

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2021 Legislative Session

Bill No. CB-093-2021

Chapter No. 72

Proposed and Presented by Council Member Hawkins

Introduced by Council Members Hawkins, Davis, Turner, Franklin, Glaros, and Harrison

Co-Sponsors _____

Date of Introduction October 5, 2021

SUBDIVISION BILL

AN ACT concerning

Validity Period and Extensions

For the purpose of permitting the Prince George’s Planning Board of the Maryland-National Capital Park and Planning Commission to approve certain extensions to validity period of subdivisions, subject to specified circumstances.

BY repealing and reenacting with amendments:

SUBTITLE 24. SUBDIVISIONS.

Section 24-119,

The Prince George's County Code

(2019 Edition; 2020 Supplement).

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of Prince George's County, Maryland, that Section 24-119 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments: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 4. REQUIREMENTS: TRANSPORTATION AND CIRCULATION.

Sec. 24-119. Documents required for major subdivisions.

(d)(6) (A) An approved preliminary plan shall remain valid for (6) years from the date of its approval, unless extensions of the validity period are granted, of subdivision consisting of:

(i) more than four hundred (400) residentially zoned lots or dwelling units;

or

(ii) more than one hundred and fifty (150) gross acres of commercially or industrially zoned land or land designated for nonresidential uses in any CDZ or M-X-T Zone; or

(iii) at least three hundred thousand (300,000) square feet or more of commercial or industrial development in any CDZ or M-X-T zoned project [which has a staging plan shall remain valid for six (6) years from the date of its approval, unless extensions of the validity period are granted]

~~(A)~~(B) An extension of up to two (2) years from the expiration of an approved preliminary plan or any extension thereof may be granted by the Planning Board provided:

(i) Public infrastructure which determined to be the developer’s responsibility in accordance with the requirements of Section 24-122.01 and Section 24-124 has been constructed by the developer in order to accommodate all stages of the development; or

(ii) The developer has been proceeding in a diligent manner to [comply with the staging plan] complete the development and has been unable, through no fault of the developer, to complete development within the time frame specified; or

(iii) [The] A staging plan applied to the approval cannot be met as a result of government failure to extend necessary services or infrastructure.

(C) Notwithstanding any provisions of this subsection to the contrary, from and after January 1, 2022, an extension of up to six (6) years from the expiration of an approved preliminary plan or any extension thereof may only be granted by the Planning Board subject to the provisions of Section (d)(6)(B)(i) through (iii) herein.”

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SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining

words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on the date of approval of the Countywide Sectional Map Amendment (“CMA”) by the District Council.

Adopted this 16th day of November, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
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.

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