

Prince George's County Council

Agenda Item Summary

Meeting Date: 7/12/2011
Reference No.: CB-007-2011
Draft No.: 3
Proposer(s): Park & Planning
Sponsor(s): Turner, Patterson
Item Title: An Ordinance concerning validity periods for Detailed Site Plans and Specific Design Plans for the purpose of temporarily extending the validity period of all approved applications for Detailed Site Plans and Specific Design Plans 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:	
Committee Referral:	4/5/2011 - PZED	Effective Date:	8/29/2011

Committee Action: 6/1/2011 - FAV(A)

Date Introduced: 6/14/2011
Public Hearing: 7/12/2011 - 10:00 AM

Council Action (1) 7/12/2011 - ENACTED
Council Votes: WC:A, MRF:A, AH:A, LJ:A, ML:A, EO:A, OP:A, IT:A, KT:A
Pass/Fail: P
Remarks:

AFFECTED CODE SECTIONS:

27-287, 27-527, 27-528, 27-546.07, 27-548.08

COMMITTEE REPORTS:

PZED Committee Report

Date 6/1/2011

Committee Vote: Favorable with amendments, 4-1 (In favor: Council Members Patterson, Toles, Campos, and Olson. Opposed: Council Member Harrison)

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 extend the validity period for all approved applications for Detailed Site Plans and Specific Design Plans with a valid status as of January 1, 2011, was transmitted by the Planning Board for consideration by the County Council. CB-7-2011 temporarily extends the validity period of these plans until December 31, 2013. CB-7-2011 will not apply to any Detailed Site Plans or Specific Design Plans 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 site plans 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-7-2011 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-7-2011 indicating that the legislation "provides a reasoned and rational approach toward aiding our ailing housing market".

Alan Hirsch, representing the Planning Board, 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-7-2011 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 for CB-7-2011, and the preference for a one-year extension.

Council Member Toles offered an amendment to the legislation to change the validity period extension date from December 31, 2013, to December 31, 2012. The committee voted favorable on this amendment to be included in Draft-2 of CB-7-2011. During discussion of the amendment, Council Member Harrison noted her opposition to supporting any future validity period extensions, and therefore, if an extension is granted at this time, she would be in support of the two years proposed in Draft-1.

BACKGROUND INFORMATION/FISCAL IMPACT:

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

This uncodified Ordinance will temporarily extend the validity period for all approved Detailed Site Plans and Specific Design Plans that are currently in a valid status until December 31, 2013.

7/12/2011 - CB-7-2011 (DR-2) was amended on the floor; CB-7-2011 (DR-3) was enacted.

CODE INDEX TOPICS:

INCLUSION FILES:
