

Response received from MCPS Administration

This information pertains to the City of Rockville only.

Sec. 25.07.06. - Site plan implementation period.

- a. *Site plan approval.* A site plan approval by the Planning Commission or the Chief of Planning expires if construction does not commence pursuant to a validly issued building permit within two (2) years of the effective date of the Planning Commission approval, unless another time frame is provided by this chapter or by the terms of the approval.
- b. *Extensions.* Except as set forth in [section 25.07.15](#), the Planning Commission or the Chief of Planning may, for good cause shown, grant no more than two (2) extensions of not more than one (1) year for the first extension and six (6) months for the second extension for any prior approval subject to the provisions of [section 25.05.08](#), "Extension of implementation period". The Planning Commission may require as a condition of approval of an extension that the applicant submit periodic progress reports to the Chief of Planning detailing efforts undertaken to implement the site plan approval.
- c. *Multi-phase or multi-building site plan approval.* All phases of a multi-building or multi-phase project which has received site plan approval must be commenced within eight (8) years from the effective date of site plan approval unless another time frame is provided by this chapter or by the terms of approval. A site plan approval will become void for those buildings or phases within a multiple building or phased development for which construction has not commenced within eight (8) years from the date of the site plan approval or within such other time frame provided by this chapter or by the terms of approval. Unless otherwise specifically provided by the terms of approval, no extension may be granted from the implementation period set forth in this subsection c.
- d. For any site plan that was valid as of the Approving Authority may grant additional extensions for the remainder of the maximum allowable extension period under subsection 25.07.06.b.
- e. For any site plan that is the subject of a timely filed administrative appeal the implementation period shall be tolled in accordance with subsection 25.05.08.e. (Ord. No. 15-10, § 3, 6-21-10; Ord. No. 7-11, § 8, 6-6-11; Ord. No. 8-14, § 1, 4-21-14; Ord. No. 7-15, 5-11-15)

Editor's note— Ord. No. 7-11, § 8, adopted June 6, 2011, repealed the former section 25.07.06, which pertained to level 3 site plan review and derived from Ord. No. 19-08, § 1, adopted December 15, 2008, and Ord. No. 29-09, § 7, adopted October 26, 2009. Subsequently, Ord. No. 7-11 redesignated the former sections 25.07.07—25.07.16 as sections 25.07.06—25.07.15. The historical notation of these sections has been preserved for reference purposes.

In summary, a site plan in the City of Rockville expires within 2 years of an issued building permit unless the terms of approval specifies otherwise. Two extensions are permitted, the first for one year, and the second for six months, and periodic progress reports may be required. A multi-phase or multi-building site plan must start within eight years from site plan approval unless another timeframe is agreed upon by terms of the approval. No extensions are allowed. There is a grandfathering provision for site plans valid prior to Approving Authority.