

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1995 Legislative Session

Bill No. _____ CB-81-1995

Chapter No.

Proposed and Presented by _____ Council Members Maloney and Gourdine

Introduced by

Co-Sponsors

Date of Introduction

SUBDIVISION BILL

AN ACT concerning

Moderately Priced Dwelling Units

For the purpose of deleting the requirements of the Moderately Priced Dwelling Unit Program from the subdivision process.

BY repealing and reenacting with amendments:

SUBTITLE 24. SUBDIVISIONS.

Sections 24-104, 24-115, and 24-120,

The Prince George's County Code

(1991 Edition, 1994 Supplement).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 24-104, 24-115, and 24-120 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 24. SUBDIVISIONS.

DIVISION 1. GENERAL PROVISIONS.

Subdivision 2. General Requirements.

Sec. 24-104. Purposes.

(a) The purposes of this Subtitle are as follows:

* * * * *

(10) To encourage creative residential subdivision design that accomplishes these purposes in a more efficient, attractive, and environmentally sensitive manner than would be

otherwise accomplished, through the provisions of the optional residential design approach;
and

(11) To protect historic resources listed on the Inventory of Historic Resources of the adopted and approved Historic Sites and Districts Plan[; and].

[(12)To facilitate the implementation of the Moderately Priced Dwelling Unit Program established in Subtitle 13, Division 8 of this Code.]

DIVISION 2. APPLICATION PROCEDURES AND DOCUMENTS.

Sec. 24-115. General description; procedures, documents, fees.

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[(h)When an application for a development includes moderately priced dwelling units required pursuant to Subtitle 13, Division 8, and Subtitle 27, Part 4A, of this Code, the location of the proposed units shall be shown on the plat of the proposed subdivision.]

[(i) When an application is for a development for which an alternative method of compliance is proposed pursuant to the requirement for moderately priced dwelling units set forth in Subtitle 13, Division 8, and Subtitle 27, Part 4A, of this Code, a joint letter signed by the County Executive and Chairman of the County Council approving the alternative method of compliance shall be submitted.]

Sec. 24-120. Documents required for major subdivisions.

(a) Preliminary Plats. The subdivider shall present to the Planning Department a reproducible preliminary plat prepared by a registered surveyor. If the preliminary plat has been prepared by a Property Line Surveyor, the horizontal location of all right-of-way lines, as shown on the plat, shall be certified by either a Professional Land Surveyor or a Professional Engineer. Preferably, the plat shall be prepared at a scale of one (1) inch equals one hundred (100) feet. The following information shall be shown:

* * * * *

(26) Cemeteries; and

(27) [The lots proposed to be moderately priced dwelling units pursuant to Subtitle 23, Division 8, and Subtitle 27, Part 4A, of this Code; and

(28)] Such additional information as may be needed to show compliance with the

optional approaches described in Division 6.

(b) Final Plat.

* * * * *

(6)The Final Plat shall show:

* * * * *

(K)If a forest stand delineation is required, then the final plat shall show the tree conservation areas identified on the approved Tree Conservation Plan. These areas shall be referenced by a note stating: "Development is subject to restrictions shown on an approved Tree Conservation Plan which precludes disturbance or installation of structures within specified areas. Failure to comply with an approved Tree Conservation Plan is a violation requiring mitigation under the Woodland Conservation/Tree Preservation Policy and Subtitle 25."; and (L) Cemeteries, delineated by metes and bounds, if appropriate[; and].

[(M) The lots designated to be moderately priced dwelling units pursuant to Subtitle 13, Division 8, and Subtitle 27, Part 4A of this Code.]

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SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act shall apply to preliminary plats of subdivision for which an application has been filed after the effective date of this legislation.

SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect thirty (30) calendar days from the date it becomes law.

Adopted this ____ day of _____, 1995.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:
Anne T. MacKinnon
Chairwoman

ATTEST:

Joyce T. Sweeney
Clerk of the Council

APPROVED:

DATE: _____

BY:

Wayne K. Curry
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.