

Prince George's County Council

Agenda Item Summary

Meeting Date: 11/8/2011
Reference No.: CB-008-2011
Draft No.: 1
Proposer(s): Park & Planning
Sponsor(s): Patterson, Toles, Turner
Item Title: A Subdivision bill concerning validity periods for Preliminary Plans of Subdivision for the purpose of temporarily extending the validity period of all approved applications for Preliminary Plans of Subdivision with a valid status as of January 1, 2011.

Drafter: Alan Hirsch, M-NCPPC
Resource Personnel: Alan Hirsch, M-NCPPC

LEGISLATIVE HISTORY:

Date Presented:	4/5/2011	Executive Action:	11/28/2011 S
Committee Referral:	4/5/2011 - PZED	Effective Date:	11/28/2011

Committee Action: 6/1/2011 - HELD
9/7/2011 - FAV

Date Introduced: 9/20/2011
Public Hearing: 11/8/2011 - 1:30 PM

Council Action (1) 11/8/2011 - ENACTED
Council Votes: WC:A, DLD:A, MRF:A, AH:A, LJ:-, ML:N, EO:A, OP:A, IT:A, KT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

24-119

COMMITTEE REPORTS:

PZED Committee Report

Date 9/7/2011

Committee Vote: Favorable, 4-0 (In favor: Council Members Patterson, Campos, Olson, and Toles)

Staff summarized the bill and discussions that occurred during the June 1, 2011 committee meeting. Arthur Horne, Shipley & Horne, and Marva Jo Camp spoke in support of the legislation.

The committee voted favorable on CB-8-2011 as transmitted by the Planning Board to extend the validity period of Preliminary Plans of Subdivision with a valid status as of January 1, 2011 to December 13, 2013.

Held in committee. 6/1/2011

Staff gave an overview of the legislation and informed the committee of written referral comments and correspondence that were received. This legislation, which proposes to temporarily extend the validity period for all approved applications for Preliminary Plans of Subdivision with a valid status as of January 1, 2011, was transmitted

by the Planning Board for consideration by the County Council. CB-8-2011 temporarily suspends the validity period until December 31, 2013. CB-8-2011 will not apply to any Preliminary Plans of Subdivision where the validity period has expired prior to adoption of the legislation or where any application's validity period begins after the date of adoption of this legislation. The Planning Board's transmittal letter dated March 28, 2011 indicates that it is impossible to renew applications for preliminary plans of subdivision and very difficult to re-obtain approval status if the plans have expired or lapsed. Therefore, the Planning Board recommends that the County Council vote to enact legislation extending the validity period for approved applications.

The Office of Law reviewed CB-8-2011 and determined that it is in proper legislative form with no legal impediments to its enactment. The Prince George's County Association of Realtors submitted a letter dated April 27, 2011, to Committee Chairman Patterson in support of CB-8-2011 indicating that the legislation "provides a reasoned and rational approach toward aiding our ailing housing market."

Alan Hirsch, M-NCPPC Development Review Division Chief, was present to provide background on the proposed, as well as previous validity period extension legislation, and to respond to Council Members' questions. The committee received testimony in support of CB-8-2011 from the following individuals: Marva Jo Camp, representing Westphalia Town Center and Smith Home Farms; Hamer Campbell, representing the Maryland National Capital Building Industry Association; and Roger Lebbin, representing Mid-Atlantic Homes. Brad Frome, representing the County Executive's Office, informed the committee of the Executive's support of CB-8-2011, and the preference for a one-year extension.

During her testimony, Ms. Camp suggested an extension date to 2015 for larger projects, greater than 1,000 dwelling units. Council Member Toles suggested that the legislation be held in committee to allow additional time to review this amendment.

BACKGROUND INFORMATION/FISCAL IMPACT:

(Includes reason for proposal, as well as any unique statutory requirements)

This uncodified bill will temporarily extend the validity period for all approved applications for Preliminary Plans of Subdivision until December 31, 2013, and is not intended to affect any other provisions contained in Section 24-119 related to the extension of preliminary plans.

CODE INDEX TOPICS:

INCLUSION FILES:
