

**PRINCE GEORGE'S COUNTY COUNCIL
AGENDA ITEM SUMMARY**

Meeting Date: 10/8/96

Reference No.: CB-85-1996

Proposer: Wilson

Draft No.: 2

Sponsors: Wilson

Item Title: Subdivision Bill to permit a portion of the required acreage of lots in the R-R Zone served by private rights-of-way to be in the 100-year floodplain

Drafter: Mary Lane
PZ&ED Committee Director

Resource Personnel: Eugene Singleton
Legislative Aide

LEGISLATIVE HISTORY:

Date Presented: 9/10/96

Executive Action: 12/2/96 S

Committee Referral:(1) 9/10/96 PZED

Effective Date: 1/2/97

Committee Action:(1) 10/2/96 FAV (A)

Date Introduced: 10/8/96

Pub. Hearing Date: (1) 11/19/96 1:30 P.M.

Council Action: (1) 11/19/96 Enacted

Council Votes: SD:A, DB:A, JE:A, IG:A, AMc:A, WM:A, RVR:A, AS:A, MW:A

Pass/Fail: P

Remarks: _____

PLANNING, ZONING & ECONOMIC DEV. COMM. REPORT

DATE: 10/2/96

Committee Vote: Favorable as amended, 5-0 (In favor: Council Members Wilson, Estepp, MacKinnon, Maloney and Russell).

Private roads are permitted to serve up to four lots in the O-S, R-A, R-E and R-R Zones provided the lots have a minimum net lot area of 2 acres. For the larger lot zones, the O-S, R-A and R-E, "net lot area" may include land in the 100-year floodplain. In the R-R Zone, the floodplain land is excluded.

This legislation permits the floodplain land in the R-R Zone to be included, provided at least one-half acre of the total lot area is outside the floodplain, and provided the property is served by public water and sewer. This is consistent with what is permitted in the other three zones.

The Planning Board supports the bill with a minor clarifying amendment, which was accepted by the Committee. The bill is in proper legislative form.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

The subdivision regulations (Subtitle 24) permit up to four single-family lots in the O-S, R-A, R-E and R-R Zones to be served by a private right-of-way, provided all lots have a net lot area of two acres. However, there is an inconsistency in the definition of "net lot area" among the zones, which allows a portion of the total lot area to be in the floodplain the O-S, R-A, and R-E Zones, while the entire two acres must be outside of the floodplain in the R-R zone. This legislation eliminates this inconsistency.

CODE INDEX TOPICS: