

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2003 Legislative Session

Bill No. CB-44-2003
 Chapter No. 50
 Proposed and Presented by Council Member Peters
 Introduced by Council Members Peters, Dean and Harrington
 Co-Sponsors _____
 Date of Introduction July 29, 2003

SUBDIVISION BILL

1 AN ACT concerning

2 Private Roads and Easements

3 For the purpose of permitting the Planning Board to approve private rights-of-way or easements
 4 in the C-S-C, M-A-C, M-X-C, and M-X-T Zones under certain circumstances.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 24. SUBDIVISIONS.

7 Section 24-128,

8 The Prince George's County Code

9 (1999 Edition, 2002 Supplement).

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 12 repealed and reenacted with the following amendments:

SUBTITLE 24. SUBDIVISIONS.

DIVISION 4. REQUIREMENTS: TRANSPORTATION AND CIRCULATION.

Sec. 24-128. Private roads and easements.

16 (a) No subdivision plat or plan of development (however designated) shall be approved
 17 that provides for a private road, right-of-way, or easement as the means of vehicular access to
 18 any lot, and no building permit shall be issued for the construction of any building in a
 19 subdivision unless such building is to be located on a lot or parcel of land having frontage on and
 20 direct vehicular access to a public street, except as hereinafter provided.

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

* * * * *

(15) For Use as Part of an Integrated Shopping Center:

(A) For land in the C-S-C, M-A-C, M-X-C, or M-X-T Zones, the Planning Board may approve a subdivision with a private right-of-way or easement, provided that:

(i) Such right-of-way or easement shall have a minimum right-of-way width of twenty-two (22) feet connecting the lots to a public road;

(ii) Such authorization shall be based on a written finding that the private right-of-way or easement is adequate to serve the extent of the development proposed and shall not result in any adverse impact on the access and use of other lots or parcels within the Integrated Shopping Center; and

(iii) The development shall comply with all other applicable requirements of this Code.

(B) Approval of the right-of-way or easement per this subsection shall be deemed the creation of a driveway in accordance with Part 11 of Subtitle 27.

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1 SECTION 2. BE IT FURTHER ENACTED that this Ordinance shall take effect upon its
2 adoption.

Adopted this 16th day of September, 2003.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Peter A. Shapiro
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Jack B. Johnson
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.