



July 25, 2025

TECHNICAL STAFF REPORT

TO: Prince George's County Planning Board

FROM: Shaquan Smith, PMP, Planner IV, Planning Director's Office

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

SUBJECT: Legislative Drafting Request LDR-113-2025
Municipalities - County Use and Occupancy Permits - Application Documentation

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 Prince George's County Zoning Ordinance are reviewed under the requirements of Section 27-3501, Legislative Amendment, of the Zoning Ordinance. The 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 memorandum to provide clarification 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-113-2025 was drafted in a manner consistent with the legislative style and conventions of the current Zoning Ordinance.

III. BACKGROUND

- A. **Purpose:** LDR-113-2025 proposes that the Prince George’s County Department of Permitting, Inspections and Enforcement (DPIE) is required, at the time a County Use and Occupancy permit application is made, to provide a certain municipality with certain documents; and generally regarding Use and Occupancy permits in Prince George’s County.
- B. **Impacted Property:** The proposed legislative amendment would impact all properties in Prince George’s County requesting approval of a Use and Occupancy permit application.
- C. **Policy Analysis:** LDR-113-2025 is an amendment to the Zoning Ordinance’s Administration by amending the procedures for application submittals and Use and Occupancy Permits.

The bill will require DPIE, when a Use and Occupancy permit application is submitted, to provide the municipality where the building is located with a copy of the application and supporting documents, unless the municipality requires a separate Use and Occupancy permit. If a separate permit is required, the applicant must file a municipal use and occupancy permit application.

Upon receipt of LDR-113-2025, the Planning Department has determined the best course of action is for the proposed amendment to be reviewed and commented on by DPIE, as it does not fall under the purview of the Planning Department.

IV. COMPLIANCE WITH EVALUATION CRITERIA

- 1. Section 27-3501(c)(2)(B) of the Zoning Ordinance 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, an 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;**

Consistency with General Plan

Plan 2035 does not address the administrative process of zoning applications, except to recommend streamlining the process in the Downtowns and Innovation Corridor (Strategy EP1.4, p. 130).

Consistency with Area Master and Sector Plans

The County's master, sector, and transit district development plans do not address municipal notification of use and occupancy permits.

(ii) Addresses a demonstrated community need;

"Identified community need" is not defined by the Zoning Ordinance; however, the Prince George's County Department of Permitting, Inspections and Enforcement can better assess the community need(s) addressed by the proposed amendment.

(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;

The Department was unable to identify any impact that LDR-113-2025 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;

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. The proposed amendment would not generally impact the draft CAP.

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

LDR-113-2025 complies with this criterion.

(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-113-2025 complies with this criterion.

- 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.

2. Referral Comments

Staff referred LDR-113-2025 to colleagues throughout the Planning Department and received referral comments that were reviewed and integrated into this staff report.

V. PLANNING BOARD PUBLIC HEARING

Section 27-3501(c)(2)(D) of the Zoning Ordinance 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-113-2025 was sent August 14, 2025, as required by the Zoning Ordinance. The Planning Board public hearing will be held on September 4, 2025, 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 the Clerk of the Council.

VI. ANALYSIS OF LEGISLATIVE AMENDMENT DECISION STANDARDS

LDR-113-2025 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-113-2025 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-113-2025 would therefore be consistently applied to each affected zone across the County.

VII. PROPOSED AMENDMENTS

Following review of LDR-113-2025, the Department has not offered any necessary technical drafting convention edits for this proposed bill in Section II, above. As to the substantive aspects of the bill, the Department has no amendments at this time and recommends possible conversations with the Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) to confirm their position on the bill.

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. The Planning Department's legislative team further recommends that the Planning Board take **NO POSITION** on LDR-113-2025.