The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
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June 14, 2026

TECHNICAL STAFF REPORT

TO: Prince George's County Planning Board

FROM: Chad Williams, LEED AP BD+C, Master Planner – Countywide Planning Division

SUBJECT: Legislative Drafting Request LDR-13-2026
Commercial Reinvestment and Innovation Projects Act of 2026

The Prince George's County Planning Department's legislative team has reviewed the proposed legislative amendment to the Zoning Ordinance and supports the goal of expediting review processes where possible but does not have sufficient information to determine the intent of LDR-13-2026 and what types of development projects will be subject to its provisions. Accordingly, the legislative team presents the following evaluation and findings and recommends the Planning Board take **NO POSITION** and propose the amendments discussed herein to define the proposed "Commercial Reinvestment and Innovation Project" and reflect the drafting conventions of the Zoning Ordinance.

I. BACKGROUND

A. **Purpose:** Establishing an alternative, streamlined development review and approval process for the highest priority transit-oriented development areas, called Regional Transit Districts and Local Transit Centers in Prince George's County's Plan 2035 General Plan, to stimulate greater economic growth in Prince George's County, subject to certain conditions.

B. **Impacted Property:** This bill would impact any property located either "in an area designated as a Regional Transit District or Local Transit Center in the General Plan" or "in-whole or in-part within a one-quarter mile radius of a constructed heavy or light rail transit station as measured from the center of the transit station platform."

Constructed heavy or light rail transit stations in Prince George's County that are not already designated as either a Regional Transit District or Local Transit Center include:

- Southern Avenue Metro
- Muirkirk MARC
- Seabrook MARC
- Riverdale MARC
- Bowie MARC
- Adelphi Road-UMGC-UMD Purple Line
- Campus Drive-UMD Purple Line
- Baltimore Ave-UMD Purple Line

- Riverdale Park-Kenilworth Purple Line
- Beacon Heights-East Pines Purple Line
- Glenridge Purple Line

There are twenty-five (25) potential locations in Prince George's County for a "Commercial Reinvestment and Innovation Project" based on the proposed criteria in LDR-13-2026.

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 generally drafted in a manner consistent with the legislative style and conventions of the current Zoning Ordinance. However, staff recommend the following proposed amendments be incorporated prior to presentation and committee referral should Council wish to move forward to a Council Bill:

1. Define the term "Commercial Reinvestment and Innovation Project" in Section 27-2500 for better understanding of the purposes and intent of this proposed legislation and associated process and regulations.

2. Use the proper conventions of the Zoning Ordinance in describing the proposed required and excluded uses on Page 2, Lines 23-26 (highlights denote suggested revised language):

   "(C) contains a mix of uses in the ~~of~~ commercial principal use classification and multifamily dwellings ~~residential uses~~;
   (D) excludes uses in the industrial principal use classification, townhouse dwellings, single-family detached dwellings, two-family dwellings, three-family dwellings, ~~warehouse,~~ drive-through service as an accessory use/structure for any principal

use type, ~~industrial,~~ ~~and~~ qualified data centers~~, and consolidated storage uses~~; and…."

By clarifying all principal uses in the industrial principal use classification are prohibited from "Commercial Reinvestment and Innovation Projects," there is no need to specify either warehouse or consolidated storage uses because those both fall into the industrial principal use classification.

Further clarification is required with regard to the intent of the inclusion of "drive-through," since this use is classified as an accessory use with the exception of the principal use type "restaurant, quick-service (with drive-through)." Should the sponsor wish to also prohibit quick service restaurants with drive-throughs, that principal use type should be added to the exclusion list.

3. Staff recommend deletion of the term "zoning" prior to the term "variance" on Page 2, Line 17. The legislative convention used by the current Zoning Ordinance is "variance" and the term "zoning variance" suggests an application seeking to impermissibly amend the Official Zoning Map, allow a use that is not otherwise permitted in the zone, or eliminate the requirement for a special exception.

IV. POLICY ANALYSIS

LDR-13-2026 proposes a new, undefined term "Commercial Reinvestment and Innovation Project," and would allow for the use of the existing Expedited Transit-Oriented Development (ETOD) Review process (with modifications) for projects purporting to be "Commercial Reinvestment and Innovation Projects" and which meet the proposed locational and development requirements.

Lacking a definition, staff are unable to determine what development may qualify as a "Commercial Reinvestment and Innovation Project." Several proposed criteria located on Page 2, Lines 20-26 suggest what types of proposed development projects may be qualifying projects for the purposes of this proposed bill, but are no substitute for a clear, defined term. Many projects that have undergone ETOD review and approval already consist of a mix of commercial and multifamily development, making it unclear why the proposed criteria are necessary and how they would distinguish "Commercial Reinvestment and Innovation Projects" from other projects already reviewed under the existing ETOD process."

As currently drafted, staff are unable to understand the intent of LDR-13-2026 and why it may be necessary. A clear definition would provide important context and help clarify the proposed bill's intended scope and applicability. There is nothing in the background information provided with the LDR that speaks to need, why "Commercial Reinvestment and Innovation Projects" may require expedited review, or why such projects may be limited to designated Regional Transit Districts or Local Transit Centers. Staff notes the background information omits that these projects are also proposed to be permitted in proximity to other constructed heavy and light rail stations in the County. Therefore, staff are unable to identify nor comment on the policy objectives of LDR-13-2026.

The structure of LDR-13-2026 and specific proposed development criteria raise other concerns. More broadly, staff question whether the existing eligibility criteria for the ETOD review process could be expanded to accommodate the types of projects contemplated by the bill, thereby eliminating the need to establish a separate category for a "Commercial Reinvestment and Innovation Project.".

Since the current criteria for the ETOD review process already includes location of at least fifty percent of a subject property within a one-half mile radius of a constructed WMATA Metrorail station or location entirely within the Bowie MARC Station Local Center, there is overlap with the proposed location criteria for a "Commercial Reinvestment and Innovation Project" – 16 of the 25 potential locations contain either a constructed WMATA heavy rail station or a MARC heavy rail station.

If the intent of the bill is to facilitate certain higher-density, mixed-use projects (based on staff interpretation of criteria proposed on Page 2, Lines 20-26), it would make more sense to broaden the criteria of the ETOD review process by incorporating all constructed heavy and light rail stations. By incorporating both MARC and Purple Line stations in the existing ETOD review process applicability, 24 of the 25 eligible locations for a "Commercial Reinvestment and Innovation Project" would be available for expedited review. The exception is National Harbor; should Council wish to include National Harbor for eligibility for the ETOD review process, language incorporating the National Harbor Regional Center designed by the General Plan, as may be amended from time to time, could also be considered.

A shift in focus would eliminate the need for a "Commercial Reinvestment and Innovation Project" and the potentially property-specific zoning text amendment incorporating a new County Council appeal/review process, which may affect positive public perception of the fairness and uniformity of the Zoning Ordinance. A more broadly tailored bill, including streamlining of the appeals process (should Council be comfortable with a shorter review timeframe for appeals or reviews for "Commercial Reinvestment and Innovation Projects," perhaps Council is also comfortable with reducing the current review timeframe for appeals or reviews for all ETOD applications).

Should Council wish to proceed to a Council Bill to implement LDR-13-2026, staff recommend broadening the proposed location distance for a "Commercial Reinvestment and Innovation Project" to be wholly or in part within one-half mile (rather than one-quarter mile) of a constructed heavy or light rail transit station for consistency with existing ETOD applicability criteria. One-quarter mile helps ensure density at the most appropriate/proximate locations but may inadvertently preclude otherwise desirable projects that fall outside one-quarter mile of a qualifying rail station but which are still within a 10-minute walk.

The proposed language on Page 5, Lines 3-9 should be clarified to indicate that when the District Council acts on an appeal of the Planning Board's decision on an ETOD site plan, it is not reviewing and approving the case de novo. This may necessitate revising other language in Subtitle 27.

If the location eligibility is not the key consideration of the proposed bill, but instead the characteristics or proposed requirements of "Commercial Reinvestment and Innovation

Projects" are the key consideration, staff questions the proposed density allocation. Requiring at least fifty percent of the total building square footage to be in a building at least five stories in height or be located at least sixty feet above grade results in an unusual development situation - all buildings associated with the proposed use *must* be at least five stories in height *regardless* because it is impossible to provide any square footage sixty feet above grade without having structure beneath. Podium parking structures typically count toward the story height of buildings pursuant to the International Building Code definition of "story," and staff are hard-pressed to contemplate other situations where occupiable space would not be found between grade and sixty feet above grade.

There is no background information, data, or research provided as to why or how the proposed required uses and prohibited uses were selected. It would be beneficial to provide this information to justify these proposals and why these specific uses were selected as opposed to other potential uses.

There is no background information as to why "Commercial Reinvestment and Innovation Projects" may not be allowed to proceed should the subject property also be the subject of an application for a zoning variance. Variances to the intensity and dimensional standards of a property's zone are commonplace and staff believe this should not deny an applicant the opportunity for expedited review of their project if they otherwise qualify for a "Commercial Reinvestment and Innovation Project." Since a variance application filed concurrently with a parent application is decided by the final decision-making body on the parent application, timing would not seem to be at issue.

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-13-2026 is not "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

Prioritize Transit-Oriented Development

If the intent of this legislation is to further expedite the ETOD procedures for projects closer to heavy- and light-rail transit stations, such intent is generally consistent with Plan 2035's recommendations, especially Strategy PD1.7

"Establish 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."[1]

Modern, Streamlined, Simpler Ordinance

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."

1. Duplicative and Conflicting Language

   This bill introduces duplicative, conflicting language into the Zoning Ordinance. This legislation:

   a. Introduces a new use designation, "Commercial Reinvestment and Innovation Projects" and partially and ineffectively attempts to define this term through development regulations in Section 27-3619, Expedited Transit-Oriented Development Review, rather than providing a clear definition of the concept in Section 27-2500, Definitions.
      i. This definition will, intentionally or otherwise, already encompass many redevelopment projects in the Regional Transit Districts and Local Centers, as mixed-use buildings over five stories are the desired development product at every heavy- and light-rail station.
   b. Does not substantively change the required findings of the Planning Board for an expedited site plan under Section 27-3619.
   c. Contains a separate three-page appeal and election process solely for these newly defined projects in Section 27-3619, replacing the existing ETOD appeal and election process codified in 27-3619(c)(10) and duplicating all existing language; the only change is reductions to the required action timeframes.

   Taken together, these proposed changes add complexity to the Ordinance in contradiction to the General Plan's recommendations for a simplified Ordinance.

2. Property-Specific and/or Narrowly Tailored Text Amendment

   In addition, the level of specificity in this legislation suggests it is drafted for a specific property. If so, the Zoning Ordinance provides four methods for addressing provisions in the Zoning Ordinance that are limiting a proposed development that should be employed in lieu of the proposed text amendment.

   Finally, this bill was drafted outside of the procedure in Section 27-3501(c)(2)(A) of the Zoning Ordinance. Staff note that coordination between the County Council's Legislative Counsel and the Planning Director prior to and during the drafting of legislation can address and eliminate any inconsistencies with the General Plan or other applicable Area Master Plans or Sector Plans so

[1] Plan 2035, p. 256.

that legislation conforms to Section 27-3501(c)(2)(B)(i) and (ii) of the Zoning Ordinance, reducing chances of legal challenges to such legislation. The Planning Department stands ready to provide whatever assistance the County Council needs to ensure that bills presented for the Council's consideration are consistent with the applicable sections of the County Code.

Plan 2035 and the existing Zoning Ordinance strive to eliminate, not exacerbate, complex entitlement and permitting processes. The proposed legislation, as drafted, is not consistent with Plan 2035.

3. Consistency with Area Master Plans 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 Plans, Sector Plans, 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…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.

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

In general, proposed LDR-13-2026 is consistent with the County's approved Area Master Plans, Sector Plans, and Transit District Development Plans.

(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 information to

understand what a "Commercial Reinvestment and Innovation Projects" is, let alone if there is a community need for this specific concept. Based on what can be inferred from LDR-13-2026 as drafted, there is no identified community need addressed by this proposed legislation.

Generally, commercial investment and mixed-use development are very desirable for Prince George's County and fill numerous community needs, including diversification and strengthening of the County's tax base. Innovative development is always welcome. But the combination of these concepts into a very specific yet undefined term raises more questions than resolves.

(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;

LDR-13-2026 is generally consistent with the purpose and intent of the zones in this Ordinance, but may not necessarily improve compatibility among uses and ensure efficient development within the County due to the added level of complexity and potential confusion it would add to the Zoning Ordinance.

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

Staff find that LDR-13-2026 is generally consistent with the implementation of the strategies and priority recommendations of the Prince George's County Climate Action Plan, particularly with regard to priority recommendation CO-5, which calls for strengthening "land use recommendations to better align individual land use decisions with state [and] county policies related to smart growth, natural resource conservation, and green infrastructure." By focusing on heavy- and light-rail transit stations, smart growth policies are advanced by LDR-13-2026.

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

LDR-13-2026 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.

LDR-13-2026 is focused on creating a development application approach that may not have any direct impacts of any sort on the natural environment, but subsequent development utilizing the provisions enacted by a resultant Council Bill following a proposed LDR may.

Thus, staff find LDR-13-2026 does not create significant adverse impacts on the natural environment and any subsequent development proposals/applications, should LDR-13-2026 ultimately become law, will be evaluated individually for environmental impact.

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-13-2026 was sent on July 9, 2026, as required by the Zoning Ordinance. The Planning Board public hearing will be held on July 30, 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-13-2026 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 refers to the policy discussion of Section IV, above, as to whether it may make sense to broaden the criteria of the existing ETOD review process and reduce ETOD appellate and election to review timeframes, which would allow the elimination of the proposed, undefined "Commercial Reinvestment and Innovation Project" while simultaneously providing a broader spectrum of streamlining and incentivization at the exact targeted growth locations targeted by LDR-13-2026.

VIII. RECOMMENDATION

LDR-13-2026 was not prepared in accordance with the legal requirements of Section 27-3501(c)(2)(A) of the Zoning Ordinance, which states that the Council staff "shall prepare the proposed amendment in consultation with the Planning Director…." Had such consultation occurred, many of the concerns identified in this Technical Staff Report would have been addressed prior to its transmittal to the Planning Director by the Clerk of the Council.

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 take **NO POSITION WITH AMENDMENTS** on LDR-13-2026 to, at minimum, define the proposed "Commercial Reinvestment and Innovation Project" and reflect the drafting conventions of the Zoning Ordinance.

Other proposed amendments offered for the County Council's consideration in the policy analysis section of this Technical Staff Report should be endorsed and transmitted by the

Planning Board as alternatives the Council should consider that could have much greater positive impact on development streamlining, and which would be more uniform and consistent with the Zoning Ordinance than proposed LDR-13-2026.