



The Maryland-National Capital Park and Planning Commission



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April 1, 2025

TECHNICAL STAFF REPORT

TO: Prince George's County Planning Board

VIA: Lakisha Hull, AICP, LEED AP BD+C, Planning Director

FROM: Marian Honeczy, AICP, Acting Planner IV

SUBJECT: Legislative Drafting Request LDR-58-2025
Green Building Standards – Universal Design

The Planning Department's legislative team has reviewed the proposed legislative amendment to the Prince George's County Zoning Ordinance and presents the following evaluation and findings leading to a recommendation of **NO POSITION**, as described in the Recommendation section of this technical staff report.

I. EVALUATION CRITERIA

Proposed legislative amendments to the Prince George's County Zoning Ordinance are reviewed under the requirements of Section 27-3501, Legislative Amendment, of the Ordinance. The Department has considered the following in reviewing this proposed legislative amendment:

- A. The Prince George's County Zoning Ordinance;
- B. The 2014 *Plan Prince George's 2035 Approved General Plan*;
- C. The current area master plans, sector plans, and functional master plans for Prince George's County;
- D. The Prince George's County Climate Action Plan; and
- E. Referral comments.

II. COMPLIANCE WITH LAW, ASSESSMENT OF TECHNICAL DRAFTING CONVENTIONS, AND PROPOSED AMENDMENTS

Section 27-3501(c)(2)(A) of the Prince George's County Zoning Ordinance states in part that **"the Council's Legislative Counsel shall prepare the proposed amendment in**

consultation with the Planning Director....” The Planning Department is submitting this memorandum to provide clarifications and any recommendations for consideration.

Pursuant to Section 27-3501(c)(2)(C), this technical staff report “**shall contain an independent, non-substantive assessment of the technical drafting conventions of the proposed legislative amendment, in order to ensure consistency with the legislative style and conventions of the current Zoning Ordinance.**” As such, the Department has determined that LDR-58-2025 was not drafted in a manner consistent with the legislative style and conventions of the current Zoning Ordinance.

There are no specific drafting comments.

III. BACKGROUND

- A. **Purpose:** LDR-58-2025 would repeal Universal Design [Section 27-61603(b)] of the Green Building Standards within the Prince George’s County Zoning Ordinance.
- B. **Impacted Property:** This proposed legislative amendment would impact all property in all zoning areas in Prince George’s County.
- C. **Policy Analysis:**

In 2024, the County Council adopted CB-085-2024, amending Subtitle 4 of the County Code to impose Universal Design requirements on all new single-family attached, single-family detached, two-family, two-over-two’s, three-family, and multifamily residential dwelling units constructed in the County on or after January 1, 2026. The adoption of mandatory Universal Design requirements impacts the Zoning Ordinance’s Green Building Point System, which is intended to ensure development in the County includes a minimum degree of green building features.

Under the Green Building Point System, applicants are offered the opportunity to select from a menu of Green Building Standards that must meet a minimum point total. The optional list includes, among other features, the same Universal Design Standards that are now required by the Building Code. In order to ensure applicants are required to meet the intent of the Green Building Point System while complying with the requirements of the Building Code, this legislation deletes the Universal Design Standards as one of the optional green building methods since such standards are now required. All other existing requirements of the Green Building Standards in Section 27-61600 of the Zoning Ordinance remain unchanged.

IV. COMPLIANCE WITH EVALUATION CRITERIA

Section 27-3501(c)(2)(B) requires the Planning Director to issue a technical staff report on any proposed legislative amendment to the Zoning Ordinance within 14 calendar days of the transmittal of the proposed amendment by the Clerk of the Council. This section also requires, at minimum, analysis of the extent to which the proposed legislative amendment complies with six criteria.

- A. This proposed legislative amendment meets the requirements of Section 27-3501(c)(2)(B) as follows:

- (i) **Is consistent with the goals, policies, and strategies of Plan Prince George's 2035 (or any successor General Plan), area master plans, sector plans, functional master plans, and any other applicable approved plans;**

By ensuring development applications will still need to provide green building features in addition to universal design standards, this legislation will further the goals, policies, and strategies of the 2014 *Plan Prince George's 2035 Approved General Plan* (Plan 2035) and applicable master and sector plans relating to protecting and conserving resources, supporting a healthy lifestyle for citizens, reducing greenhouse gas emissions, and ensuring a high quality of life for County residents.

- (ii) **Addresses a demonstrated community need;**

Part 27-6 of the Prince George's County Zoning Ordinance imposes development standards on new development for the purpose of ensuring quality in future development and redevelopment in the County. Section 27-61600 of the development standards imposes green building standards that the District Council determined will protect and conserve resources, support a healthy lifestyle for citizens, reduce greenhouse gas emissions, and ensure a high quality of life for County residents. The amendments proposed by this legislation will further these community needs identified by the Council, by ensuring that development applications continue to meet green building standards in addition to the universal design standards that the Council has determined should be mandatory.

- (iii) **Is consistent with the purpose and intent of the zones in this Ordinance, or would improve compatibility among uses and ensure efficient development within the County;**

This amendment ensures certain development standards are met by new development and does not relate to the purpose and intent of the zones, address compatibility among uses, or have an impact on efficient development within the County.

- (iv) **Is consistent with the implementation of the strategies and priority recommendations of the Prince George's County Climate Action Plan;**

LDR-58-2025 is generally "consistent with implementation of the strategies and priority recommendations of the draft Prince George's County Climate Action Plan."

The draft Climate Action Plan (CAP) presents strategies to achieve a carbon-free County by addressing County operations, reducing the County's contribution to greenhouse gas emissions, and taking steps to prepare for the coming impacts of a changing climate. This proposal removes universal design implementation from the Zoning Ordinance (Subtitle 27) because there are universal design standards in the building code (Subtitle 4). The

draft CAP contains Recommendation A-9 regarding the adoption of codes, standards, and practices to support climate-ready green buildings and development. This proposal furthers the goals of the draft CAP by ensuring additional green building standards are incorporated into new development in addition to universal design.

(v) Is consistent with other related State and local laws and regulations; and

Universal design standards are contained in Subtitle 4 of the County Code, and this amendment is consistent with that Subtitle.

(vi) Would avoid creating significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

LDR-58-2025 would generally “avoid creating significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment” because the proposal deals with the elements of a structure only and not the natural environment.

- B. Pursuant to Section 27-3501(c)(2)(C), this technical staff report “**shall contain an independent, non-substantive assessment of the technical drafting conventions of the proposed legislative amendment, in order to ensure consistency with the legislative style and conventions of the current Zoning Ordinance.**”

This analysis was provided above in Section II of this technical staff report.

- C. Finally, Section 27-3501(c)(2)(D) requires the Planning Board to make a recommendation on the proposed amendment in accordance with the Legislative Amendment Decision Standards that guide the District Council’s final decision on the approval of a proposed legislative amendment.

Analysis of the Legislative Amendment Decision Standards is contained in a separate subsection of this technical staff report below.

V. Referral Comments

The Department referred LDR-58-2025 to colleagues throughout the Planning Department and received referral comments from the Community Planning Division, Development Review Division, and Countywide Planning Division that were reviewed and integrated in this staff report.

VI. PLANNING BOARD PUBLIC HEARING

Section 27-3501(c)(2)(D) requires the Prince George’s County Planning Board to hold a public hearing and make comments on the proposed legislative amendment within 30 days

of the date of the transmittal of the Clerk of the Council. Said public hearing must be noticed by electronic mail at least 21 days prior to the public hearing, sent to every registered community organization in the County pursuant to Section 27-3407(b)(3) of the Zoning Ordinance, and to any person or organization registered pursuant to Section 27-3402(d) of the Zoning Ordinance.

Notice for the public hearing on LDR-58-2025 was sent on March 25, 2025, 23 days prior to the Planning Board meeting. The Planning Board public hearing will be held on April 17, 2025.

Comments offered by the public prior to and during the Planning Board's public hearing will be summarized, along with the Planning Board's comments, in the Board's recommendation to Clerk of the Council.

VII. ANALYSIS OF LEGISLATIVE AMENDMENT DECISION STANDARDS

LDR-58-2025 has been reviewed for consistency with Section 27-3501(d), Legislative Amendment Decision Standards, of the Zoning Ordinance. The Department finds the following:

The advisability of amending the text of this Ordinance is a matter committed to the legislative discretion of the County Council sitting as the District Council and is not controlled by any one factor. Within each zone listed in the Classes of Zones (Section 27-4102), the (D)istrict (C)ouncil may regulate the construction, alteration, and uses of buildings and structures and the uses of land, including surface, subsurface, and air rights. The provisions for each zone shall be uniform for each class or kind of development throughout the zone, and no legislative amendment may create different standards for a subset of properties within a zone, unless such standards are necessary to implement development policies within the applicable Area Master Plan, Sector Plan, development policies of the General Plan, or other approved development district; however, any differentiation of a subset of properties within a zone shall be reasonable and based upon the public policy to be served.

This legislation applies to new development without consideration to specific zones. Therefore, this legislation does not impact the uniformity for each class or kind of development throughout the zone or create different standards for a subset of properties within a zone.

VIII. PROPOSED AMENDMENTS

Following review of LDR-58-2025, the Department has offered any necessary technical and substantive amendments in Sections II and III above.

IX. RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Planning Department's legislative team recommends the Planning Board adopt the findings of this report and also recommends the Planning Board recommend **No Position** on LDR-58-2025.