

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2018 Legislative Session

Reference No.: CB-060-2018

Draft No.: 1

Committee: PLANNING, ZONING AND ECONOMIC DEVELOPMENT

Date: 09/05/2018

Action: FAV

REPORT:

Committee Vote: Favorable, 5-0 (In favor: Council Members Harrison, Franklin, Glaros, Patterson, and Toles)

The Committee Director provided an overview of the legislation and informed the Committee of written referral comments that were received. This legislation temporarily extends the validity period for all approved applications for Preliminary Plans of Subdivision with a valid status as of January 1, 2018. CB-60-2018 temporarily extends the validity period until December 31, 2020. The provisions of the legislation will not apply to any Preliminary Plan 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. Council Member Franklin, the bill's co-sponsor, explained that the validity period extension provides the opportunity for projects, especially multi-stage projects, that have started and are moving through the development process to continue in the process without expiration and allows time for completion of the Zoning Ordinance Rewrite process and transition to the new Ordinance.

Due to the August recess, the Planning Board did not have an opportunity to take a formal position on the legislation; however, the Planning Department staff submitted comments in support of CB-60-2018. The Office of Law reviewed CB-60-2018 and determined that it is in proper legislative form with no legal impediments to its enactment. The Maryland Building Industry Association submitted a letter dated September 5, 2018 to Committee Chair Harrison in support of the legislation. Ms. Tamara Davis Brown submitted comments via electronic mail to the Clerk of the Council on September 4, 2018 with a recommendation to continue to allow developers until 2032 to build their planned communities, with a mandate that the developer demonstrate continued interest in the project by updating their APF analysis every 5 years to be current with ongoing development.

Council Chair Glaros suggested the data provided by the Planning Department staff concerning the number of plans that are in a valid status should be further refined with the assistance of the Department of Permitting, Inspections and Enforcement to include real projects that already have use and occupancy permits and have already moved forward in the development process. Council Member Harrison raised the question of extending the validity period an additional year to December 31, 2021 to ensure sufficient time for the transition; however, the Committee determined two years is adequate and the consideration of an additional year extension could be

addressed by the next Council.

Andre Gingles, of Gingles, LLC, and Matthew Tedesco, of McNamee Hosea, testified in support of the legislation.

The Committee voted favorable on the legislation as drafted.