

## Prince George's County Council

### Agenda Item Summary

<b>Meeting Date:</b>	11/19/2013
<b>Reference No.:</b>	CB-070-2013
<b>Draft No.:</b>	2
<b>Proposer(s):</b>	Davis
<b>Sponsor(s):</b>	Davis, Harrison, Patterson, Turner, Franklin
<b>Item Title:</b>	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, 2013.

<b>Drafter:</b>	Council Staff,
<b>Resource Personnel:</b>	Nellvenia W. Johnson, Chief of Staff District 6

#### LEGISLATIVE HISTORY:

<b>Date Presented:</b>	9/17/2013	<b>Executive Action:</b>	12/4/2013 S
<b>Committee Referral:</b>	9/17/2013 - PZED	<b>Effective Date:</b>	12/4/2013
<b>Committee Action:</b>	10/2/2013 - FAV(A)		
<b>Date Introduced:</b>	10/8/2013		
<b>Public Hearing:</b>	11/19/2013 - 10:00 AM		
<b>Council Action (1)</b>	11/19/2013 - ENACTED		
<b>Council Votes:</b>	WC:A, DLD:A, MRF:A, AH:-, ML:A, EO:N, OP:A, IT:A, KT:A		
<b>Pass/Fail:</b>	P		
<b>Remarks:</b>			

#### AFFECTED CODE SECTIONS:

24-119

#### COMMITTEE REPORTS:

PZED Committee Report

Date 10/2/2013

Committee Vote: Favorable as amended, 4-1 (In favor: Council Members Franklin, Harrison, Patterson and Toles. Oppose: Council Member Olson)

Staff gave an overview of the legislation and informed the committee of written referral comments and correspondence 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, 2013. CB-70-2013 (Draft-1) temporarily suspends the validity period until December 31, 2014. CB-70-2013 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.

Council Member Davis, the bill's sponsor, requested an amendment to the legislation to change the validity extension date from December 31, 2014 to December 31, 2015. Mr. Davis also suggested inclusion of a statement or letter indicating this is the final validity extension to be granted by the County Council. Council Member Olson expressed concern that the legislation does not provide incentive for developers to move forward with their projects.

The Office of Law reviewed CB-70-2013 and determined that the bill is in proper legislative form with no legal impediments to its enactment. Marcus Jackson, representing the Maryland National Capital Building Industry Association submitted a letter dated October 2, 2013 requesting a favorable recommendation by the Committee. Mr. Bradley Heard submitted electronic mail communication dated October 1, 2013 urging the Committee to table CB-70-2013 indefinitely. Cheryl Cort, representing the Coalition for Smarter Growth, also submitted electronic mail communication dated October 1, 2013 requesting that the Committee take no action to advance this legislation at this time.

The following individuals testified in support of the legislation: Thomas Haller, Larry Taub, Norman Rivera, Ed Gibbs, Marcus Jackson, Ken Dunn, Andre Gingles, Mike Nagy, and Chris Hatcher.

The committee voted favorable including the amendment requested by Council Member Davis to change the validity extension date to December 31, 2015.

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**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, 2014, and is not intended to affect any other provisions contained in Section 24-119 related to the extension of preliminary plans

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**CODE INDEX TOPICS:**

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**INCLUSION FILES:**