

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2015 Legislative Session

Bill No. CB-80-2015

Chapter No. 74

Proposed and Presented by Council Members Turner and Franklin

Introduced by Council Members Turner and Franklin

Co-Sponsors _____

Date of Introduction October 6, 2015

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, 2015 and for the
5 County Council to establish a work group to determine viability of approved preliminary plans.

6 WHEREAS, a state of national recession existed in 2007-2009, which drastically affected
7 various segments of the State and County economy, but none as severely as the County's
8 banking, real estate, and construction sectors; and

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

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

17 WHEREAS, approvals for preliminary plans of subdivision are impossible to renew and
18 can be difficult to re-obtain if expired or lapsed; and

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

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

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

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

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

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

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

25 WHEREAS, it is the purpose of this Ordinance to help prevent the wholesale abandonment
26 of approved projects and activities due to unfavorable economic conditions, by extending the
27 validity periods for all approved applications for Preliminary Plans of Subdivision that were in a
28 valid status as of January 1, 2015; and

29 WHEREAS, it is the intent of the District Council to assist in improving the slower
30 economic growth rates in Prince George's County through extending the validity periods of all
31 approved applications for Preliminary Plans of Subdivision that were in a valid status as of

1 January 1, 2015; and

2 WHEREAS, the District Council approved similar extensions in CB-70-2013, CB-8-2011,
3 CB-7-2010 and CB-8-2009; now, therefore,

4 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
5 Maryland, that the provisions for the running of validity periods contained in Section 24-119 of
6 the Subdivision Regulations of the County Code, are hereby temporarily extended until
7 December 31, 2017.

8 SECTION 2. BE IT FURTHER ENACTED that the extension of the validity period for a
9 given application shall only be applied if the application was in an active, current validity period
10 as of January 1, 2015. This extension shall not be applied to any application whose validity
11 period begins after the date of the adoption of this Act.

12 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act shall be
13 abrogated and be of no further force and effect after December 31, 2017.

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

16 SECTION 5. BE IT FURTHER ENACTED that a work group shall be established by the
17 County Council to determine the viability of Preliminary Plans of Subdivision to proceed in the
18 development process prior to December 31, 2017.
19

Adopted this ____ day of _____, 2015.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
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.