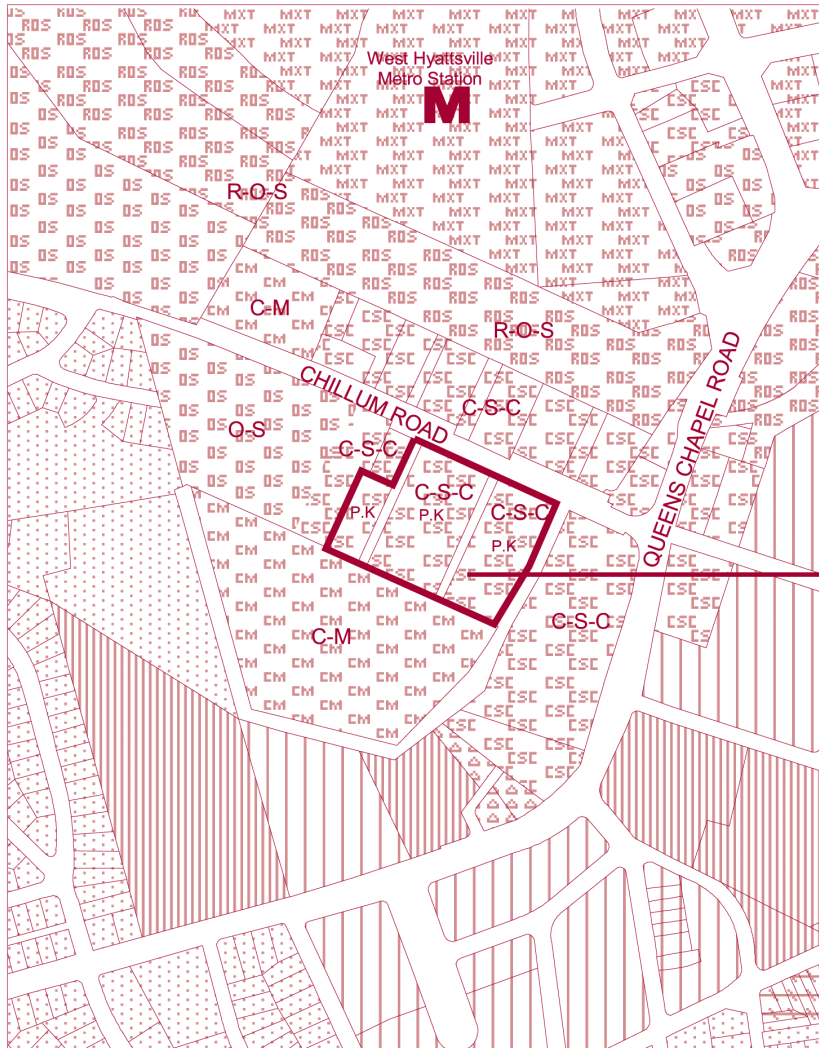
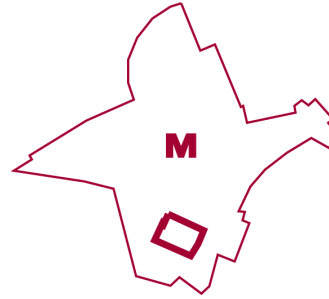
WHTDOZ-2: C-S-C to M-X-T



WHTDOZ-2

Map 17 Proposed Zoning Change WHTDOZ-2

WHTDOZ-3: C-S-C to M-X-T



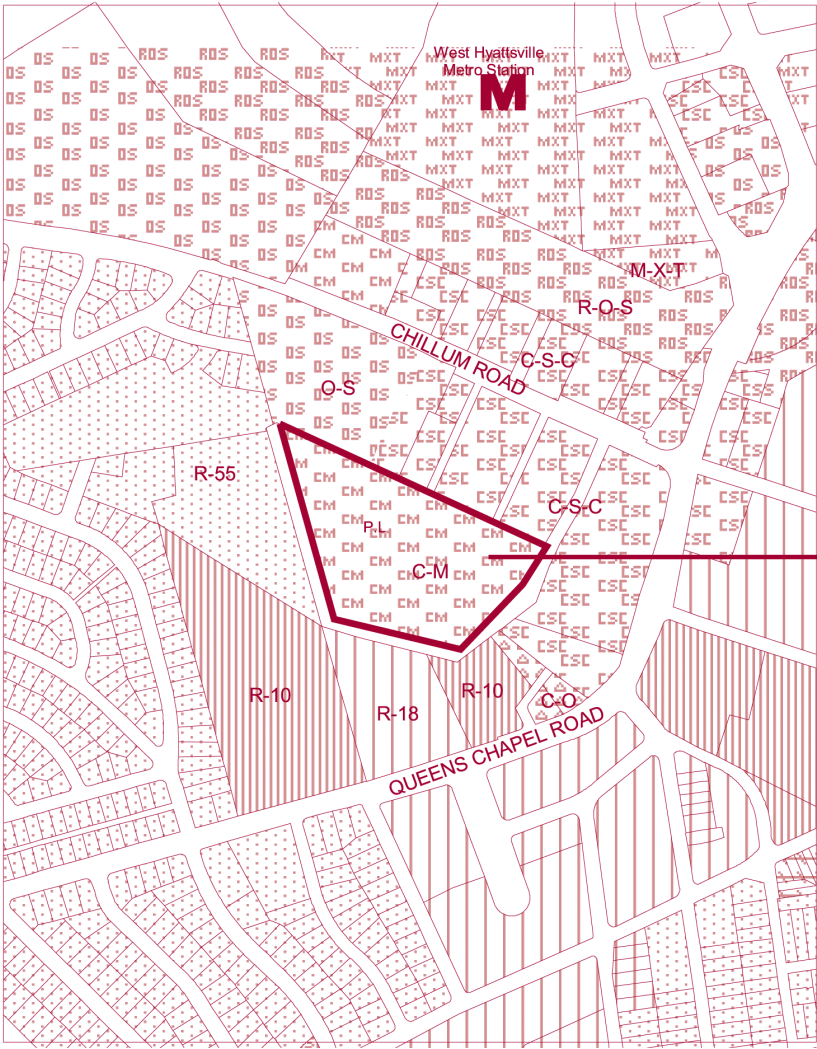
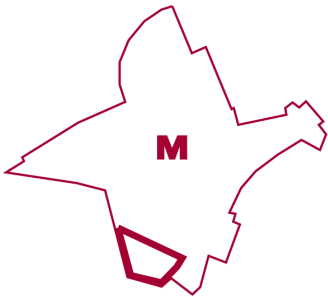
WHTDOZ-3

0 200 400 Feet



Map 18 Proposed Zoning Change WHTDOZ-3

WHTDOZ-4: C-M to M-X-T

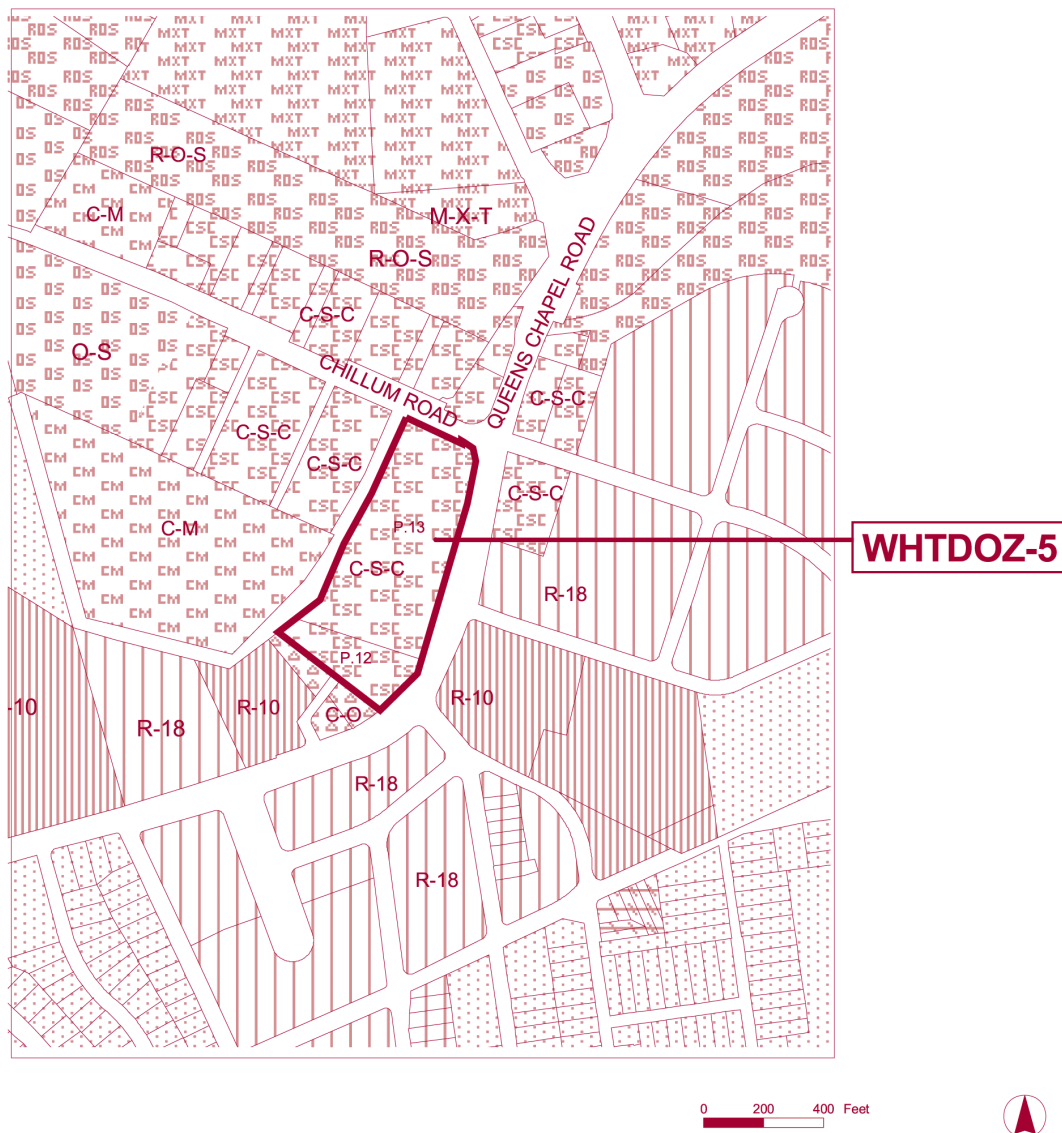


WHTDOZ-4

0 200 400 Feet



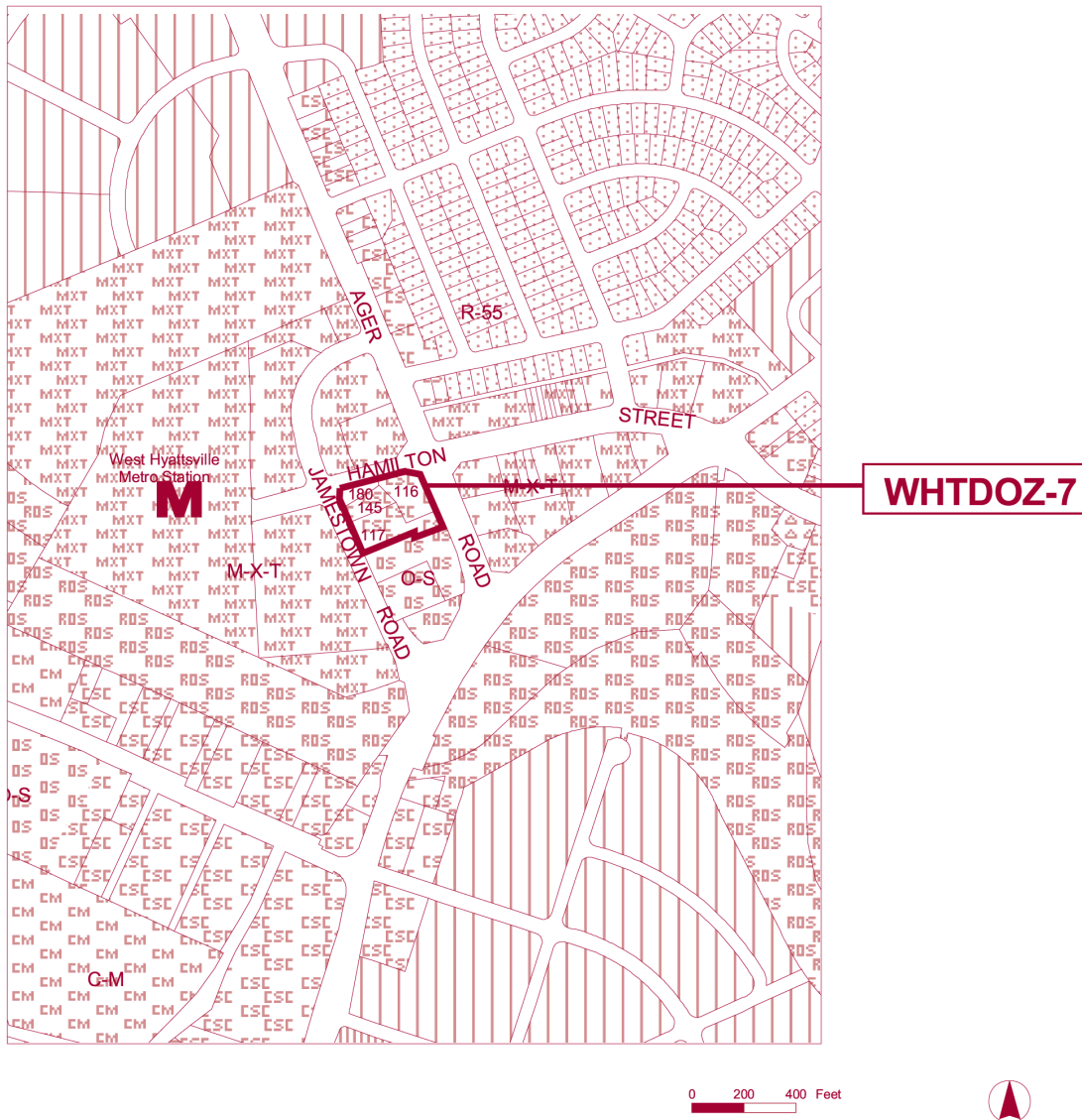
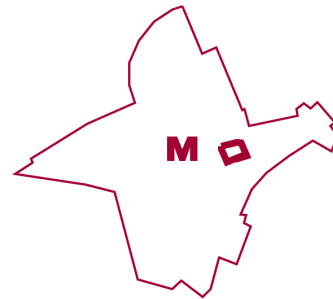
Map 19 Proposed Zoning Change WHTDOZ-4



Map 20 Proposed Zoning Change WHTDOZ-5

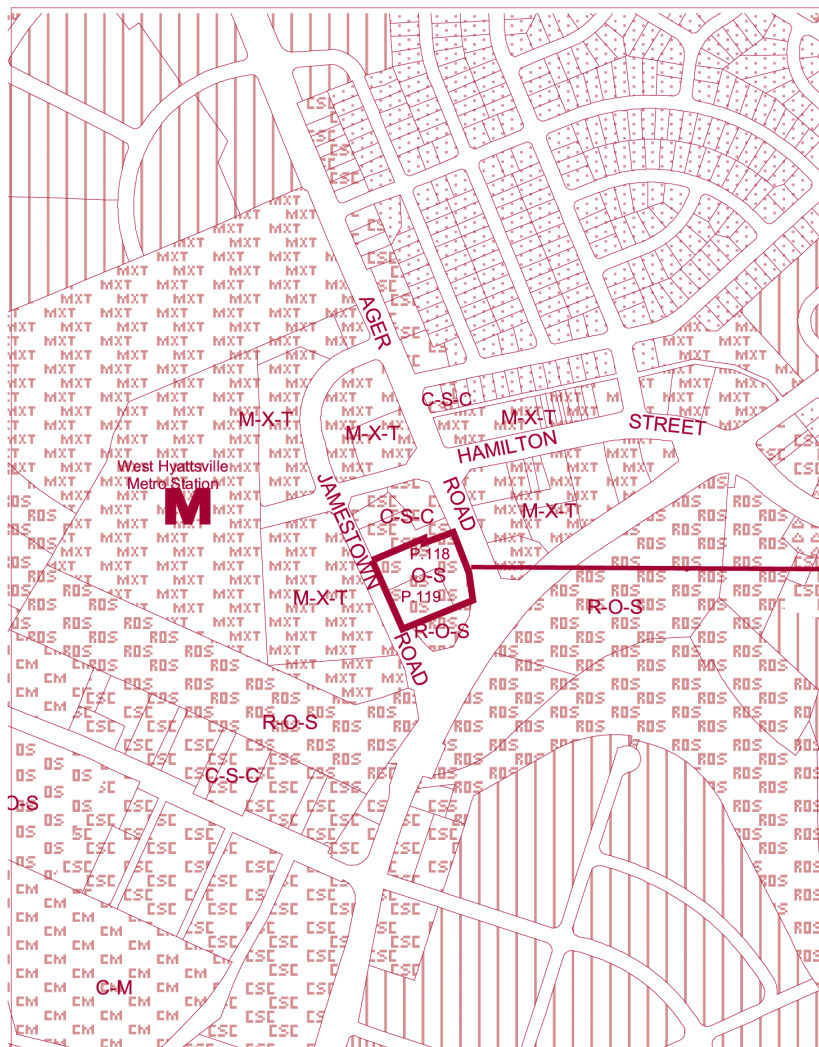
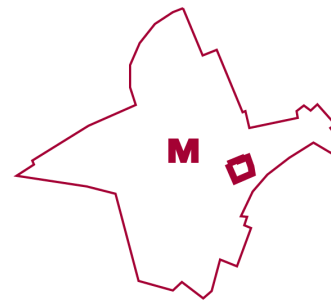
Map 21 Proposed Zoning Change WHTDOZ-6

WHTDOZ-7: C-S-C to M-X-T



Map 22 Proposed Zoning Change WHTDOZ-7

WHTDOZ-8: O-S to M-X-T



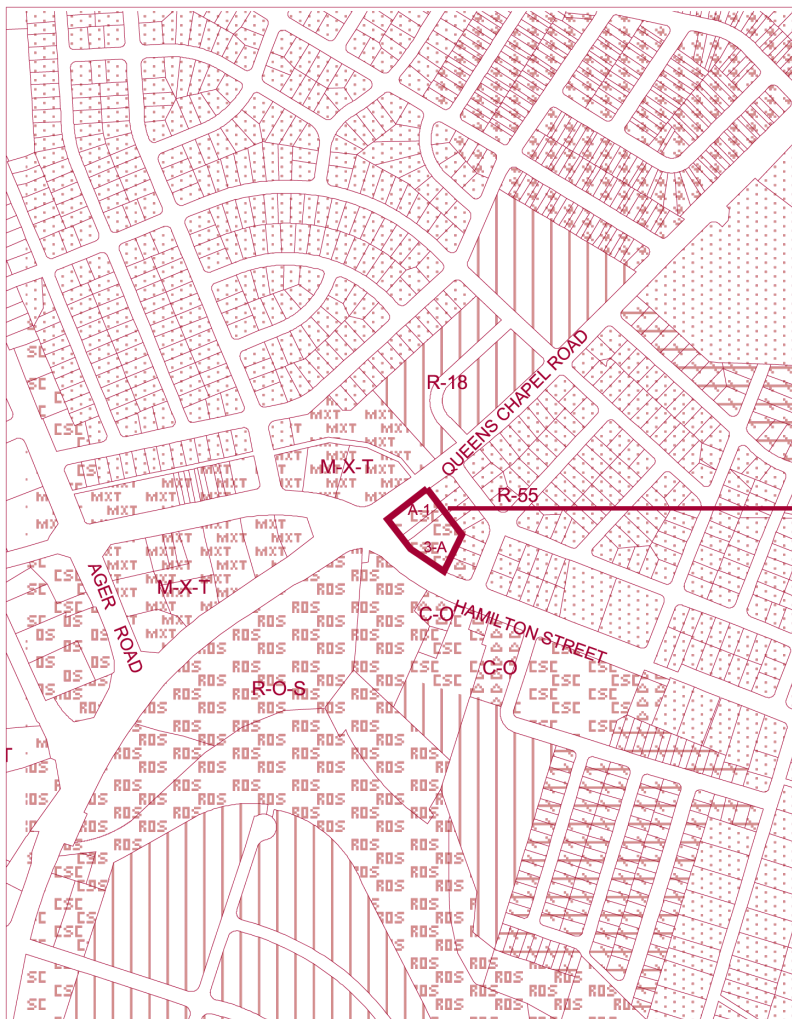
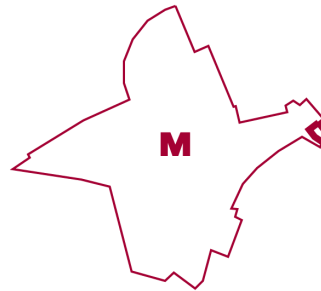
WHTDOZ-8

0 200 400 Feet



Map 23 Proposed Zoning Change WHTDOZ-8

WHTDOZ-9: C-S-C to M-X-T



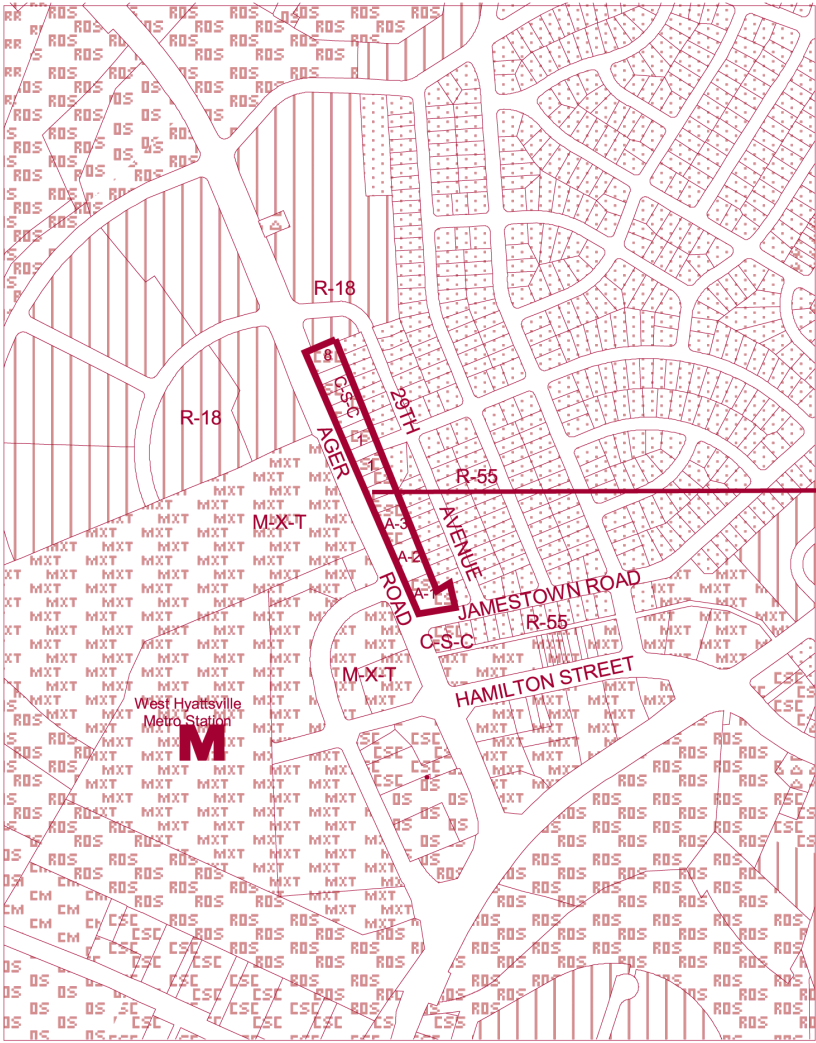
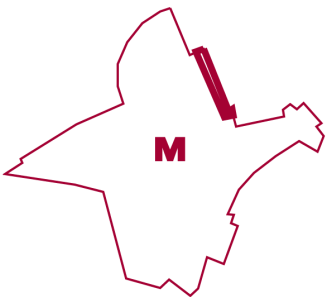
WHTDOZ-9

0 200 400 Feet



Map 24 Proposed Zoning Change WHTDOZ-9

WHTDOZ-10: C-S-C to R-T



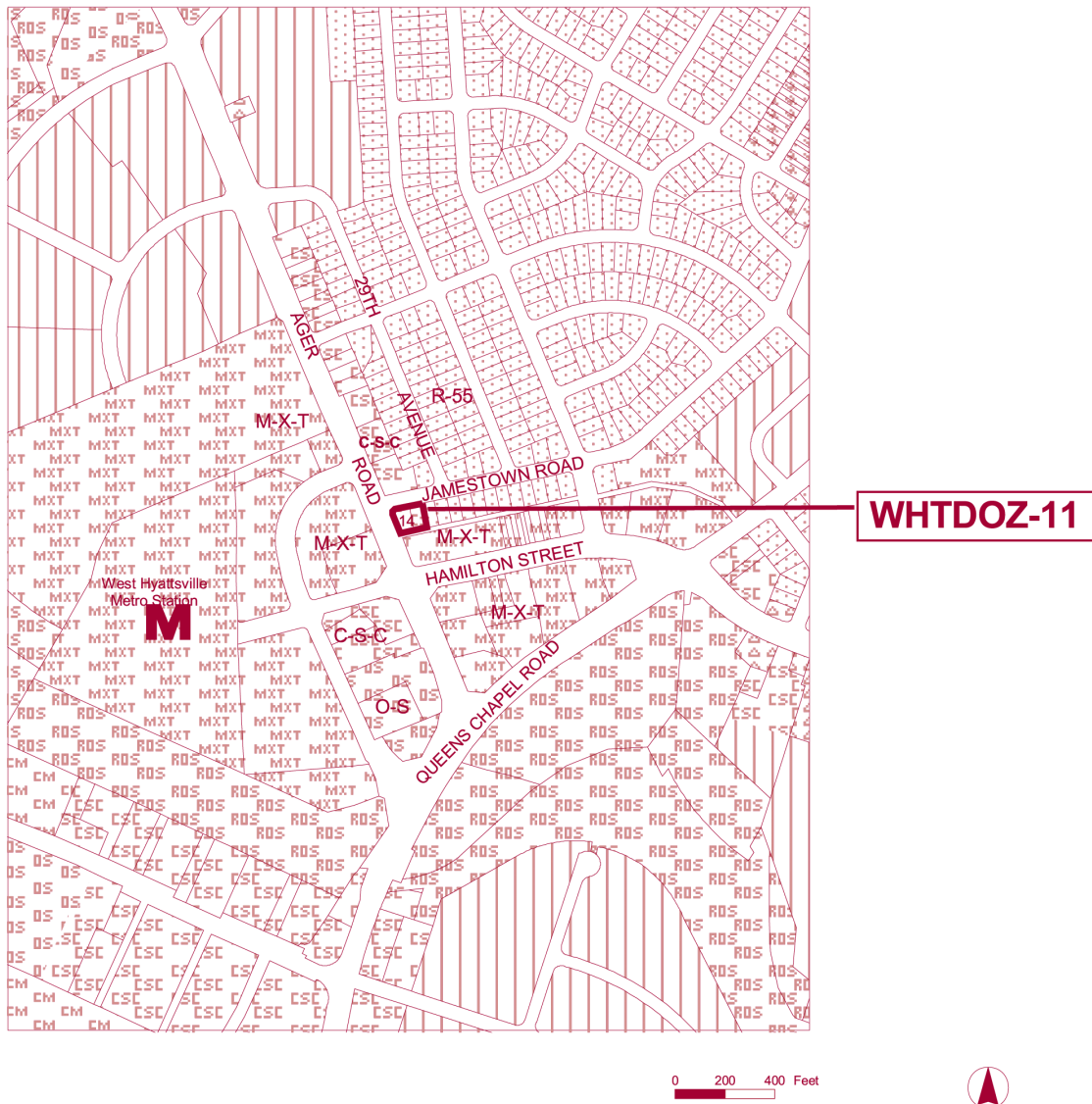
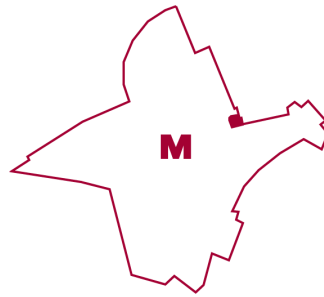
WHTDOZ-10

0 200 400 Feet



Map 25 Proposed Zoning Change WHTDOZ-10

WHTDOZ-11: C-S-C to M-X-T



Map 26 Proposed Zoning Change WHTDOZ-11