

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2011 Legislative Session

Bill No. CB-8-2011

Chapter No. 31

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

Introduced by Council Members Patterson, Toles and Turner

Co-Sponsors _____

Date of Introduction September 20, 2011

SUBDIVISION BILL

1 AN ACT concerning

2 Validity periods for Preliminary Plans of Subdivision

3 For the purpose of temporarily extending the validity periods of all approved applications for
4 Preliminary Plans of Subdivision 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
9 economy, real estate developers, homebuilders, and commercial, office, and industrial
10 developers have experienced an industry-wide decline, including reduced demand, canceled
11 orders, declining sales, rental price reductions, increased inventory, fewer buyers who qualify to
12 purchase homes, 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 preliminary plans of subdivision are impossible to renew and
17 can be difficult to re-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

21

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 Preliminary Plans of Subdivision
29 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 Preliminary Plans of Subdivision that were in a valid status as of January 1,
2 2011; and

3 WHEREAS, the District Council approved similar extensions in CB-7-2010 and CB-8-
4 2009; now, therefore,

5 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
6 Maryland, that the provisions for the running of validity periods contained in Section 24-119 of
7 the Subdivision Regulations of the County Code, are hereby temporarily extended until
8 December 31, 2013.

9 SECTION 2. BE IT FURTHER ENACTED that the extension of the validity period for a
10 given application shall only be applied if the application was in an active, current validity period
11 as of January 1, 2011. This extension shall not be applied to any application whose validity
12 period begins after the date of the adoption of this Act.

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

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

Adopted this 8th day of November, 2011.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Ingrid M. Turner
Chair

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
County Executive

KEY:

Underscoring indicates language added to existing law.

[Brackets] indicate language deleted from existing law.

Asterisks *** indicate intervening existing Code provisions that remain unchanged.