

B. THE HOLDER OF 5 PERCENT OR GREATER INTEREST IS ENGAGED IN SUBSTANTIVE ACTIVITIES PERTAINING SPECIFICALLY TO LAND DEVELOPMENT IN PRINCE GEORGE'S COUNTY, MARYLAND AS A REGULAR PART OF THE BUSINESS ENTITY'S ONGOING BUSINESS ACTIVITIES.

(II) WHERE THE APPLICANT IS A CORPORATION, THE TERM ALSO INCLUDES THE DIRECTORS AND OFFICERS OF THE CORPORATION WHICH ACTUALLY HOLDS TITLE TO THE LAND, OR IS A CONTRACT PURCHASER OF THE LAND, WHICH IS THE SUBJECT OF AN APPLICATION, BUT DOES NOT INCLUDE THE DIRECTORS AND OFFICERS OF ANY ENTITY WHICH DOES NOT HOLD TITLE TO, OR IS NOT THE CONTRACT PURCHASER OF, LAND WHICH IS THE SUBJECT OF AN APPLICATION.

(2) "APPLICANT" INCLUDES ANY BUSINESS ENTITY IN WHICH A PERSON DESCRIBED IN PARAGRAPH (1) OF THIS SUBSECTION HOLDS A 5 PERCENT OR GREATER INTEREST.

(3) "APPLICANT" DOES NOT INCLUDE:

(I) A BANK, SAVINGS AND LOAN INSTITUTION, OR OTHER FINANCIAL INSTITUTION WHICH HAS LOANED MONEY OR EXTENDED FINANCING FOR THE ACQUISITION, DEVELOPMENT, OR CONSTRUCTION OF IMPROVEMENTS UPON ANY LAND THAT IS THE SUBJECT OF AN APPLICATION;

(II) A MUNICIPAL OR PUBLIC CORPORATION; ~~OR~~

(III) A PUBLIC AUTHORITY; OR

(IV) A PUBLIC UTILITY REGULATED BY THE PUBLIC SERVICE COMMISSION IN ANY INSTANCE WHERE THE UTILITY IS ENGAGED IN OR CONDUCTING REGULATED ACTIVITIES THAT HAVE BEEN APPROVED BY THE PUBLIC SERVICE COMMISSION OR ARE PERMITTED UNDER ARTICLE 78 OF THE CODE.

(D) "APPLICATION" MEANS:

(1) AN APPLICATION FOR A ZONING MAP AMENDMENT, SPECIAL EXCEPTION, DEPARTURE FROM DESIGN STANDARDS, REVISION TO A SPECIAL EXCEPTION SITE PLAN, EXPANSION OF A LEGAL NONCONFORMING USE, REVISION TO A LEGAL NONCONFORMING USE SITE PLAN, OR A REQUEST FOR A VARIANCE FROM THE ZONING ORDINANCE;

(2) AN APPLICATION TO APPROVE A COMPREHENSIVE DESIGN PLAN, A CONCEPTUAL SITE PLAN, OR A SPECIFIC DESIGN PLAN; OR

(3) PARTICIPATION IN ADOPTING AND APPROVING AN AREA MASTER PLAN OR SECTIONAL MAP AMENDMENT BY APPEARANCE AT A PUBLIC HEARING, FILING A STATEMENT IN THE OFFICIAL RECORD, OR OTHER SIMILAR COMMUNICATION TO A MEMBER OF THE COUNTY COUNCIL OR THE PLANNING BOARD, WHERE THE INTENT IS TO INTENSIFY THE ZONING CATEGORY APPLICABLE TO THE LAND OF THE APPLICANT.

(E) "BUSINESS ENTITY" MEANS: