

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL
2012 Legislative Session

Bill No. _____ CB-67-2012 _____
 Chapter No. _____ 62 _____
 Proposed and Presented by _____ Council Member Davis _____
 Introduced by _____ Council Members Davis, Harrison, Lehman and Turner _____
 Co-Sponsors _____
 Date of Introduction _____ October 23, 2012 _____

ZONING BILL

1 AN ORDINANCE concerning

2 Validity Periods for Detailed Site Plans and Specific Design Plans

3 For the purpose of temporarily extending the validity periods of all approved applications for
 4 Detailed Site Plans and Specific Design Plans that were in a valid status as of January 1, 2012.

5 WHEREAS, there continues to exist a state of national recession, which has drastically
 6 affected various segments of the State and County economy, but none as severely as the
 7 County's banking, real estate, and construction sectors; and

8 WHEREAS, as a result of the conundrum in the real estate finance sector of the economy,
 9 real estate developers, homebuilders, and commercial, office, and industrial developers have
 10 experienced an industry-wide decline, including reduced demand, canceled orders, declining
 11 sales, rental price reductions, increased inventory, fewer buyers who qualify to purchase homes,
 12 layoffs, and scaled-back growth plans; and

13 WHEREAS, the process of obtaining Planning Board, development review, and zoning
 14 approvals for subdivisions, detailed site plans, and specific design plans can be difficult, time-
 15 consuming and expensive for both private applicants and public bodies; and

16 WHEREAS, approvals for site plans are impossible to renew and can be difficult to re-
 17 obtain if expired or lapsed; and

18 WHEREAS, determinations of master plan consistency, conformance, or endorsement with
 19 appropriate regional plans may expire or lapse without implementation due to the state of the
 20 economy; and

1 WHEREAS, the current national recession has severely weakened the building industry,
2 and many landowners and developers continue to be hindered by the lack of credit and dearth of
3 buyers and tenants due to the crisis in real estate financing and the building industry, uncertainty
4 over the state of the economy, and increasing levels of unemployment in the construction
5 industry; and

6 WHEREAS, the construction industry and related trades are sustaining severe economic
7 losses, and the lapsing of government development approvals would, if not addressed, exacerbate
8 those losses; and

9 WHEREAS, financial institutions that lend money to property owners, builders, and
10 developers are experiencing erosion of collateral and depreciation of their assets as approvals
11 expire, and the extension of these approvals is necessary to maintain the value of the collateral
12 and the solvency of financial institutions in the State and County; and

13 WHEREAS, due to the current inability of builders and their purchasers to obtain financing,
14 under existing economic conditions, more and more validity periods for approvals are expiring or
15 lapsing and, as these approvals lapse, lenders must reappraise and thereafter substantially lower
16 real estate valuations established in conjunction with approved projects, thereby requiring the
17 reclassification of numerous loans which, in turn, affects the stability of the banking system and
18 reduces the funds available for future lending, thus creating more severe restrictions on credit
19 and leading to a vicious cycle of default; and

20 WHEREAS, as a result of the continued downturn of the economy, and the continued
21 expiration of approvals which were granted by the County, it is possible that thousands of
22 government actions will be undone by the passage of time; and

23 WHEREAS, obtaining an extension of an approval pursuant to existing statutory or
24 regulatory provisions are either unavailable or costly in terms of time and financial resources,
25 and may be insufficient to cope with the extent of the present financial situation; and

26 WHEREAS, it is the purpose of this Ordinance to help prevent the wholesale abandonment
27 of approved projects and activities due to the present unfavorable economic conditions, by
28 extending the validity periods for all approved applications for Detailed Site Plans and Specific
29 Design Plans that were in a valid status as of January 1, 2012; and

30 WHEREAS, it is the intent of the District Council to assist in the mitigation of the current
31 financial crisis in Prince George's County through extending the validity periods of all approved

1 applications for Detailed Site Plans and Specific Design Plans that were in a valid status as of
2 January 1, 2012; and

3 WHEREAS, the District Council approved similar extensions in CB-7- 2011, CB-6-2010
4 and CB-7-2009; now, therefore,

5 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
6 Maryland, sitting as the District Council for that part of the Maryland-Washington Regional
7 District in Prince George's County, Maryland, that the provisions for the running of validity
8 periods contained in Sections 27-287, 27-527, 27-528, 27-546.07, and 27-548.08 of the Zoning
9 Ordinance of the County Code, are hereby temporarily extended until December 31, 2013.

10 SECTION 2. BE IT FURTHER ENACTED that the extension of the validity period for a
11 given application shall only be applied if the application was in an active, current validity period
12 as of January 1, 2012. This extension shall not be applied to any whose validity period begins
13 after the date of the adoption of this Ordinance.

14 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Ordinance shall be
15 abrogated and be of no further force and effect after December 31, 2013.

16 SECTION 4. BE IT FURTHER ENACTED that this Ordinance shall take effect on the
17 date it becomes law.

Adopted this 20th day of November, 2012.

COUNTY COUNCIL OF PRINCE GEORGE'S
COUNTY, MARYLAND, SITTING AS THE
DISTRICT COUNCIL FOR THAT PART OF
THE MARYLAND-WASHINGTON REGIONAL
DISTRICT IN PRINCE GEORGE'S COUNTY,
MARYLAND

BY: _____
Andrea C. Harrison
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.