September 16, 2026

Policy Analysis and Fiscal Impact Statement

TO: Planning, Housing and Economic Development Committee (PHED)

THRU: Rana Hightower, Director
Planning, Housing and Economic Development Committee (PHED)

FROM: Credelphia Ganu
Legislative Liaison to M-NCPPC

RE: **CB-081-2026 –** Sustainable Inclusive Mixed-Use Community

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CB-081-2026 (*proposed by*: Council Member Timothy J. Adams)

Assigned to the Planning, Housing and Economic Development Committee (PHED)

AN ORDINANCE CONCERNING NONRESIDENTIAL BASE ZONES - PERMITTED PRINCIPAL USES - SUSTAINABLE INCLUSIVE MIXED-USE COMMUNITY, for the purpose of defining the use Sustainable Inclusive Mixed-Use Community in the Zoning Ordinance; permitting the use in the Residential Estate (RE) Zone pursuant to the grant of a Special Exception; and establishing requirements applicable to the Special Exception**.**

Fiscal Summary

Direct Impact:

Expenditures: Potentially unfavorable; administrative review, and service-delivery costs cannot be presently quantified.

Revenues: Potentially favorable; application, permit, and development-related revenue cannot presently be quantified.

Indirect Impact:

Potentially mixed; economic, housing, infrastructure, environmental, and community impacts cannot presently be quantified.

Legislative Summary:

CB-081-2026 amends Sections 27-2500, 27-5101, and 27-5402 of the Prince George's County Zoning Ordinance. The bill would create a new principal use called Sustainable Inclusive Mixed-Use Community and permit that use only by Special Exception in the Residential Estate (RE) Zone.

The proposed use is defined as a residentially oriented, mixed-use community that includes detached single-family rental housing, controlled-environment agriculture using a patented dry-hydroponics system, indoor and outdoor recreation, a religious center, community space, an education center, food production and sales, and renewable-energy production.

The Special Exception standards would allow up to six dwelling units per acre within the portion of a site allocated to residential use. Residential units would be rental-only and served by private internal roads. The development would incorporate energy-efficient design, provide indoor and outdoor recreational facilities for residents, allow agricultural products to be sold through farmers' markets, and make the religious, community, education or day-care, and medical-care components available to residents and nonresidents.

Implementation Summary:

Implementation would use the County's existing special-exception, development-review, permitting, and enforcement processes, but the new use combines residential, agricultural, commercial, institutional, recreational, medical, and energy-related components. The Administration would therefore require coordination among the Planning Department, Zoning Hearing Examiner, Planning Board, District Council, Department of Permitting, Inspections and Enforcement, Department of the Environment, and other affected entities.

The affected agencies may need to:

- Add the new use to application materials, zoning tables, electronic systems, and public guidance;
- Establish intake and review procedures for determining whether an application contains every required component of the proposed use;
- Develop consistent interpretations for undefined or overlapping terms, including religious center, community space, education center, medical care, renewable-energy production, and controlled-environment agriculture;
- Determine applicable parking, access, circulation, lot, building, buffering, open-space, environmental, utility, and infrastructure requirements;
- Coordinate Special Exception findings, referrals, hearings, permits, inspections, and appeals;

- Confirm applicable State and local licensing requirements for day care, medical care, food production and sales, and other regulated activities.

The Planning Board voted to oppose CB-081-2026. Technical staff supported the intent of encouraging innovative and sustainable communities but recommended that a planned-development rezoning process be used to establish a coordinated mix of uses and project-specific development standards.

Current Law/Background:

The Residential Estate Zone is a residential base zone intended primarily for very low-density, single-family detached development while preserving open space and environmental resources. Planning staff reports that the current maximum residential density in the RE Zone is approximately 1.08 dwelling units per net acre.

Section 27-5101 of the Zoning Ordinance identifies principal uses allowed in each rural, agricultural, and residential base zone. Many individual activities included in the proposed use are currently permitted in the RE Zone by right or by Special Exception. Agriculture and urban agriculture may be permitted by right; indoor recreation is permitted by right; outdoor recreation may be allowed by Special Exception; places of worship, day-care centers, private schools, and philanthropic institutions are permitted subject to the applicable use and approval standards. A medical or dental office or laboratory is not currently permitted in the RE Zone.

Existing use regulations generally classify and review each principal use separately. Section 27-5101(b) also generally limits a lot to one single-family dwelling and one principal use, subject to stated exceptions. The proposed Sustainable Inclusive Mixed-Use Community would consolidate several existing and new components into one principal-use classification.

Special Exceptions are reviewed through the County's existing quasi-judicial process based on the general and use-specific findings in the Zoning Ordinance. Planned-development rezoning provides a separate process through which the District Council may approve a customized mix of uses, densities, circulation, open space, public benefits, and development standards for a particular project.

Section 27-3501 establishes the review standards for legislative amendments to the Zoning Ordinance, including consistency with Plan Prince George's 2035, applicable area plans, the Climate Action Plan, State and Local Law, and protection of the natural environment.

Proposed Legislation:

CB-081-2026 would:

1. Create the Sustainable Inclusive Mixed-Use Community Use in Section 27-2500;

2. Permit the new use only by special exception in the RE Zone;

3. Require the community to include detached single-family rental housing together with agricultural, recreational, religious, community, educational, food-production, medical-care, and renewable-energy components;

4. Allow residential density of up to six dwelling units per acre within the acreage allocated to residential use;

5. Require private internal roads and energy-efficient residential design;

6. Require controlled-environment agriculture using the specified patented dry-hydroponics system;

7. Authorize agricultural sales through farmers' markets and require specified community facilities to be available to residents and nonresidents;

8. Take effect 45 calendar days after adoption.

Resource Personnel:

- **Legislative Attorney:** Josh Hamlin
- **Council Office:** Shevaun Culmer-Reid, Chief of Staff, Council District 4
- **Agency Contact**: Natalia Gomez Rojas, M-NCPPC Planning Department
- **Other Reviewing Agencies:** Department of Permitting, Inspections and Enforcement; Department of the Environment; transportation, health, licensing, and public-safety agencies, as applicable

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Discussion/Policy Analysis:

CB-081-2026 is intended to create a pathway for an integrated community combining housing, food production, recreation, community-serving facilities, and renewable-energy practices. If implemented as intended, the proposal could expand rental housing, support agricultural production and food access, provide community services, generate construction and operating activity, and increase the value and taxable use of affected property.

The extent of any benefit would depend on the location and size of an approved project, the number and type of housing units and non-residential activities, infrastructure capacity, financing, market demand, project completion, and the terms imposed through the special-exception process.

The Planning Department supports the concept of innovative and sustainable communities but found that the proposed use combines several distinct land uses without the comprehensive development standards ordinarily needed to evaluate their scale, compatibility, and operation. The bill does not establish minimum lot size, setbacks, building height, lot coverage, open space, buffering, structure size, or corresponding parking requirements for the combined use.

The proposed density of up to six dwelling units per acre is substantially greater than the RE Zone's current maximum of approximately 1.08 dwelling units per net acre. Staff found that this density and the inclusion of commercial, institutional, medical, and other components may conflict with the purpose of the RE Zone and with approved plans recommending low-density residential development.

Several terms and requirements may need clarification. The definition appears to require every listed component, while the use-specific standards describe some activities as optional. Medical care is required in the standards but is not included expressly in the definition. The bill also does not specify how the use would be treated if one required component ceased operating.

Planning staff further noted that the proposal may function as a property-specific text amendment and recommended planned development rezoning as the more appropriate mechanism for a project requiring a customized mix of uses, density, infrastructure, circulation, environmental review, and public benefits. The Planning Board adopted a motion opposing LDR-149-2026 and forwarded the findings of the technical staff report.

At the Planning Board hearing, eight speakers supported the proposal and two opposed it. Supporters cited public-private partnership, community engagement, economic opportunity, food security, sustainability, and potential growth in the tax base. Opponents raised concerns regarding spot zoning, density, incompatible uses, and consistency with long-term planning. These competing considerations should remain separate from the preliminary fiscal assessment.

Fiscal Impact:

- ***Direct Impact***

Expenditures: Potentially unfavorable; administrative, review, and service-delivery costs cannot presently be quantified.

CB-081-2026 does not create positions or appropriate funding. Initial implementation may require the Planning Department, Zoning Hearing Examiner, DPIE, Department of the Environment, and

other affected agencies to revise application materials, establish interpretations and procedures, update electronic systems, coordinate referrals, train staff, and administer Special Exception applications involving several integrated uses.

An individual project could also affect transportation, utilities, stormwater management, public safety, schools, parks, health and licensing functions, and other public services. The net County expenditure would depend on project scale, infrastructure capacity, conditions of approval, developer responsibilities, the number and complexity of applications, and whether the work can be absorbed within existing staffing. No agency cost estimate is presently available.

Revenues: Potentially favorable; any impact cannot presently be quantified.

The bill does not establish a new fee or dedicated revenue source. If the legislation results in new development, the County and M-NCPPC may receive applicable special-exception, development-review, permit, inspection, and other fees. Completed development could also increase assessed property value and generate additional taxable business activity.

The amount and timing of any revenue would depend on whether applications are filed and approved, the number of projects, project values, construction schedules, ownership and tax status of individual components, exemptions, market conditions, and applicable State and local tax treatment. Fees may offset some application-specific review costs but cannot be assumed to cover broader infrastructure or service impacts.

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- ***Indirect Impact***

Potentially mixed; any impact cannot presently be quantified.

Potential favorable effects include new rental housing, construction and permanent employment, agricultural production, food access, recreation and community services, renewable-energy investment, and increased economic activity.

Potential unfavorable effects include infrastructure and service demands, traffic and transportation impacts, environmental effects, loss of open space, vehicle miles traveled, and incompatibility with surrounding low-density development. The magnitude of either effect would depend on project location, size, design, approvals, mitigation, and completion.

- *Appropriated in the Current Fiscal Year Budget*

No. CB-081-2026 does not appropriate funding. Initial administrative work is expected to be handled within existing agency appropriations unless the affected agencies determine that additional staffing, consultant support, technology, infrastructure, or other resources are required.

Policy Implementation Resources and Project Timeline:

Milestone 1 – Enactment and Legal Review

a. The Office of Law, Planning Department, and affected agencies may review the enacted legislation and identify unresolved definitions, development standards, licensing requirements, and legal or procedural issues.

b. The Planning Department may update the use tables and identify the application, referral, hearing, and decision procedures applicable to the new Special Exception.

Milestone 2 – Procedures and Systems

a. Application forms, checklists, guidance, fee schedules, electronic systems, and referral procedures may be updated.

b. Agencies may establish coordinated review standards for density, access, parking, circulation, utilities, stormwater management, environmental resources, community facilities, and regulated activities.

Milestone 3 – Application Review and Permitting

a. The Planning Department and participating agencies may accept and review special-exception applications and provide technical referrals.

b. The Zoning Hearing Examiner may conduct hearings and issue decisions, subject to District Council review and applicable appeal procedures.

c. Approved projects would proceed through subdivision, site-plan, environmental, permitting, licensing, inspection, and other applicable reviews.

Milestone 4- Ongoing Administration

a. Agencies may monitor application volume, review time, legal and administrative issues, infrastructure effects, project outcomes, and fiscal impacts.

b. Procedures or legislation may be revised if recuring gaps in standards, coordination, or enforcement are identified.

Resources and Critical Path

Implementation resources may include planning and zoning personnel, Zoning Hearing Examiner and District Council support, legal counsel, permit and inspection staff, environmental and transportation reviewers, information-technology and records-management staff, licensing personnel, and other agency staff involved in reviewing or serving an approved development.

Timely implementation will depend on establishing clear and legally sufficient use definitions, development and parking standards, agency responsibilities, licensing requirements, and review procedures. For an individual project, the critical path would also include infrastructure capacity, environmental approvals, special-exception review, any required subdivision or site-plan approvals, permitting, financing, and construction.

Disclaimer: This is a preliminary implementation timeline based on the legislation and information available at this time. Agency fiscal and implementation estimates were not available when this draft was prepared. Staffing needs, procedures, system requirements, infrastructure effects, and costs remain subject to confirmation.

Effective Date of Proposed Legislation:

The proposed Ordinance will take effective 45 calendar days after its adoption.

If you require additional information or have questions about this fiscal impact statement, please reach out to me via phone or email.