

CITY OF LAUREL PLANNING COMMISSION

RESOLUTION NO. 26-06-PC

A RESOLUTION OF THE CITY OF LAUREL PLANNING COMMISSION APPROVING AMENDED SITE AND LANDSCAPE PLAN APPLICATION REQUEST BY NORTH AMERICAN ISLAMIC TRUST, INC. TO EXPAND THE EXISTING HOUSE OF WORSHIP AND PARKING LOT AS WELL AS IMPROVE THE STORMWATER MANAGEMENT INFRASTRUCTURE OF THE PROPERTY LOCATED AT 7306 CONTEE ROAD, LAUREL, MARYLAND 20707

WHEREAS, on April 28, 2026, the Applicant North American Islamic Trust, Inc. Submitted an application seeking Amended Site and Landscape Plan approval to expand the existing house of worship and parking lot as well as improve the stormwater management infrastructure; and

WHEREAS, on August 21, 2026, letters advising of the public hearing before the City of Laurel Planning Commission were sent to all contiguous property owners by first class mail; and

WHEREAS, a hearing was held on September 15, 2026, by the City of Laurel Planning Commission, at which time public testimony was heard; and

WHEREAS, in consideration of the evidence presented at a public hearing on September 15, 2026 regarding an Amended Site and Landscape Plan application for 7306 Contee Road, Laurel, MD 20707, the Planning Commission finds:

FINDINGS OF FACT AND ANALYSIS

The applicant is seeking Amended Site and Landscape Plan approval to expand the existing house of worship and parking lot as well as improve the stormwater management infrastructure. The proposed building addition is for an approximately 66,508 square foot gross floor area and will include an expansion to the existing parking lot, upgrade to the existing stormwater management facility, and the required site landscape buffering components.

THEREFORE BE IT RESOLVED, by the City of Laurel Planning Commission that the Amended Site & Landscape Plan Application Concept Site & Landscape Plan Application for 7306 Contee Road, Laurel, MD 20707, is hereby **APPROVED** with the following conditions:

- 1) The Applicant shall obtain all appropriate City of Laurel permits for completion of this project.

- 2) The Applicant shall comply with all applicable local, state, and federal laws and regulations in the development of the property.
- 1) The Applicant will update the number of EV charging parking spots to 16 OR receive a variance.
- 2) The deed transfer is completed to finalize the Forest Conservation Plan.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect upon its passage.

PASSED this 15th day of September 2026.

APPROVED:

Brooke Herring
Secretary
City of Laurel Planning Commission

Rick Wilson
Chairman
City of Laurel Planning Commission



MAYOR AND CITY COUNCIL OF LAUREL DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

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September 8, 2026

AGENDA ITEM NO. 5

TECHNICAL STAFF REPORT

TO: City of Laurel Planning Commission

FROM: Jay Meashey, Director

CASE: Text Amendment No. 270 (Ordinance No. 2057)
Unified Land Development Code Update Per New State Law

REQUESTED ACTION: Recommend to the Mayor and City Council approval of Text Amendment No. 270 (Ordinance No. 2057) to amend the Unified Land Development Code Chapter 20 "Land Development and Subdivision" to comply with State requirements to permit and regulate Accessory Dwelling Units on certain lots.

BACKGROUND INFORMATION:

Proposed text amendment No. 270 (Ordinance No. 2057) will modify various sections of the Unified Land Development Code to permit and regulate Accessory Dwelling Units. House Bill 1466, also known as "the ADU Bill," was passed by the General Assembly during its 2025 legislative session and signed into law by the Governor for the purpose of creating additional housing options for Marylanders. The proposed permissions, prohibitions, and regulations aim to comply with the requirements of the ADU bill while mandating orderly and safe growth of our community.

ANAYLSIS:

The proposed changes for text amendment No. 270 (Ordinance No. 2057) include modifications to the following sections:

- Section 20-1.7 – Definitions
- Section 20-2.1 – Building permits; use and occupancy permits
- Section 20-2.2 – Plans, plats, and information to accompany applications for permits
- Section 20-6.13 – Table of residential uses
- Section 20-6.14 – Accessory uses
- Section 20-6.15 – Area, yard, and height regulations
- Section 20-6.16 – Schedule of Area, Yard, and Height Regulations for residential uses
- Section 20-6.23 – Accessory structures; bulk regulations
- Section 20-6.26 – Building permitted on lot
- Section 20-6.29 – Dwelling unit area requirements

- Section 20-10.2 – Permitted buildings and uses
- Section 20-16.2 – Scope of regulations
- Section 20-19.2 – Trailers parked in residential zone
- Section 20-23.1 – Continuation and discontinuation of use
- Section 20-26.4 – Definitions
- Section 20-26.5 – Review of applications
- Section 20-50.3 – Connection to public sewers required

The proposed change amends seventeen (17) sections of the Unified Land Development Code. The changes adopt the State's definition of certain terms; permit one Accessory Dwelling Unit as a use-by-right on a lot in R-5, R-55, and R-MD zones if the lot has single-family detached dwelling on it; permits an Accessory Dwelling Unit by special exception in other zones only if a lot has a single-family detached dwelling on it; subjects detached Accessory Dwelling Units to Historic District Commission standards in the historic districts; requires the property owner to occupy the primary dwelling or the Accessory Dwelling Unit in order to rent one of the dwellings; establishes setback and height requirements and minimum and maximum square footage for Accessory Dwelling Units; and generally ensures that the Unified Land Development Code complies with the Land Use Article of the Maryland Code.

RECOMMENDATION:

It is recommended that the Planning Commission **RECOMMEND APPROVAL** of Text Amendment No. 270 (Ordinance No. 2057) to the Mayor and City Council.

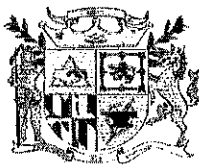
ATTACHMENTS:

1. City of Laurel Ordinance Text Amendment No. 270 (Ordinance No. 2057)

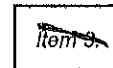
SUBMITTED:



Jay Meashey, Director



CITY OF LAUREL, MARYLAND



ORDINANCE NO. 2057

TEXT AMENDMENT NO. 270

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND TO AMEND THE UNIFIED LAND DEVELOPMENT CODE, CHAPTER 20, "LAND DEVELOPMENT AND SUBDIVISION REGULATIONS;" SECTION 20-1.7, "DEFINITIONS;" SECTION 20-6.13, "TABLE OF RESIDENTIAL USES;" SECTION 20-6.23, "ACCESSORY STRUCTURES; BULK REGULATIONS;" SECTION 20-6.14, "ACCESSORY USES;" SECTION 20-6.15, "AREA, YARD, AND HEIGHT REGULATIONS;" SECTION 20-6.16, "SCHEDULE OF AREA, YARD, AND HEIGHT REGULATIONS FOR RESIDENTIAL USES;" SECTION 20-6.23, "ACCESSORY STRUCTURES; BULK REGULATIONS;" SECTION 20-6.26 "BUILDING PERMITTED ON LOT;" SECTION 20-6.29, "DWELLING UNIT AREA REQUIREMENTS;" SECTION 20-10.2, "PERMITTED BUILDINGS AND USES;" SECTION 20-16.2, "SCOPE OF REGULATIONS;" SECTION 20-19.2, "TRAILERS PARKED IN RESIDENTIAL ZONE;" SECTION 20-23.1, "CONTINUATION AND DISCONTINUATION OF USE;" SECTION 20-26.4, "DEFINITIONS;" SECTION 20-26.5, "REVIEW OF APPLICATIONS;" AND SECTION 20-50.3, "CONNECTION TO PUBLIC SEWERS REQUIRED" TO PERMIT AND REGULATE ACCESSORY DWELLING UNITS.

Sponsored by the President at the request of the Administration.

WHEREAS, the General Assembly of Maryland during its 2025 legislative session passed HB 1466 ("the ADU Bill") into law and the Governor signed it; and

WHEREAS, the ADU Bill requires local jurisdictions exercising planning and zoning authority to adopt a local law authorizing accessory dwelling unit (ADU) development on certain land with single-family detached dwellings; and

WHEREAS, the City of Laurel is a local jurisdiction within the State of Maryland that exercises planning and zoning authority; and

WHEREAS, the City of Laurel Planning Commission has recommended certain rights, responsibilities, and obligations related to the development of accessory dwelling units; and

WHEREAS, the Mayor and City Council has determined that none of the recommendations of the Planning Commission constitute an unreasonable limitation on the development of accessory dwelling units;



NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and City Council of Laurel, Maryland that the following sections of the City of Laurel Unified Land Development Code shall be and hereby are amended as follows:

Sec. 20-1.7 Definitions.

* * *

Accessory apartment. See "dwelling, accessory apartment unit."

* * *

Accessory dwelling unit. See "dwelling, accessory unit."

* * *

Dwelling, accessory apartment unit. A secondary dwelling unit contained within on the same lot as a single-family detached dwelling for use as a complete, independent living facility with provision within the accessory apartment unit for food preparation, eating, sanitation, and sleeping. It may be detached, attached, or interior. Such a dwelling is an accessory use clearly visually subordinate to the primary dwelling.

* * *

Sec. 20-2.1 – Building permits; use and occupancy permits.

* * *

(d) A use and occupancy permit shall be required for a newly constructed, reconstructed, or renovated accessory dwelling unit.

~~(d)~~ (e) Building permits for public utility equipment. Building permits shall not be required for single poles and other single-legged structures and their appurtenant cross arms and items of equipment installed and maintained by a public utility subject to regulation by the State Public Service Commission; nor for poles or structures used for street lights, fire alarm boxes, traffic signals or similar municipal equipment installed by the state or a political subdivision thereof.

~~(e)~~ (f) Non-issuance of building permits pending appeal or time therefore. No building permit shall be issued during the time permitted by law or rule of court for the filing of an appeal from:

* * *

(f) (g) A use and occupancy permit shall be required prior to any of the following:

(1) Occupancy and use of any building.

(2) Change wholly or in part in use of an existing building, which includes the addition of an accessory dwelling unit.

* * *

Sec. 20-2.2 – Plans, plats, and information to accompany applications for permits.

* * *



(a) Each application for a building permit shall be accompanied by duplicate copies of a site plan or plat drawn to scale, showing:

* * *

(11) A renovation, expansion, or alteration to an existing building to create an accessory dwelling unit shall not be construed as a minor alteration.

Sec. 20-6.13. – Table of Residential Uses.

* * *

Uses	P-I	R-5	R-55	R-20	R-T	R-30	R-18	R-10	R-H	R-MD
<u>Dwelling, accessory unit (m)</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>P</u>

(m) A Dwelling, accessory unit is permitted only on a lot containing one single-family detached dwelling.

Sec. 20-6.14 – Accessory uses.

* * *

(h) Dwelling, accessory unit. A Dwelling, accessory unit shall only be permitted when the resident owner of the property occupies either the primary structure or the accessory dwelling unit.

Sec. 20-6.15 – Area, yard, and height regulations.

* * *

(g) The height of a main building permitted on a zoning lot shall not exceed the number of stories as set forth in the schedule in Section 20-6.16. The height of accessory buildings shall not exceed fifteen (15) feet except that an accessory dwelling unit shall not exceed eighteen (18) feet.

* * *

Sec. 20-6.16 – Schedule of Area, Yard, and Height Regulations for residential uses.

* * *

(h) Density is the maximum permitted within the zone; actual yield is dependent on design and configuration of specific site plans. An accessory dwelling unit is excluded from residential density calculations.

Sec. 20-6.23 – Accessory structures; bulk regulations.

* * *

ZONE	R-5	R-55	R-20	R-T	R-30	R-18	R-10	R-MD	PUD-E	PDA-E
Dwelling, accessory unit										
• <u>Maximum Height (ft.)</u>	<u>18</u>	<u>18</u>	<u>18</u>	<u>18</u>	<u>18</u>	<u>18</u>	<u>18</u>	<u>18</u>	<u>18</u>	<u>18</u>
• <u>Minimum Distance from Rear and Side Yard Lot Line (ft.)</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>5</u>

Sec. 20-6.26 – Building permitted on lot.

(a) There shall be not more than one (1) one-family or one (1) two-family dwelling permitted on a lot. There may be more than one (1) multifamily building on a lot. There may also be one (1) accessory building or one (1) detached garage on the same lot with a main building.

Accessory dwelling units are exempt from the limitations established in this section.

The percent of lot covered by buildings, as set forth in the Section 20-7.16, Schedule of Area, Yard, and Height Regulations shall not be exceeded when the area of the building(s) is divided by the area of the lot.

(b) No one- or two-family dwelling shall be located to the rear of any building on the same lot or on another lot which does not have the required frontage on a dedicated street, except that an approved accessory dwelling unit may be located to the rear of a single-family detached dwelling. However, multifamily structures, with the approval of the Planning Commission, may be arranged in groups and each building need not directly front on a dedicated street. Improvement within these developments must conform to standards set forth in Section 20-6.17.

Sec. 20-6.29 – Dwelling unit area requirements.

* * *

(d) Accessory dwelling units shall not exceed seventy-five (75) percent of the size of the primary single-family dwelling unit. The minimum size of a detached accessory dwelling unit shall be 200 square feet on the first or ground level.

Sec. 20-10.2 – Permitted buildings and uses.

* * *

(b) *Accessory buildings and uses.*

Underlining indicates new language added.

Strikethroughs indicate language deleted.

* * * Asterisks indicate intervening language and section unchanged.



- (1) Accessory dwelling unit on a lot having one single-family detached dwelling, provided that all other requirements for an accessory dwelling unit must be met.
- (4) ~~(2)~~ Private garage attached to or located in a one-family dwelling; parking area for the use of guests of the occupants of one-family dwelling units.
- ~~(2)~~ (3) Storage garages accessory to a multifamily building or to groups of townhouses and plexes; parking areas for the use of guests of the occupants of multifamily dwelling units.
- ~~(3)~~ (4) Gardens, fences, walls, pools and other recreation facilities on private or common land.
- (4) (5) Accessory buildings and uses to retail business uses enumerated and as regulated in other sections of this article when such main use is part of a Planned Unit Development approved or existing area.

* * *

Sec. 20-16.2 – Scope of regulations.

Accessory off-street parking and loading facilities shall be provided as a condition precedent to:

- (a) The use and/or occupancy of all buildings, property, or parcels of land within the City, except that no additional parking shall be required for a duly approved accessory dwelling unit;

Sec. 20-19.2 – Trailers parked in residential zone.

* * *

- (4) No occupied or unoccupied trailer shall be parked on a lot that includes a detached accessory dwelling unit.

Sec. 20-23.1 – Continuation and discontinuation of use.

(a) Any building, structure or use lawfully existing at the time of adoption of this article, January 1, 1990, or lawfully existing at the time this article is subsequently amended, may be continued, even though such building, structure or use does not conform to the regulations of the zoning district in which it is located. The rights to repair, maintain, or restore the structure without enlargement of the structure is specifically permitted, except as provided in this section.

(b) A structure being used as a bona fide accessory dwelling unit on October 1, 2026 shall become a conforming use, provided that it be inspected for life safety and obtain any necessary rental permits.

~~(b)~~ (c) Abandonment of a nonconforming use or structure shall terminate immediately the right to operate such use. "Abandonment" shall be presumed upon the cessation of a nonconforming use other than a seasonal use for a period of six (6) consecutive calendar months. No nonconforming use once abandoned shall thereafter be reestablished, except as provided herein.

~~(e)~~ (d) A nonconforming use may be extended or reestablished by resolution of the Board of Appeals provided that the owner or other authorized person demonstrates, by a preponderance of evidence, the following:

* * *

~~(d)~~ (e) The Board of Appeals may impose any reasonable conditions in regard to the property for the reestablishment, or pending reestablishment, of the use, for the protection, safety, health, and welfare of the general public.

~~(e)~~ (f) Upon application for continuation or reestablishment of a nonconforming use, the Board of Appeals shall refer the matter to the Planning Commission for its review and recommendation.

~~(f)~~ (g) The requirements of notice and public hearing shall be in conformity with such general requirements of the Board of Appeals, as set forth in Section 20-5.4, insofar as they are consistent with the provisions of this section.

~~(g)~~ (h) In the event that the nonconforming use cannot be reestablished within ninety (90) days from the date of the hearing before the Board of Appeals, the Board shall provide for such periodic hearings as it deems necessary for the purpose of reviewing the status of the application. It shall be discretionary with the Board whether the matter shall be referred to the Planning Commission prior to any such review hearings. The notice requirements shall be the same as those of an original application except that if any review hearing shall be one hundred eighty (180) days or less from the initial hearing or any prior review hearing, the written notices to adjoining property owners shall not be required.

~~(h)~~ (i) Fees. The Mayor shall set the fees for activities and services performed by the Department of Economic and Community Development in carrying out its responsibilities under this subsection. Fees shall be subject to review and revision periodically as experience dictates to insure that the fees are equitable and in line with the costs of administration.

Sec. 20-26.4 – Definitions.

* * *

Accessory structure shall mean a secondary structure, such as a detached garage, accessory dwelling unit, or tool shed, located on the same lot as the main building.

Sec. 20-26.5 – Review of applications.

* * *

(4) If a decision incurs substantial financial hardship on the owner; and

(5) Advancing the goal of increased housing, if the application is related to an accessory dwelling unit; and

~~(5)~~ (6) Only those structures/plantings visible from the right-of-way within the Laurel Historic District shall be reviewed by the HDC.

* * *

Sec. 20-50.3 – Connection to public sewers required.

* * *

(b) (1) A detached accessory dwelling unit shall make application to the Washington Suburban Sanitary Commission (W.S.S.C) or other authority as described in (a) without exception.

(2) No detached accessory dwelling unit shall be permitted on realty not abutting a street or public right-of-way in which there is a public sanitary sewer.

AND, BE IT FURTHER ENACTED AND ORDAINED, that this Ordinance shall take effect on the day of its passage.

PASSED this _____ day of _____, 2026.

ATTEST:

SARA A. GREEN, CPM, MMC
City Clerk

BRENCIS D. SMITH
President of the City Council

APPROVED this _____ day of _____, 2026.

KEITH R. SYDNOR
Mayor



MAYOR AND CITY COUNCIL OF LAUREL
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

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September 8, 2026

AGENDA ITEM NO. 6

TECHNICAL STAFF REPORT

TO: City of Laurel Planning Commission

FROM: Jay Meashey, Director

CASE: Text Amendment No. 271 (Ordinance No. 2058)
Unified Land Development Code Update Per New State Law

REQUESTED ACTION: Recommend to the Mayor and City Council approval of Text Amendment No. 271 (Ordinance No. 2058) to amend the Unified Land Development Code Chapter 20 "Land Development and Subdivision," Article V "Forest Conservation" to conform with the Maryland Forest Conservation Act as amended.

BACKGROUND INFORMATION:

Proposed Text Amendment No. 271 (Ordinance No. 2058) will modify various sections of Article V of the Unified Land Development Code to achieve compliance with the updated Forest Conservation Act. The changes included in Text Amendment No. 271 are a direct incorporation of guidance provided by the Maryland Department of Natural Resources. Staff expects to re-open discussion of Article V after the Master Plan is adopted by the Mayor and City Council and in conjunction with an update of the City's Landscape Manual.

ANAYLSIS:

The proposed changes for Text Amendment No. 271 (Ordinance No. 2058) include modifications to the following sections:

- Section 20-41.5 – Forest stand delineation
- Section 20-41.6 – Forest Conservation Plan
- Section 20-41.7 – Afforestation and retention
- Section 20-41.8 – Reforestation
- Section 20-41.9 – Priorities and time requirement for afforestation and reforestation
- Section 20-41.12 – Payment instead of afforestation and reforestation
- Section 20-41.16 – Waivers
- Section 20-41.18 – Annual report

The proposed change amends eight (8) sections of Article V of the Unified Land Development Code. The changes as presented are not discretionary and are the minimum required to be in compliance with the Forest Conservation Act and retain the City's authority to review and approve Forest Stand Delineations and Forest Conservation Plans.

RECOMMENDATION:

It is recommended that the Planning Commission **RECOMMEND APPROVAL** of Text Amendment No. 271 (Ordinance No. 2058) to the Mayor and City Council.

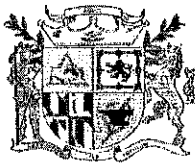
ATTACHMENTS:

1. City of Laurel Ordinance Text Amendment No. 271 (Ordinance No. 2058)

SUBMITTED:



Jay Meashey, Director



CITY OF LAUREL, MARYLAND

Item 4.

ORDINANCE NO. 2058

TEXT AMENDMENT NO. 271

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND TO AMEND THE UNIFIED LAND DEVELOPMENT CODE, CHAPTER 20, "LAND DEVELOPMENT AND SUBDIVISION REGULATIONS;" SECTION 20-41.5, "FOREST STAND DELINEATION;" SECTION 20-41.6, "FOREST CONSERVATION PLAN;" SECTION 20-41.7, "AFFORESTATION AND RETENTION;" SECTION 20-41.8, "REFORESTATION;" SECTION 20-41.9, "PRIORITIES AND TIME REQUIREMENTS FOR AFFORESTATION AND REFORESTATION;" SECTION 20-41.12, "PAYMENT INSTEAD OF AFFORESTATION AND REFORESTATION;" SECTION 20-41.16, "WAIVERS;" AND SECTION 20-41.18, "ANNUAL REPORT."

Sponsored by the President at the request of the Administration.

WHEREAS, the General Assembly of Maryland has amended Maryland's Forest Conservation Act (FCA) and the Department of Natural Resources has issued guidance; and

WHEREAS, the said FCA update requires local jurisdictions exercising planning and zoning authority to amend local law governing development and forest conservation; and

WHEREAS, the City of Laurel is a local jurisdiction within the State of Maryland that exercises planning and zoning authority; and

WHEREAS, the City of Laurel Planning Commission has recommended certain changes included in DNR guidance;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and City Council of Laurel, Maryland that the following sections of the City of Laurel Unified Land Development Code shall be and hereby are amended as follows:

Sec. 20-41.5 – Forest stand delineation.

(a) Criteria.

* * *

10

(7) Time for submittal:

a. Within thirty (30) calendar days after receipt by the Department of Economic and Community Development of the Forest Stand Delineation the Department shall notify the applicant whether the forest stand delineation is complete and correct.

b. ~~If the Department of Economic and Community Development fails to notify the applicant within thirty (30) days of such receipt, the delineation shall be treated as complete and correct; provided, however, that the Department may extend such thirty-day period for a reasonable time to complete its review, and shall notify the applicant of such extension of time. Within 30 days from receipt of the forest stand delineation, the Department of Economic and Community Development shall notify the applicant whether the forest stand delineation is complete and correct. If the Department fails to notify the applicant about the delineation within 30 days, the delineation shall be treated as complete and correct. The Department may require further information or provide for an extension of this deadline for an additional 15 days for extenuating circumstances~~

c. The Department of Economic and Community Development may require further information and provide for additional reasonable time for its response to allow for submission and review of the additional information. The 30-day review period begins new with each resubmission of necessary information from the Applicant.

Sec. 20-41.6 – Forest Conservation Plan.

(b) Preliminary Forest Conservation Plan.

* * *

(2) A preliminary Forest Conservation Plan shall:

* * *

k. Include information ~~required~~ recommended in the Forest Conservation Technical Manual; and

* * *

* * *

(3) Time for submittal:

a. ~~Within forty-five (45) calendar days after receipt of the final Forest Conservation Plan, the Planning Commission shall notify the applicant whether the Forest Conservation Plan is complete and approved; At least 20 days before approval of the forest conservation plan, the Department shall:~~

(i) Provide notice to all owners of property contiguous to the subject property of any proposed clearing of a priority retention area as described in the Forest Conservation Act; and

(ii) 1. On a net tract area of at least 5 acres and if at least 75% of the priority retention area is proposed to be cleared, provide an opportunity for written and verbal comment before plan approval; or

2. For any other project where priority retention area is proposed for clearing, provide an opportunity for public written comment before plan approval.

b. Property separated from the subject property by a public right-of-way shall be considered abutting and adjacent.

~~b c. If the Planning Commission fails to notify the applicant within forty-five (45) calendar days, the plan shall be treated as complete and approved; provided, however, that the Planning Commission may extend such forty-five-day period for a reasonable time to complete its review, and shall notify the applicant of such extension of time; Within 45 days from receipt of the forest conservation plan, the Department or local authority shall notify the applicant whether the forest conservation plan is complete. If the Department or local authority fails to notify the applicant about the forest conservation plan within 45 days, the plan shall be treated as complete and approved. The Department or local authority may require further information or provide for an extension of this deadline for an additional 15 days for extenuating circumstances. In addition, at the request of the applicant, the State or local authority may extend this deadline for extenuating circumstances;~~

~~e d.~~ The Planning Commission may require further information and provide for additional reasonable time for its response to allow for submission and review of the additional information; and

~~d e.~~ At the request of the applicant, the Planning Commission may extend the deadline for a reasonable time for good cause.

Sec. 20-41.7 – Afforestation and retention.

* * *

(b) *Retention.* The following trees, shrubs, plants, and specific areas are considered priority for retention and protection and shall be left in an undisturbed condition unless the applicant has demonstrated, to the satisfaction of the Planning Commission, that reasonable efforts have been made to protect them and the plan cannot be reasonably altered:

(1) ~~Trees, shrubs and plants located in sensitive areas, including the one hundred-year floodplain, intermittent and perennial streams and their buffers, steep slopes, nontidal wetlands~~ one hundred (100) year floodplains, intermittent streams and their buffers of at least fifty (50) feet from the stream channel, perennial streams and their buffers of at least one hundred (100) feet from the stream channel, coastal bays and their buffers, steep slopes, and critical habitats;

(2) Contiguous forest that connects the largest undeveloped or most vegetated tracts of land within and adjacent to the site;

(3) ~~Trees, shrubs or plants determined to be rare, threatened, or endangered under:~~ Forest suitable for forest interior-dwelling species;

a. ~~The Federal Endangered Species Act of 1973 in 16 U.S.C., Sections 1531 through 1544, inclusive, and in 50 CFR Part 17;~~

b. ~~The Maryland Nongame and Endangered Species Conservation Act, Annotated Code of Maryland, Natural Resources Article, Sections 10-2A-01 through 10-2A-09, inclusive; and~~

c. ~~COMAR 08.03.08, which contains regulations relating to the threatened and endangered species.~~

(4) ~~Trees that:~~ Forest located in a Tier II or Tier III high quality watershed as identified by the Department of the Environment;

a. ~~Are part of an historic site;~~

b. ~~Are associated with an historic structure; or~~

c. ~~Have been designated by the state or the Department of Economic and Community Development as a national, state or county champion tree; and~~

(5) ~~Any tree having a diameter measured at four and one-half (4½) feet above the ground of:~~ Forest located in a water resource protection zone, a reservoir watershed, or a wellhead protection area as identified by the City or other competent jurisdiction;

a. ~~Thirty (30) inches or more; or~~

~~b. Seventy-five (75) percent or more of the diameter, measured at four and one-half (4½) feet above the ground, of the current state champion tree of that species as designated by the Maryland Department of Natural Resources.~~

(6) Forests in urban areas:

- a. As delineated in the priority urban forest mapping included in the State Forest Conservation Technical Manual requirements; or
- b. That are most important for providing wildlife habitat or mitigating flooding, high temperatures, or air pollution;

(7) Trees, shrubs or plants determined to be rare, threatened, or endangered under:

- a. The Federal Endangered Species Act of 1973 in 16 U.S.C., Sections 1531 through 1544, inclusive, and in 50 CFR Part 17;
- b. The Maryland Nongame and Endangered Species Conservation Act, Annotated Code of Maryland, Natural Resources Article, Sections 10-2A-01 through 10-2A-09, inclusive; and
- c. COMAR 08.03.08, which contains regulations relating to the threatened and endangered species.

(8) Trees that:

- a. Are part of an historic site; or
- b. Are associated with an historic structure; or
- c. Have been designated by the state or the Department of Economic and Community Development as a national, state or county champion tree; and

(9) Any tree having a diameter measured at four and one-half (4½) feet above the ground of:

- a. Thirty (30) inches or more; or
- b. Seventy-five (75) percent or more of the diameter, measured at four and one-half (4½) feet above the ground, of the current state champion tree of that species as designated by the Maryland Department of Natural Resources.

(c) Solar photovoltaic facilities may not be subject to afforestation requirements under this subtitle.

Sec. 20-41.8 – Reforestation.

(a) Forest conservation threshold. Except as provided in item (b) of this section, for all existing forest cover measured to the nearest 1/10 acre cleared on the net tract area, the area of forest removed shall be reforested at a ratio of 1 acre planted for every 1 acre removed; and

(b) For all existing forest cover located in a priority funding area designated in the State Finance and Procurement Article, and not identified as a priority for retention as described in this article, measured to the nearest 1/10 acre cleared on the net tract area, the area of forest removed shall be reforested at a ratio of 1/2 acre planted for every 1 acre removed."

(1) There is a forest conservation threshold established for all land use categories, as provided in Subsection (2) below. The forest conservation threshold means the percentage of the net tract area at which the reforestation requirement changes from a ratio of one-quarter ($\frac{1}{4}$) acre planted for each acre removed above the threshold to a ratio of two (2) acres planted for each acre removed below the threshold.

(2) After reasonable efforts to minimize the cutting or clearing of trees and other woody plants have been exhausted in the development of a subdivision plan, site plan, development plan or project plan, grading and sediment control activities, and implementation of the Forest Conservation Plan, the Forest Conservation Plan shall provide for reforestation, purchase of credits from a Forest Mitigation Bank, or payment into the forest conservation fund, according to the formula set forth in Subsections (2) and (3) of this section and consistent with Section 20-41.6, and the following forest conservation thresholds for the applicable land use category:

Category of use	Threshold percentage
a. Agricultural and resource areas	50%
b. Medium density residential areas	25%
c. Institutional development areas	20%
d. High density residential areas	20%
e. Mixed use and planned unit development areas	15%

Category of use	Threshold percentage
f. Commercial and industrial use areas	15%

(3) Calculations.

~~a. For all existing forest cover measured to the nearest one-tenth (1/10) acre cleared on the net tract area above the applicable forest conservation threshold, the area of forest removed shall be reforested at a ratio of one-quarter (1/4) acre planted for each acre removed.~~

~~b. Each acre of forest retained on the net tract area above the applicable forest conservation threshold shall be credited against the total number of acres required to be reforested under paragraph a. of this subsection. The calculation of the credit shall be according to the criteria provided in the Forest Conservation Technical Manual.~~

~~c. For all existing forest cover measured to the nearest one-tenth (1/10) acre cleared on the net tract area below the applicable forest conservation threshold, the area of forest removed shall be reforested at a ratio of two (2) acres planted for each acre removed below the threshold.~~

Sec. 20-41.9 – Priorities and time requirements for afforestation and reforestation.

(a) Sequence for afforestation and reforestation.

(1) After techniques for retaining existing forest on the site have been exhausted, the preferred sequence for afforestation and reforestation, as determined by the Planning Commission, is as follows:

a. Forest creation in accordance with a Forest Conservation Plan using one (1) or more of the following:

i. Tree replacement (as described in the chart below). Individual significant trees removed, whether within the forest or outside the forest, shall be replaced at the following rates with similar species:

Size of Significant Tree Removed (inches)	Minimum 2½ Caliper Tree Replacement (number of trees)
12—18 d.b.h	1
greater than 18 <u>19</u> —24 d.b.h.	2
Greater than 24 d.b.h.	3

ii. Replacement tree(s) shall be native straight species and have a mature canopy spread equivalent to or greater than the tree(s) removed.

* * *

Sec. 20-41.12 – Payment instead of afforestation and reforestation.

~~(a) Forest conservation fund.~~

(1) (a) There is hereby established a City of Laurel Forest Conservation Fund.

~~(2)~~ (b) If a person, subject to this chapter, demonstrates to the satisfaction of the Planning Commission that requirements for reforestation or afforestation on-site or off-site cannot be reasonably accomplished, the person shall contribute money, at a rate of one dollar (\$1.00) per square foot of the area of required planting, into the City Forest Conservation.

~~(3)~~ (c) Money contributed instead of afforestation or reforestation under this section shall be paid no later than issuance of the first building permit. No plat of subdivision in which money is contributed instead of afforestation or reforestation shall be approved for recording by the Planning Commission until the said in-lieu fee shall have been paid, or satisfactory assurance of payment shall have been provided.

(4) (d) Money deposited in the City Forest Conservation Fund:

a. ~~(1)~~ (1) Must be spent on the costs directly related to reforestation and afforestation, including site identification, acquisition, design, and preparation;

b. ~~(2)~~ (2) Shall be deposited in a separate Forest Conservation Fund; and

c. ~~(3)~~ (3) May not revert to the General Fund, except that fines collected under the provisions of Subsection 20-41.17(a)(2) and deposited to the Forest Conservation Fund may revert to the General Fund from time to time.

~~(5)~~ (e) Sites for afforestation or reforestation using fund money:

a. (1) Except as provided in subparagraph b. below, the reforestation or afforestation requirement under this section shall occur in the City and in the watershed in which the project is located.

b. (2) If the reforestation or afforestation cannot be reasonably accomplished in the watershed in which the project is located, then the reforestation or afforestation shall occur in off-site property for mitigation. The Director of Economic and Community Development and the Director of Parks and Recreation shall develop and maintain a list of properties suitable for off-site mitigation required under Forest Conservation Plans.

Sec. 20-41.16 – Waivers Variances.

~~(a) Procedure.~~

~~(1)~~ (a) A person may request a ~~waiver~~ variance from the Planning Commission from the provisions of this chapter or the requirements of the Annotated Code of Maryland, Natural Resources Article, Sections 5-1601 through 5-1612, inclusive, if the person demonstrates that enforcement would result in unwarranted hardship to the person.

~~(2)~~ (b) An applicant for a ~~waiver~~ variance shall:

a. (1) Describe the special conditions peculiar to the property which would cause the unwarranted hardship;

b. (2) Describe how enforcement of these rules will deprive the applicant of rights commonly enjoyed by others in similar areas;

c. (3) Verify that the granting of the ~~waiver~~ variance will not confer on the applicant a special privilege that would be denied to other applicants;

d. (4) Verify that the ~~waiver~~ variance request is not based on conditions or circumstances which are the result of actions by the applicants;

e. (5) Verify that the request does not arise from a condition relating to land or building use, either permitted or nonconforming, on a neighboring property; and

f. (6) Verify that the granting of a ~~waiver~~ variance will not adversely affect water quality.

~~(3)~~ (c) The Planning Commission shall make findings that the applicant has met the requirements in paragraphs (1) and (2) of this subsection before the Planning Commission may grant a ~~waiver~~ variance.

(4) (d) Notice of a request for a waiver variance shall be given to the Maryland Department of Natural Resources within fifteen (15) days of receipt by the Planning Commission of the request for the waiver variance.

(5) (e) There is established by this article the right and authority to the Department of Natural Resources to initiate or intervene in an administrative, judicial or other original proceeding or appeal in the state concerning an approval of a waiver variance pursuant to the Annotated Code of Maryland, Natural Resources Article, Sections 5-1601 through 5-1612, inclusive, or this article.

(6) (f) An appeal may be taken from the final action of the Planning Commission pursuant to the appeal procedures set forth in Section 20-41.17.

* * *

Sec. 20-41.18 – Annual report.

On or before ~~March 4~~ August 31 of each year, the Department shall submit to the Department of Natural Resources a report of activity for the preceding fiscal year which contains:

* * *

AND, BE IT FURTHER ENACTED AND ORDAINED, that this Ordinance shall take effect on the day of its passage.

PASSED this _____ day of _____, 2026.

ATTEST:

SARA A. GREEN, CPM, MMC
City Clerk

BRENCIS D. SMITH
President of the City Council

APPROVED this _____ day of _____, 2026.

KEITH R. SYDNOR
Mayor



MAYOR AND CITY COUNCIL OF LAUREL
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

8103 Sandy Spring Road • Laurel, Maryland 20707 • (301) 725-5300

Web: <http://www.cityoflaurel.org> E-mail: ecd@laurel.md.us

September 8, 2026

AGENDA ITEM NO. 7

TECHNICAL STAFF REPORT

TO: City of Laurel Planning Commission

FROM: Jay Meashey, Director

CASE: Text Amendment No. 272 (Ordinance No. 2059)
Unified Land Development Code Update Per New State Law

REQUESTED ACTION: Recommend to the Mayor and City Council approval of Text Amendment No. 272 (Ordinance No. 2059) to amend the Unified Land Development Code Chapter 20 "Land Development and Subdivision" to create certain rights and privileges for developers of residential subdivisions.

BACKGROUND INFORMATION:

Proposed text amendment No. 272 (Ordinance No. 2059) will modify various sections of the Unified Land Development Code to provide certainty to residential developers and will cause the Unified Land Development Code to comport with Senate Bill 325, also known as "the Housing Certainty Act," which was adopted by the Maryland General Assembly in its 2026 legislative session and signed into law by the Governor.

ANAYLSIS:

The proposed changes for Text Amendment No. 272 (Ordinance No. 2059) include modifications to the following sections:

- Section 20-2.2 – Plans, plats, and information to accompany applications for permits
- Section 20-29.3 – Definitions
- Section 20-29.10 – Mandatory dedication or fee-in-lieu of open space
- Section 20-29.12 – Governing approvals
- Section 20-30.1 – Pre-application
- Section 20-30.2 – Conditional approval of preliminary plan
- Section 20-30.3 – Approval of final plat
- Section 20-30.4 – Fees
- Section 20-41.2 - Definitions

The proposed change amends nine (9) sections of the Unified Land Development Code. The changes create certain vesting rights for developers of residential subdivision, extending to five (5) years the length of time between final site plan approval and expiration of said approval; determine when “complete” plans for a residential subdivision are submitted, and require the City and its agents to evaluate such plans by the regulations in effect at the time the “complete” plan was submitted; and change when development impact fees may be made due, which was addressed in passing within the Unified Land Development Code.

RECOMMENDATION:

It is recommended that the Planning Commission **RECOMMEND APPROVAL** of Text Amendment No. 272 (Ordinance No. 2059) to the Mayor and City Council.

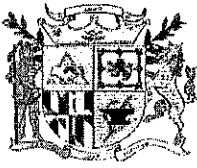
ATTACHMENTS:

1. City of Laurel Ordinance Text Amendment No. 272 (Ordinance No. 2059)

SUBMITTED:

A handwritten signature in blue ink, appearing to read "J. Meashey", is written above a horizontal line.

Jay Meashey, Director



CITY OF LAUREL, MARYLAND

Item 5.

ORDINANCE NO. 2059

TEXT AMENDMENT NO. 272

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAUREL, MARYLAND TO AMEND THE UNIFIED LAND DEVELOPMENT CODE, CHAPTER 20, "LAND DEVELOPMENT AND SUBDIVISION REGULATIONS;" SECTION 20-2.2, "PLANS, PLATS, AND INFORMATION TO ACCOMPANY APPLICATIONS FOR PERMITS;" SECTION 20-29.3, "DEFINITIONS;" SECTION 20-29.7, "REVIEW PROCEDURE; ADEQUATE PUBLIC FACILITIES;" SECTION 20-29.10, "MANDATORY DEDICATION OR FEE-IN-LIEU OF OPEN SPACE;" SECTION 20-29.12, "GOVERNING APPROVALS;" SECTION 20-30.1, "PRE-APPLICATION;" SECTION 20-30.2, "CONDITIONAL APPROVAL OF PRELIMINARY PLAN;" SECTION 20-30.3, "APPROVAL OF FINAL PLAT;" SECTION 20-30.4, "FEES;" AND SEC. 20-41.2, "DEFINITIONS" IN ORDER TO IMPLEMENT THE MARYLAND HOUSING CERTAINTY ACT.

Sponsored by the President at the request of the Administration.

WHEREAS, the General Assembly of Maryland during its 2026 legislative session passed SB 325 ("the Housing Certainty Act") into law and the Governor signed it; and

WHEREAS, the Housing Certainty Act requires local jurisdictions exercising planning and zoning authority to adopt a local law regulating criteria for review of development applications, guaranteeing certain vested rights to an approved applicant, and establishing when certain impact fees can be collected; and

WHEREAS, the City of Laurel is a local jurisdiction within the State of Maryland that exercises planning and zoning authority; and

WHEREAS, the City of Laurel Planning Commission has recommended certain regulations, guarantees, and schedules;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Mayor and City Council of Laurel, Maryland that the following sections of the City of Laurel Unified Land Development Code shall be and hereby are amended as follows:

Sec. 20-2.2 - Plans, plats, and information to accompany applications for permits.



(a) Each application for a building permit shall be accompanied by duplicate copies of a site plan or plat drawn to scale, showing:

* * *

(9) ~~As required by this article, s~~Site and landscape plans shall be submitted ~~on twenty-four (24) inches by thirty-six (36) inches paper size~~ electronically through such methods as determined appropriate by the Director of the Department of Economic and Community Development. Plans shall be drawn to a one-inch equals thirty (30) feet scale, or other scale as determined appropriate by the Director of the Department of Economic and Community Development.

(10) Minor alterations to existing buildings may not require the above.

(b) Each application for a use and occupancy permit shall be accompanied by:

(1) ~~Duplicate copies of a~~ site plan or plat, drawn to scale, showing:

* * *

(2) A statement indicating the proposed employment, number of shifts, and maximum number of employees on each shift, if a commercial use is proposed.

* * *

(4) Other information as may be requested by the Planning Commission, Director of the Department of Economic and Community Development, or Director of the Department of the Fire Marshal and Permit Services, or their designee of any of them.

* * *

(4) Each application involving site and landscape plan approval, together with the required information described below, shall be submitted to, and processed by the Department of Economic and Community Development according to a schedule determined by the Director of the Department of Economic and Community Development, in compliance with the requirements of the Maryland Land Use Article and Local Government Article. Such plans shall be referred to all appropriate area agencies or departments for their review and comment.

(5) Approval of a non-residential final site ~~or and~~ landscape plan shall expire two (2) years after the date of such approval unless construction has begun. Construction shall commence with the construction and approval of all footings. This period may be extended for an additional one (1) year by the Director of the Department of Economic and Community Development, or their designee, for good cause. Good cause shall be limited to conditions beyond the control of the applicant such as failure of governmental bodies to review and approve plans in a timely fashion but shall not include failure to obtain financing or other market

conditions. Approval of a non-residential preliminary site and landscape plan shall expire three (3) years after the date of approval unless a final site and landscape plan has been filed with the Department of Economic and Community Development. For purposes of this subsection, construction shall have begun when footings have been poured for all or a substantial portion of the improvements for which the site ~~or~~ and landscape plans were approved. Upon expiration of the final or preliminary site ~~or~~ and landscape plans pursuant to this subsection, such plans shall thereupon be void and no construction or any other work shall be performed on the site until a new application for site and landscape plan approval has been applied and final approval obtained. Such new application shall be subject to all applicable laws, ordinances, and regulations in existence at the time of such the new application.

(6) Approval of a residential final site and landscape plan shall expire five (5) years after the date of such approval unless construction has begun. Construction shall commence with the construction and approval of all footings. This period may be extended for an additional one (1) year by the Director of the Department of Economic and Community Development for good cause if the Director also finds that an extension furthers the planning and policy goals of the City. Good cause shall be limited to conditions beyond the control of the applicant such as failure of governmental bodies to review and approve plans in a timely fashion but shall not include failure to obtain financing or other market conditions. Approval of a residential preliminary site and landscape plan shall expire three (3) years after the date of approval unless a final site and landscape plan has been filed with the Department of Economic and Community Development. For purposes of this subsection, construction shall have begun when footings have been poured for all or a substantial portion of the improvements for which the site or landscape plans were approved. Upon expiration of the final or preliminary site and landscape plans pursuant to this subsection, such plans shall thereupon be void and no construction or any other work shall be performed on the site until a new application for site and landscape plan approval has been applied and final approval obtained. Such new application shall be subject to all applicable laws, ordinances, and regulations in existence at the time of the new application.

~~(6)~~ (7) The following information shall be required prior to the approval of any such site plan:

* * *

~~(7)~~(8) Where deemed appropriate, the Planning Commission or its designee may require additional information or waive specific requirements of this section due to particular site-specific considerations.

* * *

Sec. 20-29.3 – Definitions.

* * *

Complete application. A housing development project application that includes all materials and information required for final processing and substantive review.

* * *

Consequential deficiencies. Deficiencies in a housing development project application which are so egregious that Department staff are unable to issue a complete technical staff report to the Planning Commission. Examples of consequential deficiencies include but are not limited to errors in calculations, omission of required approval from agencies external to the City, and deficient compliance with the City Landscaping Manual.

* * *

Department. City of Laurel Department of Economic and Community Development.

* * *

Development impact fee. A fee imposed by the City for the purpose of financing one or more of the capital costs of additional or expanded public works, improvements, and facilities required to accommodate new construction or development. Development impact fee includes any monies collected on behalf of another government jurisdiction and forwarded to it for similar purposes.

Director. The Director of the City of Laurel Department of Economic and Community Development, or their designee.

* * *

Final Inspection. The last inspection of a completely built dwelling unit, performed by a City inspector or contracted agent, without which a Use and Occupancy Permit cannot be issued.

* * *

Housing development project. The new construction or substantial renovation of a residential real estate project.

Housing development project application. An application for a building permit, site plan approval, subdivision approval, conceptual plan approval, or any other determination by the Planning Commission relating to a housing development project that has been submitted to the Planning Commission in compliance with the requirements established by them and the Department of Economic and Community Development.

* * *

Phase. A discrete, planned portion of a larger housing development project that:

- (a) Is constructed independently of and sequentially with other portions of the project;
- (b) Includes twenty-five (25) or more housing units; and
- (c) Includes any improvements necessary to function independently from the other portions of the project.

* * *

~~Plan~~. Subdivision plan. A plan of subdivision proposed or submitted by the subdivider or developer for approval by the Planning Commission.

* * *

Site and landscape plan. A development plan satisfying the pertinent requirements of this chapter. A site and landscape plan must be submitted as part of a complete application.

* * *

Sec. 20-29.10 – Mandatory dedication or fee-in-lieu of open space.

(g) *Choice of land or fee.*

* * *

c. Prerequisites for approval of final map. Where dedication is required, such dedication shall be accomplished in accordance with the provisions of these subdivision regulations. ~~Where fees are required the same shall be deposited with the City prior to the approval of the final tract map.~~

Open space covenants for private park or recreational facilities shall be submitted to the City prior to approval of the final tract map and shall be recorded contemporaneously with the final tract map.

d. Payment of fees. Where fees are required, the same shall be deposited with the City thirty (30) days prior to the final inspection of the unit for which the fees are assessed. Final inspection will not be scheduled until all fees have been deposited with the City.

* * *

~~(h) No plat of subdivision in which a fee is required shall be approved for recording by the Planning Commission until the said fee shall have been paid, or satisfactory assurance of payment shall have been provided.~~

Sec. 20-29.12 – Governing approvals.

(a) The approval, conditional approval, or denial of a housing development project by the Mayor and City Council, the Planning Commission, the Department, and any other City reviewers shall be governed only by the duly adopted laws and regulations in effect at the time of submission of a complete application.

Sec. 20-30.1 – Pre-application.

* * *

(c) Nothing submitted in the required pre-application step shall constitute a complete application under this code or the Maryland Land Use Article.

Sec. 20-30.2 – Conditional approval of preliminary plan.

* * *

(b) ~~Twelve (12) copies~~ An electronic copy of the preliminary plan and supplementary material specified shall be submitted to the Planning Commission with written an application for conditional approval at least ten (10) days prior to the meeting at which it is to be considered according to a schedule published annually by the Director.

(c) Following (4) review of the preliminary plan and other material submitted for conformity thereof to these regulations sufficiency as to information included and within thirty (30) days after receipt thereof, the Director shall make a determination as to whether the application is a complete application. Such determination is a ministerial task and does not constitute approval of the proposals included in the application.

(d) After making a determination, the Director shall promptly notify the applicant of the determination and the date of the determination. If the Director has determined that the application is not a complete application, the Director shall provide the applicant with a list of deficiencies and a reasonable time frame for curing the deficiencies.

(e) If the Director fails to notify an applicant of the determination regarding completeness of a housing development application with in thirty-five (35) days after receipt of the application, the application is deemed to be a complete application for purposes of Sec. 20-29.12.

(c)(f) Following (1) review of the preliminary plan and other material submitted for conformity thereof to these regulations, and (2) negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements to be made by him/her, the Planning Commission shall, within thirty (30) days, act thereon as submitted, or modified, and if approved, the Planning Commission shall express its approval as conditional approval and state the conditions of such approval, if any, or if disapproved, shall express its disapproval and its reasons therefore.

(d) (g) The action of the Planning Commission shall be noted on three (3) copies of the preliminary plan in a memorandum prepared by the Secretary to the Planning

~~Commission, referenced, and attached to any conditions determined. One (1) copy shall be returned~~ Electronic copies of the memorandum shall be sent to the subdivider, and two (2) copies will be retained for the files of the Commission uploaded to the digital plan management system, and provided to the Washington Suburban Sanitary Commission (W.S.S.C.), respectively.

~~(e)~~ (h) Conditional approval of a preliminary plan shall not constitute approval of the final plat (subdivision plat). Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plan as a guide to the preparation of the final plat which will be submitted for approval of the Planning Commission and for recording upon fulfillment of the requirements of these regulations and the conditions of the conditional approval, if any.

~~(f)~~ (i) The Commission, in studying the preliminary subdivision plan, will take into consideration the requirements of the community and the best use of the land being subdivided. Particular attention will be given to width, arrangement and location of streets, surface drainage, lot sizes, and arrangements, as well as any comprehensive plan, Master Plan, or General Plan requirements such as parks, school sites, boulevards, main highways, public hearings, and other public purposes. Adequate street connections will be required to ~~insure~~ ensure free access to adjoining subdivisions and lands.

~~(g)~~ (j) If the preliminary subdivision plat is approved with modification, the subdivider shall proceed promptly to prepare the final subdivision plat. Unless a final subdivision plan, prepared in accordance with the approved preliminary subdivision plat and including the modifications thereof, if any, made by the Commission, is filed with the Commission within the following stipulated time periods after the approval of the preliminary subdivision plat, the Commission's approval shall be deemed canceled unless an extension of time is applied for and granted by the Commission. Failure by the subdivider to prepare the final subdivision plan within the stipulated time periods, or extension period if granted by the Commission, shall end the process that may have culminated in the completion of a housing development project for purposes of Title 12, Subtitle 2 of the Maryland Land Use Article.

~~(h)~~ (k) Extensions of the validity of an approved preliminary plat may be granted by the Commission provided:

- (1) The request if is filed prior to the expiration of the preliminary plat approval;
- (2) The preliminary plat remains in conformance with all the relevant requirements of Article I, Zoning Regulations, to the subject property of this chapter, being those in force at the time the complete application was submitted to the Planning Commission;

* * *

(7) The validity of a preliminary plat consisting of more than four hundred (400) residentially zone lots or more than one hundred fifty (150) gross acres of commercially or industrially zoned land or land designated for nonresidential uses in any M-X-T Zone which has a staging plan shall not be extended more than two (2) years from the normal expiration of the approved preliminary plat.

a. An extension of up to two (2) years from the expiration of an approved preliminary plat may be granted by the Commission provided:

- i. a. Public infrastructure, which was determined to be the developer's responsibility in accordance with the requirements of Division 4, Required Improvements, of this article has been constructed by the developer in order to accommodate all stages of the development; or
- ii. b. The developer has been proceeding in a diligent manner to comply with the staging plan and has been unable, through no fault of the developer, to complete development within the time frame specified; or
- iii. c. The staging plan cannot be met as a result of government failure to extend necessary services or infrastructure.

(8) The validity of a Planned Unit Development approved in accordance with this article and Article 1, Zoning, Section 20-10, Planned Unit Development—Existing, shall not be extended more than two (2) years from the normal expiration of the approved preliminary planned unit development subdivision.

a. An extension of up to two (2) years from the expiration of an approved preliminary planned unit development subdivision may be granted upon the applicant's submission to the Planning Commission of a letter from a permitting agency (including, but not limited to, the Washington Suburban Sanitary Commission, Maryland Department of Water Resources and Sciences Administration, Prince George's County Department of Environmental Resources) indicating:

- i. a. The date of application for the required permit;
- ii. b. That the issuance of the required permit is delayed because of circumstances beyond the control of the applicant; and
- iii. c. The approximate date of the issuance of the required permit.

Sec. 20-30.3 – Approval of final plat.

* * *

(b) Application for approval of the final plat shall be submitted in writing to the Planning Commission ~~at least ten (10) days prior to the meeting at which it is to be considered~~ according to a schedule published annually by the Director.

(c) ~~Twelve (12) copies~~ An electronic copy of the final plat and other exhibits required for approval shall be prepared as specified in Division 2 of this article and shall be submitted to the Planning Commission within twelve (12) months from the original date of the approval of the preliminary plat; otherwise, such approval shall become null and void unless an extension of time is applied for and granted by the Planning Commission pursuant to the provisions of Subsection 20-30.2~~(h)~~ (k) above. Failure by the subdivider to submit the application for final plat approval within the stipulated time period, or extension period if granted by the Commission, shall end the process that may have culminated in the completion of a housing development project for purposes of Title 12, Subtitle 2 of the Maryland Land Use Article.

* * *

(f) The final plat(s) shall be signed and sealed by the surveyor and recorded among the Land Records of Prince George's County, Maryland, within one hundred eighty (180) days of the Planning Commission's approval. Any final plat of subdivision not recorded within one hundred eighty (180) days shall no longer be valid. Failure by the subdivider to record the final plat among the Land Records of Prince George's County, Maryland within the stipulated time period shall end the process that may have culminated in the completion of a housing development project for purposes of Title 12, Subtitle 2 of the Maryland Land Use Article.

Sec. 20-30.4 – Fees.

The Mayor shall set the fees for activities and services performed by the Department of Economic and Community Development, ~~and Public Works,~~ or any City Department in carrying out their responsibilities under this article. Fees shall be subject to review and revision periodically as experience dictates to ~~insure~~ ensure that the fees are equitable and in line with the costs of administration. Fees for activities and services performed by the Departments while carrying out their responsibilities under this article are not development impact fees.

* * *

Sec. 20-41.2 – Definitions.

* * *

Forest Conservation Plan means a plan approved pursuant to Section 20-41.6. The Mayor and Council hereby declare that application for Forest Conservation Plan approval is not a housing development project application as described by the Maryland Land Use Article.

AND, BE IT FURTHER ENACTED AND ORDAINED, that this Ordinance shall take effect on the day of its passage.

PASSED this _____ day of _____, 2026.

ATTEST:

SARA A. GREEN, CPM, MMC
City Clerk

BRENCIS D. SMITH
President of the City Council

APPROVED this _____ day of _____, 2026.

KEITH R. SYDNOR
Mayor