

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1997 Legislative Session

Bill No. _____ CB-5-1997

Chapter No.

Proposed and Presented by Council Members Maloney, Gourdine, Russell and Scott

Introduced by Council Members Maloney, Gourdine, Russell and Scott

Co-Sponsors

Date of Introduction March 25, 1997

SUBDIVISION BILL

AN ACT concerning

Preliminary Plats of Subdivision

For the purpose of allowing adequate public facilities findings to be appealed to the District Council.

BY repealing and reenacting with amendments:

SUBTITLE 24. SUBDIVISIONS.

Section 24-119,

The Prince George's County Code

(1995 Edition, as amended by CB-77-1996).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Section 24-119 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 24. SUBDIVISIONS.

DIVISION 2. APPLICATION PROCEDURES AND DOCUMENTS.

Sec. 24-119. Procedures for major subdivisions.

* * * * *

(d) Preliminary Plat. The subdivider shall present a preliminary plat to the Planning Department, accompanied by a check or money order made payable to the Maryland-National Capital Park and Planning Commission, covering the filing fee.

(1) The Planning Department staff shall promptly check for completeness; accept a

complete application for processing; reproduce the application; and send copies to all affected public agencies.

(2) Within four (4) weeks, the preliminary plat shall be reviewed by the Subdivision Review Committee.

(3) Adequate notice to the public shall be provided in accordance with the Rules of Procedure adopted by the Planning Board.

(4) Within seventy (70) calendar days of acceptance, the Planning Board shall take final action, provided that, with the written consent of the applicant, this time period may be extended for up to seventy (70) additional calendar days. The month of August and the period between, and inclusive of, December 20 and January 3 shall not be included in calculating either seventy (70) day period.

(5) A Planning Board action on a preliminary plat containing a finding of the adequacy of public facilities may be appealed to the District Council upon petition by any person of record. The appeal shall be filed with the Clerk of the Council within thirty (30) days following notice of action by the Planning Board to all persons of record. The appeal shall be based upon the record as made before the Planning Board, and shall set forth the reasons for the appeal. In deciding an appeal of a Planning Board action, the Council shall exercise original jurisdiction and the Council's jurisdiction shall be limited to a determination on the findings of adequate public facilities. For any such appeal, the Council may, based on the record, approve, approve with conditions, remand, or deny the subdivision plat.

[(5)](6)	*	*	*	*	*
[(6)](7)	*	*	*	*	*
[(7)](8)	*	*	*	*	*

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect thirty (30) calendar days from the date it becomes law.

Adopted this 6th day of May, 1997.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:
Dorothy F. Bailey
Chair

ATTEST:

Joyce T. Sweeney
Clerk of the Council

VETOED:

DATE: May 27, 1997 BY:
Wayne K. Curry
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.