





September 27, 2024

FISCAL AND POLICY NOTE

TO: Jennifer A. Jenkins
Council Administrator

Colette R. Gresham, Esq.
Deputy Council Administrator

THRU: Josh Hamlin 
Director of Budget and Policy Analysis

FROM: Alex Hirtle 
Legislative Budget and Policy Analyst

RE: Policy Analysis and Fiscal Impact Statement
CB-082-2024 Commercial Property Standards

CB-082-2024 (proposed by: Council Member Oriadha)

Assigned to Committee of the Whole (COW)

AN ACT CONCERNING COMMERCIAL PROPERTY STANDARDS for the purpose of prohibiting linear lights in commercial storefronts to reduce the harmful effects of light pollution on Prince George's County residents and neighborhoods.

Fiscal Summary

Direct Impact:

Expenditures: Negligible to modest additional expenditures.

Revenues: Possible increased revenue due to additional violations.

Indirect Impact:

Potentially favorable.

Legislative Summary:

CB-082-2024¹ was presented by Council on September 17, 2024, and referred to the Council of the Whole (COW).

The Bill prohibits any type of illumination, static or flashing, internal or external, fully or partially outlining architectural features such as doors, windows, walls, wall edges, or other structural or building elements to be used for commercial purposes. The purpose of the legislation is to reduce the harmful effects of light pollution on Prince George's County residents and neighborhoods. The legislation does not include holiday decorations.

Current Law/Background:

This legislation was originally submitted under Zoning Bill CB-061-2024.² A technical staff report was produced by M-NCPPC³, which opposed the legislation due to its lack of specificity regarding what was being prohibited and its conflict with what is already allowed in the new Zoning Ordinance (grandfathered current usage would be problematic).

The Bill was eventually re-written under Subtitle 13 (Housing and Property Standards), presented on September 17th, 2024, and referred to COW.

The sponsor has heard from a large number of constituents voicing concerns about commercial lighting that highlights and/or outlines architectural features of a building such as doors, windows, walls, etc. This illumination may be used to attract attention and/or be used as a means for marketing the business.

Resource Personnel:

- Eric Irving, Fiscal & Legislative Specialist
 - Tiffany Hannon, Chief of Staff, District 7
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Discussion/Policy Analysis:

Linear lighting, described in the definition of the Bill, has been increasingly used on commercial properties to give attention to and market the commercial enterprise, utilizing this type of device almost as signage or an illuminated banner. To many residents of the County, this type of lighting can be seen as inappropriate or inelegant- in other words, not conducive to the community where

¹ [CB-082-2024](#)

² [CB-061-2024](#)

³ [CB-061-2024 Technical Staff Report](#)

they live, work, or play. The Bill's sponsor has indicated (through staff) that this is not a concern with a small percentage of her constituents- many residents from this (District 7) and other districts have raised the issue about linear lighting, and do not want it in or near their residence.

A search for nearby jurisdictions or municipalities did not indicate any defined legislation that prohibits linear lighting or similar types of illumination (prohibitions may already be set through zoning regulations and/or the Use & Occupancy process); the wording utilized for this legislation comes from the City of Wheaton, Illinois, which passed Ordinance No. F- 1863 in 2018 citing that the City "...discourage(s) signs which distract the attention of the motorists or are otherwise hazardous, or which create a carnival atmosphere inconsistent with the suburban character of Wheaton..."⁴ Additionally, other municipalities such as the City of Golden, Colorado and Southbury, Connecticut have similar legislation which restricts or prohibits linear lighting or similar illumination.⁵

One concern with the wording is the phrase "...not including holiday decorations." Although this exception can be seen as allowance of colorful string lights during a festive period, a finer definition of "holiday" and limits on the time period may want to be included to avoid abuse of this. Just as an example, the celebration of "la Navidad" and "Kapaskuhan" are both holiday periods lasting well over a month⁶, which may lead some business owners to abuse this exception and enable them to use lighting similar to linear lighting during longer time frames.

Fiscal Impact:

- *Direct Impact*

Enactment of CB-082-2024 is likely to have an adverse fiscal impact on the County through additional duties by the Department of Permitting, Inspections, and Enforcement (DPIE) staff to respond to, follow up, and possibly spot-check complaints about commercial operations utilizing linear lighting. We did not receive information from DPIE regarding data or a fiscal impact analysis, but it can be expected that enforcement of the proposed legislation will necessitate minimal to modest additional expenditures for the necessary personnel to carry out the Bill's objective. This additional expense may be offset by the fines through linear lighting violations, but given the history of DPIE's low volume of issuing violations and citations in general, it is unlikely.

- *Indirect Impact*

Enactment of CB-073-2024 could have a favorable indirect impact on the County by the reduction and possible elimination of linear lighting for commercial purposes. Increased community aesthetic cohesion by the elimination of this type of lighting could provide increased quality of life to residents, and possibly higher property values in neighborhoods bordering business districts that

⁴ [City of Wheaton Ordinance No. F-1863](#)

⁵ [Golden, Colorado Code](#); [Southbury, Connecticut](#)

⁶ [La Navidad](#); [Kapaskuhan](#)

now use linear lighting, as well as the commercial properties themselves. Increased property values can increase total tax revenue for the County to pay for increased services for its residents.

- *Appropriated in the Current Fiscal Year Budget*

No.

Effective Date of Proposed Legislation:

The proposed Bill shall be effective forty-five (45) calendar days after it becomes law.

If you require additional information, or have questions about this fiscal impact statement, please reach out to me via phone or email.