

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND  
SITTING AS THE DISTRICT COUNCIL  
2011 Legislative Session**

Bill No. CB-7-2011

Chapter No. 8

Proposed and Presented by The Chairman (by request – Planning Board)

Introduced by Council Members Turner and Patterson

Co-Sponsors \_\_\_\_\_

Date of Introduction June 14, 2011

**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, 2011.

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, 2011; 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, 2011; and

3 WHEREAS, the District Council approved similar extensions in CB-6-2010 and CB-7-  
4 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, 2012.

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, 2011. 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, 2012.

16 SECTION 4. BE IT FURTHER ENACTED that the provisions of this Ordinance shall take  
17 effect forty-five (45) calendar days after its adoption.

Adopted this 12th day of July, 2011.

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: \_\_\_\_\_  
Ingrid M. Turner  
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.