

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2017 Legislative Session

Bill No. CB-98-2017

Chapter No. 84

Proposed and Presented by Council Members Harrison and Davis

Introduced by Council Members Harrison, Davis, Turner and Franklin

Co-Sponsors _____

Date of Introduction October 3, 2017

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, 2017.

5 WHEREAS, a state of national recession existed in 2007–09, which drastically affected
 6 various segments of the State and County economy, but none as severely as the banking, real
 7 estate, and construction sectors that are corporate residents of Prince George’s County; and

8 WHEREAS, as a result of the nationwide conundrum in the real estate finance sector of the
 9 economy, real estate developers, homebuilders, and commercial, office, and industrial
 10 developers experienced an industry-wide decline, including reduced demand, canceled orders,
 11 declining sales, rental price reductions, increased inventory, fewer buyers who qualify to
 12 purchase homes, and layoffs affecting the citizens and residents of Prince George’s County; and

13 WHEREAS, the national recession severely weakened the building industry, as well as
 14 many landowners and developers in the County continue to be hindered by the lack of credit and
 15 dearth of buyers and tenants due to the crisis in real estate financing and the building industry,
 16 uncertainty over the state of the State and County economy; and

17 WHEREAS, the construction industry and related trades have sustained severe economic
 18 losses, and the lapsing of government development approvals would, if not addressed, exacerbate
 19 those losses; and

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

5 WHEREAS, as a result of lingering effects of the economic downturn and resultant
6 expiration of zoning approvals, the governing body of Prince George's County, Maryland, finds
7 that a temporary extension as to validity periods for those previously approved applications for
8 Preliminary Plans of Subdivision will help ensure economic stability and the financial health for
9 the benefit of citizens and residents of the County; and

10 WHEREAS, the governing body of Prince George's County appreciates the direct impacts
11 associated with delayed projects, along with the additional procedural burden associated with
12 resubmission of development proposals as to previously approved applications for Preliminary
13 Plans of Subdivision, Detailed Site Plans, and Specific Design Plans—which, in turn, may
14 frustrate ongoing public efforts to realize the current County land use and development policies
15 aimed to benefit the economic vitality of Prince George's County; and

16 WHEREAS, the process of obtaining County development review, and zoning approvals
17 for preliminary plans of subdivision, detailed site plans, and specific design plans can be
18 difficult, time-consuming, and expensive for both private applicants and public bodies alike,
19 particularly where a permit authorizing rough grading on the respective site has been issued by
20 the County; and

21 WHEREAS, the governing determinations as to master plan consistency, conformance, or
22 endorsement with regional plans may expire or lapse without implementation of the envisioned
23 development or other infrastructure improvements approved therein; and

24 WHEREAS, it is the purpose of this Act to help prevent the wholesale abandonment of
25 approved projects and activities due to unfavorable economic conditions by extending the
26 validity periods for all approved applications for all Preliminary Plans of Subdivision that were
27 in a valid status as of January 1, 2017; and

28 WHEREAS, as a result of the lingering effects of the economic downturn and the continued
29 expiration of approvals, including a grading permit, which were granted by the County, the
30 governing body further finds that extensions of validity periods help ensure the economic health
31 of the County; and

1 WHEREAS, it is the intent of the District Council to assist in improving the economic
2 growth rates in Prince George’s County by extending the validity periods of all approved
3 applications for Preliminary Plans of Subdivision that were in a valid status as of January 1,
4 2017; and

5 WHEREAS, the County governing body approved similar extensions via enactment of CB-
6 80-2015, CB-70-2013, CB-8-2011, and CB-8-2009; now, therefore,

7 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
8 Maryland, that the provisions for the running of validity periods set forth in Section 24-119 of
9 the Subdivision Regulations of the Prince George’s County Code, be and the same are hereby
10 temporarily extended until December 31, 2018.

11 SECTION 2. BE IT FURTHER ENACTED that the extension of the validity period for a
12 given application shall only be applied if the application was in an active, current validity period
13 as of January 1, 2017. This extension shall not be applied to any application whose validity
14 begins after the effective date of this Act.

15 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Ordinance shall be
16 abrogated and of no further force and effect after December 31, 2018.

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

Adopted this 14th day of November, 2017.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Derrick Leon Davis
Chairman

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.