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

2020 Legislative Session

Bill No. CB-73-2020
Chapter No. 55

Proposed and Presented by Council Members Davis, Glaros, Harrison, Hawkins, Taveras, and Turner

Introduced by Council Members Davis, Glaros, Harrison, Hawkins, Taveras and Turner

Date of Introduction October 6, 2020

ZONING BILL

AN ORDINANCE concerning

Validity Periods for Detailed Site Plans and Specific Design Plans

For the purpose of temporarily extending the validity periods of all approved applications for Detailed Site Plans and Specific Design Plans that were in a valid status of January 1, 2020.

WHEREAS, the real estate finance sector of the economy, real estate developers, homebuilders, and commercial, office, and industrial developers are still adjusting to the current national and international real estate market in light of the COVID-19 pandemic; and

WHEREAS, as a result, the development community still faces uncertainty as to market demand as it relates to financial institutions that lend money to property owners, builders, and developers will experience substantial erosion of collateral and depreciation of their assets should approved preliminary plan approvals be allowed to expire; and

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

WHEREAS, approvals for detailed site plans and specific design plans are impossible to renew and can be difficult, if not impossible, to re-obtain once expired or lapsed; and

WHEREAS, the applicable determinations as to master plan consistency, conformance, or endorsement with regional plans may expire or lapse without implementation without the envisioned development and other infrastructure improvements approved therein; and
WHEREAS, as a result of adopting a new County Zoning Ordinance in 2018 via enactment of Chapter 37, 2018 Laws of Prince George’s County, Maryland, also known as CB-13-2018, the Council must approve a Countywide comprehensive zoning map; and

WHEREAS, the procedural magnitude of a Countywide comprehensive zoning process has been impacted by the current State and County Declarations of Emergency; and

WHEREAS, as a result, it is anticipated that the consideration and approval of a Countywide Map Amendment will not be complete for another 8-12 months’ time; and

WHEREAS, the District Council finds that there is a need to protect the interests of all stakeholders in the County, and

WHEREAS, in the 2018 Legislative Year, the Council enacted Chapter 32, 2018 Laws of Prince George’s County (CB-059-2018) to extend the validity periods of all approved applications for Detailed Site Plans and Specific Design Plans that were in a valid status as of January 1, 2018; and

WHEREAS, given the length of time that is anticipated to complete a Countywide comprehensive zoning process, the District Council finds that a further temporary extension to validity periods for those approved applications for Detailed Site Plans and Specific Design Plans will help ensure economic stability and the financial health for the benefit of citizens and residents of the County while the Council considers a Countywide comprehensive zoning process to implement a new Zoning Ordinance for Prince George’s County; and

WHEREAS, the Council appreciates that the process of obtaining County development review, and zoning approvals for preliminary plans of subdivision, detailed site plans, and specific design plans can be difficult, time-consuming, and expensive for both private applicants and public bodies alike; and

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

WHEREAS, it is the purpose of this Ordinance to help prevent the wholesale abandonment of approved projects and activities due to unfavorable economic conditions by extending the validity periods for all approved applications for Detailed Site Plans and Specific Design Plans that were in a valid status as of January 1, 2020; now, therefore,

SECTION 1. BE IT ENACTED by the 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, that the provisions for the running of validity periods set forth in Sections 27-287, 27-527, 27-528, 27-546.07, and 27-548.08 of the Zoning Ordinance, being also Subtitle 27 of the Prince George’s County Code, be and the same are hereby temporarily extended until December 31, 2021, for detailed site plans and specific design plans approved prior to January 1, 2015.

SECTION 2. BE IT FURTHER ENACTED that the provisions for the running of validity periods set forth in Sections 27-287, 27-527, 27-528, 27-546.07, and 27-548.08 of the Zoning Ordinance, being also Subtitle 27 of the Prince George’s County Code, be and the same are hereby temporarily extended until December 31, 2022, for detailed site plans and specific design plans approved after January 1, 2015.

SECTION 3. BE IT FURTHER ENACTED that the extension of the validity period for a given application shall only be applied if the application was in an active, current validity period as of January 1, 2020. This extension shall not be applied to any application whose validity begins after the date of the adoption of this Ordinance.

SECTION 4. BE IT FURTHER ENACTED that the provisions of this Ordinance shall be abrogated and be of no further force and effect after December 31, 2022.
SECTION 4. BE IT FURTHER ENACTED that this Ordinance shall take effect on the date of its adoption.

Adopted this 17th day of November, 2020.

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: ________________________________
    Todd M. Turner
    Council Chair

ATTEST:

______________________________
Donna J. Brown
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.