The Maryland-National Capital Park and Planning Commission
PRINCE GEORGE'S COUNTY
Planning Department
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July 14, 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-149-2026
Sustainable Inclusive Mixed-Use Community

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 support for the intent of introducing innovative, sustainable oriented communities to diversify housing and community diversification, but opposition to the legislative approach proposed in LDR-149-2026, as described in the Recommendation section of this technical staff report.

A version of this LDR was presented to the Planning Department in May 2025 and multiple meetings were held with a property owner's representatives, former Councilmember Ingrid Watson, and the County Executive's office. The Department's advice was consistent with the recommendation in this Staff Report that the Council's review and approval of a Planned Development ("PD") is the appropriate process for establishing the development guidelines for the complex land planning and site design concepts required by the proposed development. Accordingly, if an amendment was required to the Zoning Ordinance, it should be made to the general planned development zoning and process requirements rather than by creating a new use made up of several already existing uses with specific development guidelines.

I. BACKGROUND

A. **Purpose:** To add a new use, "Sustainable Inclusive Mixed-Use Community"; permitting the use in the Residential Estate (RE) zone pursuant to the grant of a special exception; and establishing certain requirements applicable to said special exception.

B. **Impacted Property:** This bill would impact properties in the Residential Estate (RE) Zone. It is very likely that most potential properties subject to this legislation were classified into the RE Zones by the 2021 Approved Countywide Sectional Map Amendment (CMA) or by subsequent Sectional Map Amendment.

The CMA was an administrative rezoning to apply the new Ordinance. Pursuant to the County Council's Guide to New Zones, properties previously classified within the Residential-Estate (R-E) Zone were classified in the RE Zone. Past Sectional Map Amendments contained justification statements for particular rezonings that further illustrate the District Council's intent in rezoning these properties.

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

To ensure consistency with the technical drafting conventions of the Zoning Ordinance, and if the proposed legislation were to move forward, the Department offers the following proposed revisions for specific drafting comments:

A. Identify the use within all applicable Principal Use Tables in 27-5101(c) through (f), even if there are no modifications in the tables.

B. The proposed Sustainable Inclusive Mixed-Use Community use is proposed under Household Living Uses, which is a residential subcategory, not commercial. Revise Table27-5101(c) and locate the proposed use under the residential subcategory.

IV. POLICY ANALYSIS

The proposed bill i) introduces a new use "Sustainable Inclusive Mixed-Use Community", ii) amends Section 27-5101 to allow the new use by special exception only in the RE Zone, and iii) add certain conditions applicable to the Sustainable Inclusive Mixed-Use Community use.

i) Sustainable Inclusive Mixed-Use Community defined as a "mixed-use, residentially oriented community including detached single-family residential units, controlled environment agriculture which utilizes a patented growing system known as dry hydroponics within an enclosed temperature-controlled structure, indoor and outdoor recreation facilities, religious center, community space, education center, food production and sales, and renewable energy production". As drafted, the proposed use overlaps with and, in some instances, conflicts with existing agricultural and residential use classifications while introducing terminology that is not currently defined within the Zoning Ordinance. Undefined terms create

ambiguity in administration and enforcement and should be clearly introduced and defined prior to adoption.

Furthermore, if one of the proposed uses becomes non-functioning and is not sustained, and modifications are required, it is unclear whether a potential development could be at risk of being no longer permitted as the use definition must include all of those uses.

In addition, some provisions are inconsistent with the proposed definition of a Sustainable Inclusive Mixed-Use Community. For example, proposed Section 27-5402(ppp)(6) states that agricultural products "may" be made available to residents and non-residents, while the definition implies this as a required component of the use. In the same manner, proposed Section 27-5402(ppp)(7) requires the provision of medical care, although medical care is not included within the definition of the use. These inconsistencies create uncertainty regarding the minimum requirements necessary to establish and operate the proposed use.

ii) While most of the uses listed in the definition of Sustainable Inclusive Mixed-Use Community, are permitted in the RE Zone currently, some are not. Additionally, the proposed residential density of 6 dwelling units per acre exceeds the current maximum density of the RE zone. The communities that contain properties in the RE Zone participated in public, transparent, inclusive, and deliberative comprehensive planning and zoning processes following which the District Council approved a plan that recommended low-density residential development and assigned the RE Zone to implement the applicable plan's recommendations. As a result, uses currently permitted in the RE Zone are those commensurate with very low-density residential neighborhoods. Certain proposed uses are not currently permitted, including medical or dental office or lab and housing at six dwelling units per acre, because they are not compatible or consistent with a residential neighborhood. The table below presents an analysis of the permitted uses in the RE Zone:

Proposed Sub-Use	**Description in LDR-149-2026**	**Comparable Use Permission in the RE Zone**
Single-family detached dwellings at up to 6 dwelling units per net acre		Single-family detached dwellings are only permitted up to 1.08 dwelling units per net acre
"Controlled Environment Agriculture"	"…utilizes a patented growing system known as dry hydroponics within an enclosed temperature-controlled structure…shall consist of produce growth practices within an enclosed, temperature-controlled environment which results in increased production and decreased carbon emissions through enclosed cultivation areas that utilize a patented growing system known as dry hydroponics;"	The activities described appear to be permissible by-right in the existing RE Zone under the uses "Agriculture" and "Urban Agriculture"
Indoor Recreation Facilities		Permitted by-right

Proposed Sub-Use	Description in LDR-149-2026	Comparable Use Permission in the RE Zone
Outdoor Recreation Facilities		Permitted by special exception with no use-specific special exception requirements
"Religious Center"	Undefined	Place of worship permitted by-right on a lot greater than one acre and by special exception on a lot smaller than one acre.
Community space, education center	"The community space with religious center…education/day care facility and medical care shall be available for both community residents and nonresidents…"	Day care center for children is permitted by special exception with use-specific requirements
		Eleemosynary or philanthropic institution is permitted by special exception with no use-specific special exception requirements.
		Private school is permitted by special exception with use-specific requirements
		Medical or dental office or lab is not permitted

iii) Uses permitted via special exception are single uses that are permissible as long as they meet certain conditions. Special exceptions are not a group of different permitted uses such as proposed in this Bill. By proposing this mixed-use development as a special exception, LDR-149-2026 would remove the District Council's discretionary authority to approve a potential planned development rezoning with the appropriate mix of residential use types, the pedestrian and bicycle circulation network, the location size of open spaces and recreation facilities, the impact on surrounding communities, and the assurance that the planned project will address the environmental characteristics of the site. Instead, this authority will be delegated to the Zoning Hearing Examiner with the Council only able to overrule any decision if they determine it to be arbitrary. As a result, the District Council will have little authority to have any say in the use, design, and development of a project that meets the definition of a Sustainable Inclusive Mixed-Use Community.

LDR-149-2026 establishes a development pattern with unique standards, multiple principal uses, and integrated community components that are more characteristic of a planned development rezoning than a special exception use. As such, the proposed bill does not establish comprehensive development standards necessary to administer each use listed in the definition of sustainable inclusive Mixed-Use Community. In the same manner, existing provisions of the Zoning Ordinance would conflict with the proposal in several respects. For example, Section 27-5101(b) generally limits lots to one single-family dwelling and one principal use, whereas the proposed use clearly contemplates multiple principal uses on a single site.

Furthermore, the proposed bill does not establish standards for minimum lot size, setbacks, lot coverage, building height, open space, buffering, building requirements, size of structures or other fundamental site development requirements necessary to implement the use. These standards allow Planning Board, District Council (or designee), or the Department of Permitting, Inspections and Enforcement (DPIE) to determine whether a proposed development is appropriate and compatible with the surrounding community.

More importantly, these standards are typically addressed through a planned development rezoning rather than through a special exception use. Planned developments allow for the exact type of innovative land planning and site design concepts proposed in this bill including the approval of a mix of uses, establishing density, road circulation, energy efficient design, the construction of recreational facilities, etc.

Lastly, from an implementation standpoint, LDR-149-2026 is incomplete as it does not establish corresponding parking requirements within the parking schedule. Without these provisions, the use cannot be consistently administered.

iv) Other considerations:
Staff also note that the proposal appears to be a property specific text amendment. Text amendments should generally establish standards of countywide applicability rather than create regulations designed to accommodate a single parcel.

Shall this bill be a property specific amendment solution rather than a broadly applicable land development regulation, staff recommend planned development rezoning rather than as a special exception use. As mentioned, planned development rezoning provides the appropriate framework for establishing customized development standards, whereas a special exception is intended to evaluate the appropriateness of a use within an existing zone. Also, planned development rezoning allows the District Council to examine the entirety of the proposed project, determine whether it benefits the County, and retain the discretion to decide if rezoning is in the best interest of the County's citizens. The ability to require public benefits is a valuable tool because it allows the County to obtain benefits in exchange for granting a potential development greater development rights such as the authority to build to a greater density.

Furthermore, LDR-149-2025 raises the following policy questions:

- The proposed bill permits residential densities of up to six dwelling units per acre (6/DU) within a low-density residential zone (1.8/DU) without providing a planning rationale or compatibility analysis supporting that density.

- The proposal limits single-family dwellings to rental occupancy only; however, no planning or policy justification is provided for this restriction. Community facilities such as religious centers, daycare facilities, recreational amenities, and medical care facilities appear to be permitted without establishing any site-specific zoning standards governing their size, intensity, or operation.

- Religious centers may raise additional considerations related to taxation, exemptions, and the intended function of the proposed development that should be evaluated.

- Daycare facilities remain subject to applicable life safety, health, welfare, and state licensing requirements, and the proposed bill should clarify that these requirements continue to apply.

- Medical care components should remain subject to all applicable state licensing and regulatory requirements, and the proposed bill should clearly acknowledge those obligations.

In conclusion, the Department finds that the proposal introduces a complex hybrid land use that combines residential, agricultural, commercial, institutional, recreational, and medical components into a single use classification without establishing sufficient development standards or demonstrating consistency with the overall structure of the Zoning Ordinance. Due to the number of unanswered policy questions, inconsistencies within the proposed language, and the apparent property-specific nature of the text amendment, the Department recommends that LDR-149-2026 should receive substantially greater review and refinement before further consideration.

As noted above, text amendments should generally establish standards of countywide applicability rather than create regulations designed to accommodate a single parcel. If LDR-149-2026 is a property-specific bill, staff reiterate that a planned development rezoning, rather than special exception, provides the more appropriate regulatory mechanism for this type of development. The Planning Department is ready to assist in any follow-up or additional considerations that the Council shall give to LDR-149-2026.

Lastly, the Department also is ready to provide any 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.

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-149-2026 is inconsistent 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

Plan 2035 Guiding Principles: A guiding principle in Plan 2035 is that "Plan 2035 commits to proactively greening our built environment, restoring degraded resources, and promoting a more sustainable development pattern that reduces our

reliance on driving and shifts development pressures away from our greenfields." (Plan 2035, p. 16)

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." LDR-149-2026 conflicts with Plan 2035's recommendation for a simpler, modern Zoning Ordinance in several ways:

1. A Transparent, Predictable Ordinance:
   Section 27-4202(a) identifies the general purposes of the Residential Base Zones, while Section 27-4202(b)(1) identifies the purposes of the RE Zone. Both sections share a recurring theme in their purpose statements which are a focus on single-family residential development, the preservation of trees and open spaces, and the prevention of environmental impacts. Permitting a use (or in this case, multiple uses) that conflicts with the intent of a zone classification, as articulated by its purpose statements, is wholly incompatible with a modern and simple Zoning Ordinance. The Zoning Ordinance is intended to be interpretable by the general public.

   As mentioned above, the appearance of LDR-149-2026 being a property-specific text amendment raises additional concerns. The practice of creating use permissions for a use incompatible with the underlying zone through a zoning text amendment to bypass the comprehensive planning and rezoning procedures authorized by State law and the Zoning Ordinance also conflicts with Plan 2035's recommendation to have an "orderly growth and development of the County".

2. Sustainability, Inclusivity, and Mixed-Use Development are major themes of Plan 2035 and of the County's 38 Area Master, Sector, and Transit District Development Plans. Vertical, dense mixed-use development is inherently more sustainable than auto-oriented, horizontal single-use or mixed-use development, and areas where a mix of uses exist are generally more accessible, and therefore more inclusive.

3. Property-Specific Text Amendments: The property that is the possible subject of this legislation was legally zoned by the District Council into the RE Zone to facilitate the construction of single-family detached housing at up to 1.08 dwelling units per acre, likely in concurrence with a duly approved area master or sector plan that recommended the same, to the exclusion of other uses.

4. Simplifying/Streamlining the Entitlement and Permitting Process

   a. Land use regulations should be clear and objective, with standards that are quantifiable, measurable, or binary (yes/no). The Zoning Ordinance is intended to be interpretable by the general public. The proposed language includes many subjective and/or undefined

terms or phrases that are difficult to consistently and evenly enforce, including:

Table 1: Proposed Requirements for Subjective Findings

Page	Line(s)	Potential Subjective Findings	Challenges Presented
2	10	Definition of "…religious center, community space, education center,…"	These terms are undefined and subject to varying interpretations over time.
2	11	Definition of "…renewable energy production"	This term is undefined and, as written, covers a wide array of permitted and prohibited energy production activities. The Zoning Ordinance uses "alternative energy sources" within Section 27-61603, Green Building Standards; this may be more appropriate for the intended sub-use.
4	19-22	Definition of "community residents"	It is unclear whether "community residents" refers to tenants of the proposed housing or to the broader Prince George's County community.

Mixed-Use Development Outside of Centers:
Policy LU7 of Plan 2035 is that Prince George's County will "limit future mixed-use land uses outside of the Regional Transit Districts and Local Centers." In 2022, the District Council created a new future land use category, Neighborhood Mixed-Use, to address:

> "Traditional retail/shopping areas that are transitioning to a mix of residential, shopping, eating and drinking, and other neighborhood-serving amenities. Neighborhood Mixed-Use areas are located outside of designated Centers, often along arterial roadways and at key intersections and interchanges." (2022 Approved Bowie-Mitchellville and Vicinity Master Plan, p. 49-50.)

Several master/sector plans approved in and after 2022 recommend Neighborhood Mixed-Use on certain properties. The Zoning Ordinance acknowledges that a mix of uses creates a more inherent, sustainable neighborhood by improving and increasing access to a variety of opportunities without needing to drive. Accordingly, several zones permit a mix of uses, including the Commercial Base Zones and the multifamily Residential Base Zones. Properties recommended for future Neighborhood Mixed-Use redevelopment are usually classified in the Commercial, General, Office (CGO) Zone.

Areas of Prince George's County that are in the RE Zone are almost uniformly recommended for the low-density residential development for which the zone was created. Allowing mixed-use development in the RE Zone conflicts directly with Policy LU7 of Plan 2035.

Strengthening Established Communities:

However, LU Policy 8 states to "strengthen and enhance existing residential areas and neighborhoods in the Plan 2035 Established Communities." The RE Zone is necessarily located in the Established Communities and is the lowest-density residential base zone therein. Of all the Residential Base Zones, the RE Zone may be the least appropriate for a mix of uses.

Renewable Energy Standards:
Strategy NE10.3 of Plan 2035 recommends Prince George's County "Evaluate and modernize, as warranted, the regulations in the zoning ordinance that impact the location, size, and design of solar, wind, and alternative energy production facilities. Include options for streamlining development review of permit procedures." LDR-149-2026 does not contain updated regulations, nor does it streamline development review for such uses.

Strategy NE10.5 of Plan 2035 recommends Prince George's County "revise and update the Zoning Ordinance and Subdivision regulations to include standards and criteria for siting renewable energy facilities and different scales." LDR-149-2026 permits renewable energy facilities in the RE Zone but does not include standards and criteria for their development, in conflict with Plan 2035.

Collectively, the provisions of this legislation may create uncertainty and confusion for residents and other community stakeholders in the vicinity of the proposed use, especially when the proposed use is permitted in a zone almost exclusively reserved for low-density residential development. These characteristics are not consistent with a modern, streamlined, or simplified Ordinance. For these reasons, LDR-149-2026 is not consistent with Plan 2035 and does not meet the requirements of Section 27-3501(c)(2)(B)(i).

Consistency with Area Master and Sector Plans

The proposed legislation is not consistent with the County's approved area master, sector, and transit district development plans. Development of a single-family house on a one-acre lot, adjacent to an agricultural use on a two-acre lot, adjacent to a day care center within a home on a one-acre lot is achievable and permissible in the RE Zone and generally consistent with the land use recommendations of the County's approved plans, albeit subject to transportation and mobility and natural environment recommendations that may conflict with the proposed use.

However, the County's approved plans do not anticipate any mix of many uses within areas recommended for low- and very-low density residential development. It is assumed that places of worship, day care centers in houses, and some recreation facilities may be appropriate within these areas, and are accordingly permitted within the RE Zone. However, there are no lot size, non-residential density, size or bulk regulations for these uses. Further, the proposed permission of up to six dwelling units per acre suggests that buildings (and associated parking, circulation features, and other onsite supportive infrastructure) can be constructed far out of scale and intensity to neighboring properties in the RE Zone. This is inconsistent with recommendations within the

County's approved plans for low- or very-low density residential development, which is contemporarily defined as less than or equal to 3.5 dwelling units per acre.

Staff further notes that Prince George's County practices concurrent planning and zoning. While this practice is uncommon, its purpose is to immediately classify properties into the zone that best implements the recommendation of the applicable Master or Sector Plan. For the most part, properties classified in the RE Zones were recommended by their concurrently approved Master or Sector Plan for low-density residential development. Plans approved since 2015 generally use the following designations for individual properties on a Future Land Use plan and/or map for a particular plan. Current definitions of these Future Land Use categories are as follows:

> "Residential Low Residential areas up to 3.5 dwelling units per acre. Primarily single-family detached dwellings. [Density (Dwelling Units Per Acre:] (> 0.5 and </= 3.5)" (Plan 2035, p. 179)

Classifying property into the RE Zone is an affirmative, considered, and intentional act by the District Council to require development of that property with residential uses. Such actions are taken through the public, transparent, inclusive, and deliberative process of a Sectional Map Amendment, and should only be reversed through that same process.

A recommendation for residential uses means that a mix of uses is not recommended. Staff was unable to identify any specific recommendations within the text of the County's Area Master, Sector, or Transit District Development Plans for mixed use development on properties in the RE Zone. The proposed legislation would permit a mix of uses that is incompatible with the recommendations identified above. This is inconsistent with each of the County's 38 approved Area Master, Sector, and Transit District Development Plans that contain and are applicable to properties in the RE Zone.

(ii) Addresses a demonstrated community need;

"Identified community need" is not defined by the Zoning Ordinance and is subjective. There is no identified community need addressed by 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;

LDR-149-2026 is inconsistent with the stated purposes and intent of the RE Zone, particularly its objective of preserving the existing character of residentially zoned lands and protecting those areas from incompatible development. As discussed in Part IV of this report, the proposed legislation authorizes a broad mix of residential, agricultural, commercial, institutional, recreational, and medical uses within a single zoning classification. This expansive range of permitted uses is incompatible with the established purpose of the RE Zone and undermines the zoning framework's

objective of maintaining compatible land use patterns. Moreover, the proposed bill does not establish adequate development standards to guide the location, design, and intensity of such uses, thereby lacking the regulatory safeguards necessary to ensure orderly and efficient development consistent with the intent and requirements of the Zoning Ordinance.

In general, the RE Zone is intended for the lowest-density residential development permissible on public water and/or sewer systems in Prince George's County. It is served primarily by residential streets, and by its nature and density, is generally located in quiet areas of the County.

There are several uses permitted in the RE Zone that are not strictly residential, but these are generally institutional, utility, home-based, or community-serving uses. However, mixed-use development as described by LDR-149-2026 is generally incompatible with the RE Zone. Additionally, residential development at six dwelling units per acre is generally incompatible with the RE Zone.

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

Although LDR-149-2026 creates a new mixed-use development option, permitting such developments by special exception within the RE Zone may facilitate low-density expansion outside designated growth areas. This approach may be inconsistent with implementation of the Prince George's County Climate Action Plan by increasing vehicle miles traveled, encouraging forest conversion, reducing carbon sequestration, and dispersing development patterns rather than promoting compact, transit-supportive communities envisioned by the County's climate and land use strategies.

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

As mentioned above, LDR-149-2026 does not mention any site-specific zoning standards governing size, intensity, or operation for the nonresidential facilities. And more importantly it does not clarify that those facilities shall be subject to state licensing requirements.

(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 enough information to determine whether LDR-149-2026 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-149-2026 was sent on July 2, 2026, as required by the Zoning Ordinance. The Planning Board public hearing will be held on July 23, 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-149-2026, the Department has offered the technical drafting convention edits required 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 reiterates the need for substantial revisions. In particular, Staff would welcome the opportunity to coordinate with the bill's sponsor to pursue the goals of LDR-149-2026 through appropriate Planned Development and rezoning processes rather than the legislative approach proposed.

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 the legislative approach proposed in LDR-149-2026.**