The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
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June 4, 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-96-2026
Use Regulations – Permitted Uses – Private School

The Prince George's County Planning Department's legislative team has reviewed the proposed legislative amendment to the Zoning Ordinance and recommends **DISAPPROVAL**. LDR-96-2026 seeks to allow a private school of any size by right in a residential zone. Private school uses have long required a special exception in all residential zones, unless they meet certain minimum acreage requirements, to ensure the location, size, design, and operating methods fit the specific neighborhood. LDR-96-2026, however, would apply to properties of any size in the RR Zone. The LDR also does not identify any public policy justification for the proposed amendment, and the Planning Director was not consulted prior to its introduction as required by the Zoning Ordinance. The LDR's language is also too vague to be able to identify how many properties it might apply to since there is no way to confirm how many buildings in the history of the County may have previously been used for a private school.

I. BACKGROUND

A. **Purpose:** To exempt certain private school uses in the Residential Rural Zone (RR Zone) from the requirement for special exception approval.

B. **Impacted Property:** This bill would impact an unknown number of properties in the Residential Rural Zone.

II. 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.

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

The Department has determined that the proposed bill was drafted in a manner consistent with the legislative style and conventions of the current Zoning Ordinance.

IV. POLICY ANALYSIS

LDR-96-2026 would exempt certain private school use in the RR Zone from the requirement for special exception approval. The amendment would permit qualifying private school uses by-right under specified circumstances in the RR Zone.

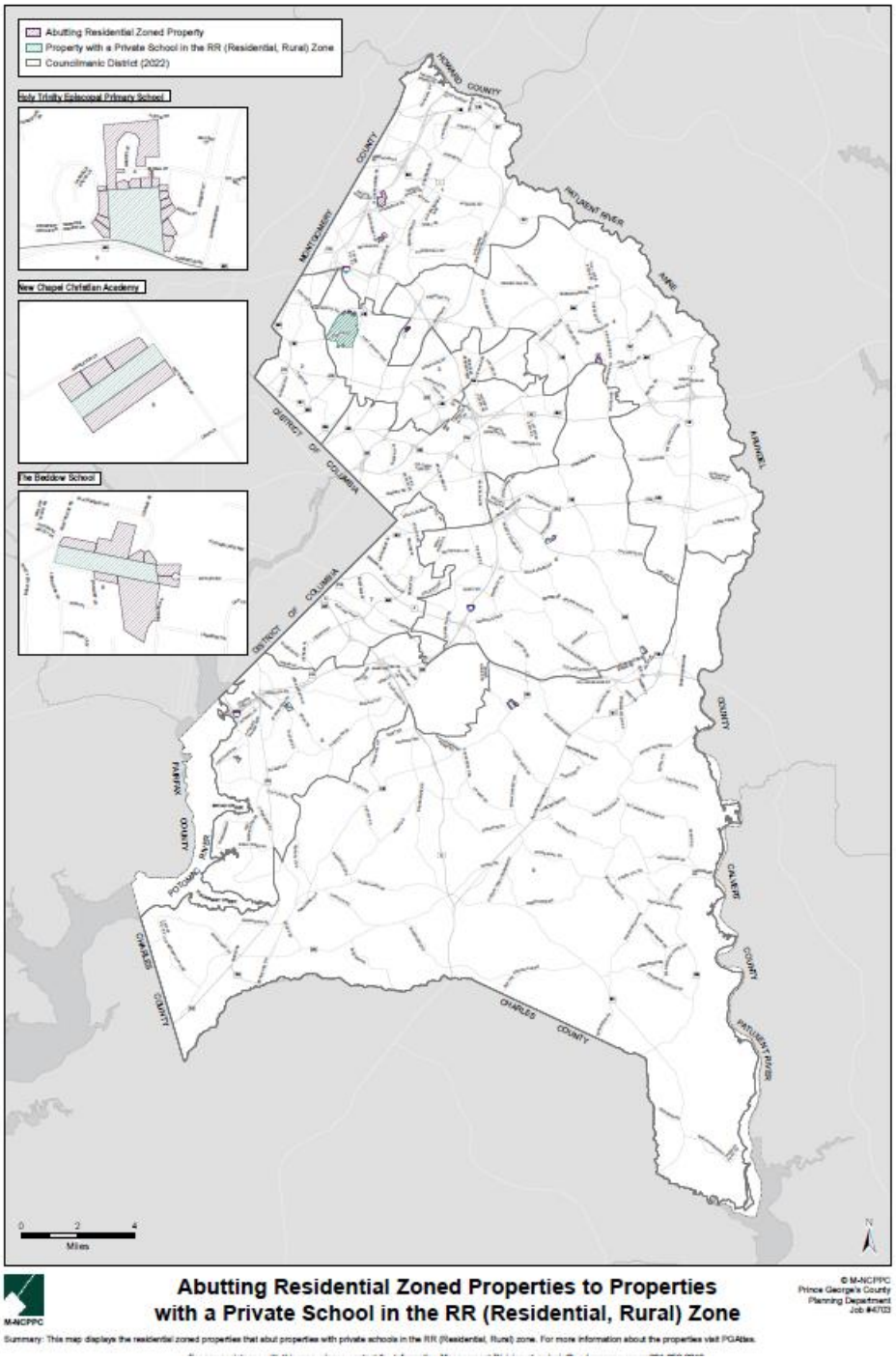
Private schools are not inherently incompatible with residential development, as they have traditionally functioned as important neighborhood institutions that support and strengthen residential communities. However, this use is institutional in nature and typically generates impacts such as traffic, parking demand, student drop-off activity, outdoor activity, staffing intensity, and operational impacts that differ from the residential uses contemplated within the residential base zones. For this reason, existing regulations require special exception approval to evaluate compatibility on a site-specific level.

Furthermore, the current special exception for private schools serves as the primary method of ensuring they are appropriate and compatible with surrounding residential areas. As stated in the Zoning Ordinance, "[a] use designated as a special exception in a particular zone is a use that may be appropriate in the zone, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the zone and compatible with its surroundings." See Section 27-3604(a) (Emphasis added). Therefore, exempting private school uses from special exception review would eliminate the principal discretionary review mechanism designed to mitigate adverse impacts on adjacent residential properties in the RR Zone.

If the intent of the proposed bill is to remove a discretionary review requirement for a use that is complementary institutional use within residential communities and that any site-specific impacts can be addressed through existing development regulations, it is unclear why the text amendment should only apply to the RR Zone and not to the entire residential base zones. Staff were unable to identify the rationale applied to affect one single zone rather than making a comprehensive revision to the residential base zones and the development standards set forth in 27-5102 (d)(3)(C) and 27-2400(yy) respectively.

In addition, the proposed bill states that the special exemption would not apply to properties that "abut residential properties." However, because the RR Zone is intended for residential development, and as shown in the map below, nearly every property in the zone

is adjacent to existing homes or land planned for future residential use. As a result, most, if not all, properties in the RR Zone that were previously used as private school could be excluded from special exemption review and approval.



Maintaining a special exception requirement may create unnecessary uncertainty, cost, and delay without producing corresponding public benefits. However, the Department noted that the background information accompanying the proposed amendment does not identify

a public policy justification for the exemption, nor does it provide supporting data or analysis demonstrating the need for the proposed regulatory change. More specifically, LDR-96-2026, does not demonstrate that existing approval procedures are unduly burdensome or provide evidence of unmet educational facility demand within the RR Zone.
Absent a stated policy rationale, it is difficult for the Department to evaluate whether the proposed amendment advances a legitimate land use objective or whether LDR-96-2025 is a property-specific text amendment. Statutorily required consultation with the Planning Director did not take place, which would have assisted the Department in this review.

V. COMPLIANCE WITH EVALUATION CRITERIA

Pursuant to Section 27-3501(c)(2)(B), staff finds the following with respect to the proposed amendment:

(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;

LDR-96-2026 is "consistent with the goals, policies and strategies of Plan Prince George's 2035 [Plan 2035] (or any successor General Plan), area master plans, sector plans, functional master plans, and any other applicable approved plans" pursuant to Section 27-3501(c)(2)(B)(i) of the Zoning Ordinance".

Consistency with General Plan

The first critical initiative identified in Plan 2035 is to "undertake a comprehensive update of the County's Zoning and Subdivision Ordinances to modernize, streamline, and simplify the County's regulatory environment." Plan 2035 further recommends establishing "a by-right development approval process and fast track permit process for the Downtowns with clear and consistent regulatory standards and processes and shortened review periods."

Most initiatives to reduce the time, costs, and complexity of the development review process to align with the County's competing jurisdictions are generally consistent with these recommendations. Eliminating Special Exception requirements is consistent with this General Plan recommendation by reducing the time, cost, and unpredictability of the entitlement and permitting processes.

Staff notes that a preferable approach would be to extend the provisions of this proposed legislation to all Private School uses Countywide.

Consistency with Area Master and Sector Plans
Efforts to streamline the application review and approval process have been recommended in several area master, sector, and transit district development plans, including those identified in Table 1:

Table 1: Relevant Recommendations of Area Master, Sector, and Transit District Development Plans

Plan	Page	Policy/Strategy	Recommendation
2006 *Approved Master Plan for the Henson Creek-South Potomac Planning Areas*	94	Community Character: Revitalization: Policy 3	Streamline the development process for projects within designated revitalization overlay areas and other suitable locations.
		Community Character: Revitalization: Policy 3, Strategy 3	Expedite the development review and permitting process. Encourage developers to meet with both the Prince George's County Planning Department and Department of [Permitting, Inspections and Enforcement] before the design phase begins to ensure projects meet the minimum standards of the Zoning Ordinance and other applicable requirements.
2009 *Approved Landover Gateway Sector Plan*	114	Chapter 6: Community Development Elements: Market Potential, Policy 6	Streamline the review process and provide incentives for private investment.
2009 *Approved Marlboro Pike Sector Plan*	96	Chapter VII: Economic Development Strategies: E. Development Regulations, Policy 2	Streamline the development review approval process to ensure a more timely approval by the Planning Board and County Council to help projects move more rapidly toward implementation.
		Chapter VII: Economic Development Strategies: E. Development Regulations, Policy 2, Strategy 1	If necessary, revise and amend development review procedures to expedite approval of projects.
2010 *Approved Subregion 4 Master Plan*	374	Part V: Plan Implementation: Growth Centers: Financing and Funding Assistance	Streamlined/Fast-Track Development Review: The length of time spent in the review of plans can influence the cost of redevelopment, with speedier time frames for review associated with more cost effective redevelopment. To the extent that jurisdictions can offer "fast track" permitting for growth centers in Subregion 4, such streamlining of review could serve as an indirect incentive for redevelopment.
2013 *Approved Largo Town Center Sector Plan*	92	Chapter 5: Implementation: Public-Private Partnerships	The county has shown a willingness to help facilitate economic development by providing incentives and identifying opportunities for joint development that will leverage and strengthen public-private investment, such as expedited site plan and permit processes and analyzing various innovative financing mechanisms and techniques.
2013 *Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan*	195	Table 35: Recommended Implementation Actions: Development Regulations (DR), DR3	Streamline development procedures and approval processes.

Plan	Page	Policy/Strategy	Recommendation
2015 *Approved College Park-Riverdale Park Transit District Development Plan*	154	Implementation: Action Table: Development Regulations (DR), DR3	Streamline development procedures and approval processes.

(ii) Addresses a demonstrated community need;

"Identified community need" is not defined by the Zoning Ordinance and is subjective. At this time, the Department has not received sufficient input from the bill sponsor or from residents to demonstrate that exempting private schools from special exception requirements constitutes a community need.

(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;

Special exception "is a use that may be appropriate in the zone, but because of its nature, extent, and external effects, requires special consideration of its location, design, and methods of operation before it can be deemed appropriate in the zone and compatible with its surroundings." Section 27-3604(a) (emphasis added). Therefore, permitting private school use through special exception is the way to ensure such use is appropriate for the RR zone.

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

Staff does not have sufficient information to determine if LDR-96-2026 complies with this criterion.

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

LDR-96-2026 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.

Staff does not have sufficient information to determine if LDR-96-2026 complies with this criterion.

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 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-96-2026 was sent on May 28, 2026, as required by the Zoning Ordinance. The Planning Board public hearing will be held on June 18, 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.

VII. PROPOSED AMENDMENTS

Following review of LDR-96-2026 the Department does offer the following additional amendments:

SUBTITLE 27. ZONING.
PART 27-5. USE REGULATIONS.
SECTION 27-5100. PRINCIPAL USES.

Sec. 27-5102. Requirements for Permitted Principal Uses.

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(d) Public, Civic and Institutional Uses

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(3) Educational Uses

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(c) Private School

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~~(iv) A proposed Private School use located in the Residential, Rural (RR) Zone shall not require approval of a special exception if:~~

~~(aa) The school occupies a building that was or has previously been used as a Private School; and~~

~~(bb) The proposed site does not abut residential properties.~~

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SUBTITLE 27. ZONING.
PART 27-5. USE REGULATIONS.
SECTION 27-5400. SPECIAL EXCEPTION STANDARDS.

Sec. 27-5402. Additional Requirements for Specific Special Exception Uses

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(yy) Private School

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(1) A proposed Private School use located in the Residential, Rural (RR) Zone shall not require approval of a special exception, **but shall still be subject to the use-specific**

standards of Section 27-5102(d)(3)(C), Private School, if the school occupies a building that **was** used as a Private School **in the last five years**;

(2) A private school which offers instruction at levels above the sixth grade may be permitted, subject to the following:

(A) There is a demonstrated need for the proposed use in the area;

(B) The proposed site is of sufficient size to properly accommodate a school of the type proposed without adversely affecting abutting land uses;

(C) No private school shall be located in a multifamily dwelling or in any building of a multifamily project;

(D) The Council may specify the maximum number of students to be enrolled, which may not be increased by State or local health, education, or fire regulations; and

(E) If the school offers general academic instruction below college level, an outdoor play area (or other outdoor activity area) shall be provided, which shall have a usable space of at least one hundred (100) square feet per student. This area shall be located at least twenty-five (25) feet from any dwelling on an adjoining lot, and shall be enclosed by a substantial wall or fence at least five (5) feet high.

(3) A private school which offers a partial or complete program of elementary school (including kindergarten) or nursery school may be permitted, subject to the following:

(A) The Council may specify the maximum number of children to be enrolled, which may not be increased by State or local health, education, or fire regulations.

(B) An outdoor play area shall be provided, which shall have a usable space of at least one hundred (100) square feet per child. This area shall be located at least twenty-five (25) feet from any dwelling on an adjoining lot, and shall be enclosed by a substantial wall or fence at least three (3) feet high;

(C) No private school, other than a nursery school, shall be located in any multifamily dwelling or in any building of a multifamily project;

(D) In the CS, IE, and IH zones, a day care center for children shall be allowed only if the Council finds that existing development and uses in the neighborhood (particularly on adjacent properties) will not adversely affect the proposed use.

(4) In addition to the requirements of Section 27-3604(c), Special Exception Submittal Requirements, the site plan shall show:

(A) The character of the proposed use;

(B) The proposed enrollment;

(C) The location of all dwellings located on adjoining lots; and

(D) The location and size of outdoor play (or activity) areas.

(5) Any private school which has, on or before the effective date of this Ordinance, fully complied with the provisions of this Subtitle in effect at that time shall not be required to meet the requirements of this Section, provided that the school has not been expanded, or the use changed, since that time. Any expansion or change shall be governed by the provisions of this Section, or of Section 27-5102(d)(3)(**C**), Private School.

(6) For the purposes of this Section, enrollment shall mean the total number of students enrolled in the school at any one time. If there are separate morning, afternoon, and evening sessions, each one of which is attended by different students, enrollment shall mean the number of students enrolled in the session having the largest number of students.

(7) Medical uses, including, but not limited to medical practitioners' offices, education programs, medical clinics and laboratories may be permitted on a property with an approved special exception for a private school, provided that a separate Health Campus operating pursuant to an approved special exception is located within 500 feet of the property which is approved as a private school, and is in accordance with the following:

(A) An additional medical use may locate on the campus of an existing private school, as a permitted use, and shall not require an amendment to the approved special exception for the private school use, provided that the additional medical use is located within a building on the private school campus that was constructed prior to January 1, 2016.

(B) If additional parking is required to accommodate the additional medical use, the parking may be approved in accordance with the provisions of Section 27-3604(i)(4), All Other Changes, of this Subtitle.

(C) An amendment to an approved special exception for a private school is required for an additional medical use on the campus of an existing private school that is located within a building constructed after January 1, 2016, or located within an addition to an existing building on the private school campus, in accordance with Section 27-3604(i), Changes to Approved Special Exception, of this Subtitle.

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 Planning Board **OPPOSE** LDR-96-2026.