

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2021 Legislative Session

Reference No.: CB-093-2021

Draft No.: 2

Committee: COMMITTEE OF THE WHOLE

Date: 10/04/2021

Action: FAV(A)

REPORT:

Committee Vote: Favorable as amended, 9-0 (In favor: Council Members Hawkins, Anderson-Walker, Davis, Dernoga, Glaros, Harrison, Ivey, Taveras, and Turner)

The Committee of the Whole convened on October 4, 2021 to consider CB-93-2021. The Planning, Housing, and Economic Development Committee Director summarized the purpose of the bill and informed the Committee of written comments received on referral. CB-93-2021 amends Subtitle 24, Subdivision Regulations, to allow extensions to projects in certain zones over 300,000 square feet for up to six years before expiration.

The Planning Board supports the legislation and provided Planning staff analysis of the legislation by letter dated September 30, 2021 to the Council Chairman:

“Policy Analysis:

CB-93-2021 amends the current Subdivision Regulations, which is being replaced by new Subdivision Regulations as part of the Zoning Rewrite, when the Countywide Map Amendment (CMA) is approved. The Planning Board is not able to determine the number of properties affected by this proposed bill without doing extensive research of previously approved projects.

The Planning Board supports continued development in the County. We would like to point out a typo within the bill. The language on page 2, line 5. The word “of” should be deleted and replaced with the word “or” for clarification purposes. The language would read “approved preliminary plan or any extension thereof may be granted by the Planning Board provided....”

Impacted Property:

This legislation will affect all properties that propose at least 300,000 square feet or more commercial or industrial development in a Comprehensive Design Zone (CDZ) or Mixed Use Transportation-Oriented (M-X-T) Zone project.

Adopted Zoning Ordinance:

The adopted Subdivision Regulations set maximum validity periods for infrastructure adequacy. Development projects that have not built out a significant portion of their development must be retested for adequacy based on current conditions.”

Sherri Conner, M-NCPPC Subdivision Supervisor, addressed the Committee providing additional background information on legislative history of the validity extension provisions which shows the intent of Section 24-119(d)(6) was to allow for multiple two-year extensions.

The Office of Law reviewed CB-93-2021 as it was presented on September 21, 2021 and found it to be in proper legislative form with legal impediments to its adoption. Edward Gibbs testified in support of the legislation.

To address the comments offered by Ms. Conner, the Committee recommended an amendment to clarify that one six-year provision is allowed under the circumstances provided in the legislation.

After discussion, on a motion by Council Member Hawkins and second by Council Member Harrison, the Committee voted favorable 9-0 on CB-93-2021 as amended.