

**Prince George's County Environmental Justice Commission
Minutes**

November 5, 2019, 6pm
1801 McCormick Drive, 20774
Potomac Conference Room

Welcome

Agenda review

Zoning 101 Presentation

“Balancing the Triangle” - Brittney Drakeford and Bryan Barnett- Woods

- Zoning are the laws, regulations and standards that designates and maps land uses
- Zoning works in two parts
 1. Zoning ordinance- details the laws and regulations, procedures, zone classifications
 2. Zoning map- identifies where (geographically) the ordinance is applied, what rules apply to what land

*The County has adopted the new zoning ordinance and is in the beginning stages of creating new zoning maps that assign land uses to specific areas in the County. They are mapping the land uses geographically. *

- Are all of the zones changing with the new zoning ordinance map?
Most of the current zones will maintain their land use designation but the names of those zones have changed.
- Social Determinants of Health are used in determining environmental justice issues. SDH are affected by how land is zoned. 50% of an individual's health is determined by the physical environment. Zoning creates the rules that influence and determine a communities' physical environment.
- Zoning can designate more compatible, healthy, and environmentally friendly communities.

Zoning Tools to Address EJ Issues

Green Building Standard

- New development over 10 dwelling units or 10k sq.ft. have to pick at least three sustainability/ green benefits that will improve or mitigate environmental/ health impacts in the surrounding community or at the project site. (i.e. bike racks, renewable energy)

Industrial Form and Design Standards

- New zoning standard created to limit the potential negative impacts on the surrounding communities
 - o i.e. limiting parking- this is beneficial to the community because it makes neighborhoods more walkable, reduces impervious surfaces, etc.

Neighborhood Compatibility Standard

- Help to protect residential uses from incompatible uses that may be hazardous to residential air, water and safety
- If a project is developing near residential zones, the neighborhood compatibility standard will have precedence over other standards

Agricultural & Food Retail Standards

- Zoning now allows for “food markets” to be permitted everywhere in the County

Community Participation

- The new zoning requires industries to hold a community meeting before projects submit their application for permit approval

Presentation Discussion

1. Do we have any standards that limit the number of unwanted land uses in one area (i.e. liquor stores)?
 - a. The zoning ordinance does not have a standard for that. The liquor board controls how many liquor permits are given out. Zoning cannot ban specific uses but it can require specific standards or incentivize healthier development (healthy food priority areas).
 - b. Zoning may change a use to a non- conforming use but experts suggested that requiring stricter standards would be more of an incentive for making industries less harmful/ more beneficial than re- zoning a use “non- conforming”
2. Will industrial properties very close to residential zones be changed to protect communities from potential harm?
 - a. No. If there is an industrial zones in a growth center zone, it will most likely become a growth center zone and industrial use will no longer be allowed. This will probably be the only reclassification of industrial zones.
3. If a project is permitted by the state and not the County, is the project required to hold a “pre-application meeting” with the community?
 - a. Even if they need state permits, projects that require any types of development permits from the County (i.e. building) must have the pre- application meeting
4. Can zoning require “Community Benefits Agreements” for development to ensure communities receive benefits for development and hold developers accountable?
 - a. Property rights laws- community benefits may violate property right laws
 - b. Plan development process- if a project wants to do more than is allowed by the ordinance, that project is required to provide community benefits
5. How do we protect communities that are overburdened by hazardous cumulative impacts of development?
 - a. Pre- application meeting is a time for communities to ask for community benefits
 - b. Community members must be educated on how to understand and influence environmental benefits
 - c. Communities must organize, bring their concerns to the attention of their elected officials and together they can encourage industry to protect or mitigate community wellbeing concerns
 - d. Planning and zoning should continuously strengthening standards for development

6. What are the accountability tools for the pre- app meetings?
 - a. Commissioner suggested that zoning staff should be present at these meetings to document concerns and gather insight on how to strengthen the process
 - b. Commissioner suggested that the *new* zoning pre- application process strengthen accountability by:
 - i. Responding to community comments and concerns to explain and educate the public on who and how their concerns can be addressed by permitting authorities
 - ii. Add conditions for permit approval that address the concerns of the public
 - c. MNCPPC staff explained that conditions to a permit must be supported by an authorized planning studying. In some cases permitting authorities may need a planning study level of research to require a project to meet additional conditions.
7. Are community comments available for the public
 - a. Public comments are included in the technical staff report
 - b. The public needs to be educated on how to find this information

Overview of Helpful Action Planning Materials

Workgroup Discussion and Action Plan Format

- What do we want to present in our action plan

Commissioners discussed the structure of the Action Plan

Structure for the EJ Action Plan

- I. Define the Priority Area* and the Problem
 - A. Define the issues within those priority areas
 1. Strategies and actions in those priority areas
 - (1) Recommend who will take action using these strategies
 - (a) Desired outcome of these strategies and actions

*The Commission has identified three priority areas: (a) Land Use, Planning, Zoning And Development; Differential Permitting Of Environmental Hazards And Locally Unwanted Land Uses (Lulus); (b) Environmental Benefits; and (c) Health Equity and Health Impact Assessments.

Notes on the Action Plan Format

- Each Priority Area work group rank the issues and how many issues they want to address
- Case studies can be incorporated in the desired outcome section as examples of other areas that may have implemented recommended actions
- Consider incorporating incentives and/or requirements in your strategies and actions

Closing