



CITY OF LAUREL, MARYLAND

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:

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(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~~ A site plan or plat, drawn to scale, showing:

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(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:

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~~(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.

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Sec. 20-29.3 – Definitions.

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

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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.

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

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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.

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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.

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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.

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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.

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~~(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.

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(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.

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~~(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 (1) 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.

~~(e)(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 ~~is~~ 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;~~

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(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.

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(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.

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(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.

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Sec. 20-41.2 – Definitions.

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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