



February 12, 2026

TECHNICAL STAFF REPORT

TO: Prince George's County Planning Board

FROM: Natalia Gomez Rojas, AICP, Planner IV - Planning Director's Office

SUBJECT: Legislative Drafting Request LDR-16-2026
Use Regulations - Qualified Data Centers

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

- A. The Prince George's County Zoning Ordinance;
- B. The *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 staff report to provide clarifications and any recommendations for consideration.

Pursuant to Section 27-3501(c)(2)(C) of the Zoning Ordinance, 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 the proposed bill was not drafted in a manner consistent with the legislative style and conventions of the current Zoning Ordinance.

To ensure consistency with the technical drafting conventions of the Zoning Ordinance, and if the proposed legislation were to move forward, LDR-16-2026 should, the Planning Department offer the following revisions:

- Delete page 2, Lines 7-10 and renumber subsequent clauses accordingly.
 - Revise Section 27-3605(b), Detailed Site Plans Generally, to add a new Subsection (6) that reads: Qualified data centers shall require approval of a detailed site plan.
- Revise numbering of page 3, lines 1-7. This language is not part of Section 27-5102(e)(4)(B)(v) for data centers in the RR Zone; it belongs to Subsection (B)(iv)(cc). There is no Subsection (B)(v)(cc).

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

III. BACKGROUND

- A. **Purpose:** To remove the exemption from Detailed Site Plan (DET) requirements for proposed qualified data centers, as a response to a growing desire for more public scrutiny.
- B. **Impacted Property:** This bill will impact properties in the RR, CGO, IE, IH, NAC, TAC, and TAC-PD where qualified data centers are permitted by right.
- C. **Policy Analysis:** LDR-16-2026 proposes to require DET approval for all qualified data center developments in response to public requests for increased transparency and public review of these projects. The legislation also proposes to eliminate the building permit application requirements specific to qualified data centers currently listed Section 27-5102(e)(4)(B)(v)(bb), as well as the applicant's option to request site plan review by the Department of Permitting, Inspections and Enforcement (DPIE) and the Maryland-National Capital Park and Planning Commission (M-NCPPC).

By way of background, the use “qualified data center” was added to the County’s prior Zoning Ordinance in 2021 through CB-1-2021, when the District Council allowed qualified data centers as a permitted use in the County. That legislation was designed to encourage data center development and, to that end, exempted data center projects from Conceptual Site Plan and Detailed Site Plan review. These exemptions significantly reduced the time required to obtain development approvals. Both CB-1-2021 and the County’s 2020 sales tax exemption for data centers were adopted as economic development tools to attract more data center projects to Prince George’s County.

Since 2025, members of the public have requested opportunities to provide input on data center applications, and Council members have likewise sought to have these projects discussed and reviewed at the District Council level. In response to these concerns, LDR-16-2026 proposes to require DET approval for qualified data center developments.

From a procedural standpoint, a DET application involves several layers of review. The Planning Department first evaluates the application and circulates it to other County agencies for comment. The Planning Board then considers the application at a public hearing, at which members of the public may provide testimony. Following the Planning Board’s decision, that decision may be appealed, and the District Council may elect to exercise its review authority.

As to substance, DETs are site plans that show the exact location and design of all buildings and structures, streets, parking lots, open spaces, landscaping, grading, and other **on-site physical features**. DETs contain the same level of site information that is necessary to obtain a permit and are required by either the zone, proposed use, or a condition of a previous approval for the property. Importantly, DET review focuses on building and site design, not land use policy. It does not determine whether a particular use is appropriate for a site and does not limit or discourage a project when the proposed use is already permitted by right under the Zoning Ordinance.

Consistent with the structure of the Zoning Ordinance, the requirement for a DET is generally triggered by the scale and physical impacts of a development, rather than by the nature of the land use itself. Only in limited circumstances does the Ordinance require a DET specifically because of the impacts associated with a particular use. All provisions governing DET review—including applicability, exemptions, general requirements, and submittal standards—are set forth in Section 27-3605. To maintain the internal organization and logic of the Ordinance, the Department recommends that any requirement for qualified data centers to obtain DET approval be codified in Section 27-3605(b)(6). This placement is appropriate because the requirement relates to development review procedures, not to whether a qualified data center is permitted as a principal use, which is addressed separately in Section 27-5102. This recommendation is better outlined in section II of this staff report.

In addition, it should be noted that, in most cases, a DET must conform to the design standards and conditions of approval established under any previously approved Preliminary Plan of Subdivision for the subject property.

Lastly, in April 2025, the County Council established the Prince George's County Data Center Task Force through CR-16-2025. In October 2025, the Task Force issued its report, *Qualified Data Centers in Prince George's County*, which summarizes the findings of its research and public engagement efforts. The report includes several policy recommendations, including:

- Require a Sustainable Operations Plan with Every Special Exception or Planned Development Zoning Map Amendment (ZMA-PD)
- Discourage Speculative Data Center Development by Incentivizing Projects to Pursue Planned Developments
- Require All Data Centers to Undergo the Special Exception Process. *See Qualified Data Centers in Prince George's County, pp. 10-11.*

Based on the foregoing, the Department recommends that the bill sponsor review the Task Force report and consider incorporating those policy recommendations that would further and more fully achieve the stated intent of this legislation. In addition, the Department supports a more comprehensive review process for projects that may result in significant impacts or draw substantial public interest. This would ensure that all relevant land use, environmental, and infrastructure considerations are fully evaluated in accordance with applicable standards and procedures.

IV. COMPLIANCE WITH EVALUATION CRITERIA

1. 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;

Neither Plan 2035 nor any approved master, sector, or transit district development plans address qualified data centers and their need for additional review and public input

(ii) Addresses a demonstrated community need;

The Planning Department's Community Planning Division provides the following analysis on the community need for cannabis businesses in the County:

"Identified community need" is not defined by the Zoning Ordinance and is subjective. There is no community need identified in this legislation.

(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;

Staff cannot identify any impact that LDR-16-2026 would have on the purpose and intent of the zones in the Ordinance or that it would improve compatibility among uses and ensure 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-16-2026 is consistent with the draft Prince George's County Climate Action Plan. Particularly with priority recommendation CO-5: strengthen land use regulations to better align individual land use decisions with state County policies related to smart growth, natural resource conservation, and green infrastructure. By allowing Planning Board and the District Council review and decide on applications for qualified data centers, these bodies can assess potential impacts on land, woodland conservation, and stormwater management. LDR-16-2026 is also consistent with recommendations for M-7, Increase investment in Activity Centers, M-9, Establish building benchmarking requirements and energy and water consumption standards and CO-3 Ensure meaningful, equitable community engagement.

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

Staff have not identified any state laws that require additional review for applications related to qualified data centers. On the contrary, there are incentives to attract data centers via Senate Bill 397 which allows local governments to reduce or eliminate the percentage of the assessment of any data center personal property used in a qualified data center.

(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-16-2026 complies with this criterion. Part of the DET staff review includes confirming that the proposed development complies with the development standards and requirements for permitted principal uses outlined in the Zoning Ordinance.

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."

As provided in Section II of this technical staff report, the Planning Department has determined that LDR-16-2026 was drafted in a manner consistent with the legislative style and conventions of the current Zoning Ordinance.

- 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.

2. Referral Comments

Staff referred LDR-16-2026 to colleagues throughout the Planning Department and received referral comments that were reviewed and integrated in this staff report.

V. 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 community organization in the County registered 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-16-2026 was sent on February 5, 2026 as required by the Zoning Ordinance. The Planning Board public hearing will be held on February 26, 2026, thus meeting the notice requirement of the Zoning Ordinance.

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.

VI. ANALYSIS OF LEGISLATIVE AMENDMENT DECISION STANDARDS

LDR-16-2026 has been reviewed for consistency with Section 27-3501(d), Legislative Amendment Decision Standards, of the Zoning Ordinance. Staff find 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.

The Department finds that LDR-16-2026 meets the criteria that the provisions for each zone shall be uniform for each class or kind of development throughout the zone because the amendment does not create different standards for a subset of properties Countywide, regardless of zoning. The proposed amendments contained in LDR-16-2026 would therefore be consistently applied to each affected zone across the County.

Staff recommend the Planning Board find that LDR-16-2026 is consistent with the Legislative Amendment Decision Standards specified in Section 27-3501(d) of the Zoning Ordinance.

VII. PROPOSED AMENDMENTS

Following review of LDR-16-2026 the Department has offered the necessary technical drafting convention edits that are necessary for this proposed bill in Section II, above. As to the substantive aspects of the bill, the Department does not offer additional amendments.

VIII. RECOMMENDATION

Based upon the foregoing evaluation and analysis, the Planning Department's legislative team recommends that the Planning Board adopt the findings of this report and recommend the Planning Board **NO POSITION** for LDR-16-2026.