

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2025 Legislative Session

Reference No.: CB-043-2025

Draft No.: 2

Committee: PLANNING, HOUSING, AND ECONOMIC DEVELOPMENT

Date: 10/02/2025

Action: FAVORABLE WITH
AMENDMENTS

REPORT: Committee Vote: Favorable with amendments, 5-0 (In favor: Council Members Dernoga, Oriadha, Adams-Stafford, Hawkins, and Olson)

Committee Meeting – June 16, 2025

Overview

The Planning, Housing, and Economic Development (PHED) Committee met on June 16, 2025, to consider CB-043-2025. PHED Committee Director Rana Hightower summarized the purpose of the legislation and informed committee members about feedback received from agencies within Prince George's County. Three public comments were submitted through the County Council e-Comment portal, with two in support and one in opposition to the legislation.

As presented on Tuesday, May 6, 2025, Draft-1 of the bill is for the purpose of amending the uses permitted in the Commercial, General and Office (CGO) Zone; amending the Principal Use Table for nonresidential base zones; and providing for approval of certain residential developments in the CGO Zone by special exception or planned unit development.

Council Member Dernoga stated he wanted to defer consideration of the bill until after the County Council's August recess for future discussion.

The Planning Board voted to take no position on the bill. The Planning Board letter stated the legislation is not consistent with the Legislative Amendment Decision Standards specified in Section 27-3501(d) of the Zoning Ordinance because it is not uniform for each class or kind of development throughout the CGO Zone. Instead, the Board found that the bill establishes different treatment for the same uses depending on the size of adjoining acreage without any language providing reasonable grounds or a public policy for such differentiation. The letter stated that such standards are also not necessary to implement development policies within the applicable area master plan and sector plans, as described above, and, in fact, conflict with many of these plans.

Additionally, during the Planning Board public hearing, testimony was presented by the public in support of and in opposition to the proposed bill.

On motion by Council Member Dernoga, seconded by Council Member Hawkins, the PHED Committee voted 3-0 to hold the bill.

Committee Meeting – October 2, 2025**Overview**

The Planning, Housing, and Economic Development (PHED) Committee met on October 2, 2025, to consider CB-043-2025 (Proposed DR-2). PHED Committee Director Rana Hightower summarized the purpose of the legislation and informed committee members of agency and public comments received.

Council Member Dernoga explained that the bill was drafted in response to language in CB-015-2024 (DR-4) which placed limitations on the development of residential uses in the Commercial General, Office (CGO) Zone. The Prince George's County Circuit Court determined that the County Council acted improperly by removing the language with another amendment. Thus, the County Council is required to hold a public hearing on the other amendment on October 7, 2025.

CB-043-2025 (DR-1) added language that places limitations on the development of residential uses in the CGO Zone. Since the court decision, Council Member Dernoga stated that he revised the bill CB-043-2025 (Proposed DR-2) to do the opposite and assumes that last year's amendment will move forward, providing relief for developers who want to convert an existing office building to a residential building. The bill supports residential development. Council Member Dernoga stated he received several requests with questions on the effective date of the legislation. He also noted that he would accept Mr. Nathaniel Forman's amendment to grandfather applications that are currently in process.

Mr. Marcus Jackson, Director of Legislative Affairs in the County Executive's Office, stated that there is no specific recommendation for the bill. However, an offline discussion may be necessary to separate different aspects of the bill, focusing on initiatives and actual guidelines. He provided an example regarding the Montgomery County Council passing legislation this year on building conversions and tax abatements. Mr. Jackson stated that he hoped a more substantive conversation could occur regarding the bill. In closing, he explained the CGO Zone already permits some of the uses, and we want to avoid redundancy. There is no official position on the bill, but they raise some concerns.

Council Member Oriadha noted there is no concern about the ability to have residential development. There is some concern that a movement away from mixed development has occurred. When the new Zoning Ordinance was adopted, it included the new CGO Zone. It transitioned from residential to mixed-use, allowing for both residential and commercial or office use. Council Member Dernoga explained the zones that made up the CGO Zone. Council Member Oriadha wanted to see some retail development included in developments to create walkable communities.

Mr. Shaquan Smith, from the Planning Department, explained that the Planning Board supports Amendment 15 to CB-015-2024 (DR-4), which reverses Amendment 13 and discusses CB-043-2025. Amendment 13 is restrictive. The CGO Zone is designed to encourage mixed-use development, and supporting Amendment 15 would further support that intent.

Ms. Dinora Hernandez found the legislation to be in proper legislative form and thanked the Committee for Council Member Hawkins' grandfather clause, as without it, the County could have been subjected to challenges.

Mr. Hardy testified in opposition to the bill. Mr. Greg Smith testified in support of the legislation. In addition, many members of the land use bar testified that amendments are needed to the bill to determine at what point in the development application process the legislation can be effective.

Council Member Dernoga proposed an amendment to address which projects would be excluded from the legislation. Committee members asked many questions on whether the exemption should start when an application is submitted or accepted.

On a motion by Council Member Dernoga, seconded by Council Member Olson, the Committee voted 5-0 to amend the bill before introduction to address applications filed by or accepted by a specific date. Additionally, the bill should include language regarding minimum requirements for office conversion.

Next, on a motion by Council Member Dernoga, seconded by Vice Chair Oriadha, the PHED Committee voted 5-0 in favor of CB-043-2025 (DR-2).