

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2020 Legislative Session

Reference No.: CB-074-2020

Draft No.: 1

Committee: COMMITTEE OF THE WHOLE

Date: 10/01/2020

Action: FAV

REPORT:

Committee Vote: Favorable, 9-1-1 (In favor: Council Members Turner, Davis, Franklin, Glaros, Harrison, Hawkins, Ivey, Streeter and Taveras. Oppose: Council Member Dernoga. Abstain: Council Member Anderson-Walker)

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, 2020. CB-74-2020 temporarily extends the validity period until December 31, 2021 for Preliminary Plans that were approved prior to January 1, 2015, and until December 31, 2022 for those plans approved after January 1, 2015. 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 Chair Turner, the bill co-sponsor, commented that the Council is considering this validity period extension legislation due to the impacts of COVID-19 on the construction industry as well as the delay in the Countywide Map Amendment which, if adopted on schedule, would have provided an additional two years of validity for certain developments currently in the pipeline.

Derick Berlage, Acting Deputy Planning Director, informed the Committee that the Planning Board review of the proposed legislation was scheduled on October 8, 2020, and the Planning staff's recommendation to the Board is in support with a further suggestion to the County Council that plans 10 or more years old, expire on December 31, 2020 as they are using up traffic capacity. The Office of Law reviewed CB-74-2020 and determined that it is in proper legislative form with no legal impediments to its enactment. The Clerk of the Council received electronic correspondence from the following individuals: Mr. Griffin Benton, on behalf of the Maryland Building Industry Association; Mr. Edward Gibbs, Law Offices of Gibbs and Haller; Mrs. Sarah Cavitt, President of IHHAAC, Inc.; Mr. William Shipp, Mr. Lawrence Taub, and Mr. Nathaniel Forman, Attorneys with O'Malley, Miles, Nylan & Gilmore, P.A., and Mr. Andre Gingles, of Gingles, LLC. Mr. Gingles also testified during the Committee worksession expanding on comments in his letter.

The Committee had robust discussion on striking the correct balance in extending validity

periods given the extensions which have been previously granted as well as a recurring comment regarding multi-phase projects currently in the pipeline.

The Committee voted favorable on the legislation as drafted.