



Committee: Directly to Council
Committee Review: N/A
Staff: Pamela Dunn, Senior Legislative Analyst
Purpose: Final action – vote expected
Keywords: #Germantown, Town Sector, Extension

AGENDA ITEM #3A
July 21, 2020
Action

SUBJECT

Extension of time for Council action on the Germantown Plan for the Town Sector Zone

EXPECTED ATTENDEES

N/A

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- Approval of an extension of time for Council action on the Germantown Plan for the Town Sector Zone.

DESCRIPTION/ISSUE

On November 8, 2019, the Montgomery County Planning Board transmitted to the County Executive and the County Council the November 2019 Planning Board Draft of the Germantown Plan for the Town Sector Zone.

Chapter 33A §8(c)(3) of the County code provides that within 180 days after receiving the Executive's fiscal impact analysis, or within 240 days after the Planning Board draft is transmitted to the County Council if the Executive does not submit a fiscal impact analysis, the District Council must approve, modify, or disapprove the plan or amendment. The District Council may extend this deadline by one or more 60-day periods by a vote on each extension of two-thirds of those members present and voting.

The County Executive did not comment on the Germantown Plan for the Town Sector Zone. The 240th day after November 8, 2019, fell on July 5, 2020. Insufficient time was available before July 5, 2020 for scheduled worksessions to be completed and for the Council to act on the Germantown Plan for the Town Sector Zone.

The attached resolution provides for Council approval of an extension nunc pro tunc on July 5, 2020, extending the time limit for Council action on the Germantown Plan for the Town Sector Zone to the close of business on September 3, 2020.

SUMMARY OF KEY DISCUSSION POINTS

N/A

This report contains:

Resolution to approve an extension of time for Council action on the Germantown Plan for the Town Sector Zone

Pages

©1-2

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Resolution No.: _____
Introduced: _____
Adopted: _____

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS A DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Extension of Time for Council Action on the Germantown Plan for the Town Sector Zone

Background

1. On November 8, 2019, the Montgomery County Planning Board transmitted to the County Executive and the County Council the November 2019 Planning Board Draft of the Germantown Plan for the Town Sector Zone.
2. Under §21-212 (b) of the Land Use article of the Maryland Code, on a vote of two-thirds of those present and voting, the District Council may extend by 60 days the requirement that review and action on a plan or amendment must be completed 180 days after the receipt of the County Executive's comments, recommendations, and fiscal impact analysis.
3. The County Executive did not comment on the Germantown Plan for the Town Sector Zone.
4. Chapter 33A §8(c)(3) of the County code provides that within 180 days after receiving the Executive's fiscal impact analysis, or within 240 days after the Planning Board draft is transmitted to the County Council if the Executive does not submit a fiscal impact analysis, the District Council must approve, modify, or disapprove the plan or amendment. The District Council may extend this deadline by one or more 60-day periods by a vote on each extension of two-thirds of those members present and voting.
5. The 240th day after November 8, 2019 fell on July 5, 2020. Insufficient time was available before July 5, 2020 for scheduled worksessions to be completed and for the Council to act on the Germantown Plan for the Town Sector Zone.

Action

For these reasons, the County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland approves the following resolution, nunc pro tunc:

On July 5, 2020, the time limit for Council action on the Germantown Plan for the Town Sector Zone is extended to the close of business on September 3, 2020.

This is a correct copy of Council action.

Selena Mendy Singleton, Esq.,
Clerk of the Council