

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2021 Legislative Session

Bill No. CB-060-2021

Chapter No. _____

Proposed and Presented by Council Member Davis

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

SUBDIVISION BILL

1 AN ACT concerning

2 Transportation and Circulation—Private Roads and Easements

3 For the purpose of amending the County Subdivision Regulations to authorize the Planning

4 Board to approve the use of private roads, under certain circumstances, for Commercial

5 Attraction Recreation Mixed Use Center uses in the R-S (Residential—Suburban) Zone of Prince

6 George’s County.

7 BY repealing and reenacting with amendments:

8 **SUBTITLE 24. SUBDIVISIONS.**

9 Section 24-128,

10 The Prince George's County Code

11 (2019 Edition; 2020 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
13 Maryland, that Section 24-128 of the Prince George's County Code be and the same is hereby
14 repealed and reenacted with the following amendments:

15 **SUBTITLE 24. SUBDIVISIONS.**

16 **DIVISION 4. REQUIREMENTS: TRANSPORTATION AND CIRCULATION.**

17 **Sec. 24-128. Private roads and easements.**

18 * * * * *

19 (b) The Planning Board may approve preliminary plans of development containing private
20 roads, rights-of-way, alleys, and/or easements under the following conditions:

21 * * * * *

(7) In Comprehensive Design and Mixed Use Zones:

(A) For land in the V-L, V-M, R-L, R-S, R-M, R-U, M-U-I, L-A-C, M-A-C, M-X-C, M-U-TC, and M-X-T Zones, the Planning Board may approve a subdivision (and all attendant plans of development) with private roads to serve attached single-family dwellings, two-family dwellings, and three-family dwellings, but not single-family detached or multifamily dwellings, in accordance with the requirements of Subsections (e) and (f) of Section 27-433 of the Zoning Ordinance, except as hereinafter provided. In all of the above zones, and in the R-R Zone when developed as a cluster subdivision, the Planning Board may approve a subdivision with alleys to serve any permitted use, provided the lot has frontage on and pedestrian access to a public right-of-way. The District Council may disapprove the inclusion of alleys during the consideration of the detailed site plan for a cluster subdivision. For the purposes of this Section, an "alley" shall mean a road providing vehicular access to the rear or side of abutting lots, and which is not intended for general traffic circulation.

(i) The pavement width of private roads may be reduced to not less than a minimum of twenty-two (22) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, hierarchical street system for a development.

(ii) The pavement width of private alleys shall be not less than eighteen (18) feet when it is determined that the provision of the minimum width is consistent with a safe, efficient, vehicular access to individual lots. Since alleys only provide vehicular access to lots with frontage on a public street, alleys shall not be required to be improved with street trees or curb and gutter, unless a drainage problem has been identified by the Department of Permitting, Inspections, and Enforcement or the Department of Public Works and Transportation.

* * * * *

(D) Notwithstanding the provisions of subparagraph (A) above, for land in the R-S Zone, the Planning Board may approve a subdivision (and all attendant plans of development) with private roads to serve multifamily dwellings within a Commercial Recreational Attraction Mixed Use Center.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect thirty (30) calendar days after it becomes law.

Adopted this ____ day of _____, 2021.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Calvin S. Hawkins, II
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
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.