

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2015 Legislative Session

Bill No. CB-55-2015

Chapter No. _____

Proposed and Presented by Council Members Lehman and Taveras

Introduced by _____

Co-Sponsors _____

Date of Introduction _____

SUBDIVISION BILL

1 AN ACT concerning

2 Moderately Priced Housing Program

3 For the purpose of establishing a Moderately Priced Housing Program within the Subdivision
4 Regulations of Prince George’s County, Maryland.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 24. SUBDIVISIONS.

7 Sections 24-104, 24-108, 24-115, and 24-120,

8 The Prince George's County Code

9 (2011 Edition; 2014 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
11 Maryland, that Sections 24-104 , 24-108, 24-115, and 24-120 of the Prince George's County
12 Code be and the same are hereby repealed and reenacted with the following amendments:

13 **SUBTITLE 24. SUBDIVISIONS.**

14 **DIVISION 1. GENERAL PROVISIONS.**

15 **Subdivision 2. General Requirements.**

16 **Sec. 24-104. Purposes.**

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

18 * * * * *

19 (12) To protect archeological sites that are significant to understanding of the history
20 of human settlement in Prince George’s County.

21 (13) To further the implementation of the Moderately Priced Housing Program

1 established in Subtitle 13, Division 8 of this Code.

2 * * * * *

3 **Sec. 24-108. Preliminary plan exemptions.**

4 (a) A final plat may be filed with the Planning Director and treated as a minor final plat for
5 which no preliminary plan is required in the following instances:

6 (1) A resubdivision of land which is the subject of a record plat in order to correct a
7 drafting or engineering error;

8 (2) The incorporation of an outlot on a record plat into an adjoining lot;

9 (3) The sale or exchange of land between adjoining property owners to adjust
10 common boundary lines or consolidate lots, provided that in no case shall additional lots be
11 created and that all properties are the subject of a record plat.

12 (4) [For the sole purpose of removing a designation that requires the provisions of
13 Moderately Priced Dwelling Units (MPDUs), upon the payment of a fee in lieu of construction
14 of \$5,000 per MPDU in the R-T, R-H, R-18C, or M-X-T Zones or a fee in lieu of construction of
15 \$10,000 per MPDU in the R-80, R-55, or Comprehensive Design Zones.]

16 [(5)] In the Chesapeake Bay Critical Area Overlay Zone, prior to the approval of a lot
17 consolidation, a conservation plan shall be approved in accordance with Subtitle 5B-110. The lot
18 consolidation shall conform to the approved Conservation Plan. The final plat shall reference the
19 Conservation Plan and the liber/folio of the Conservation Agreement and Conservation
20 Easement when required.

21 [(6)] (5) The conversion of condominium townhouse dwelling units in general, and
22 two-family dwelling units in the R-R Zone only, to individual record lots provided:

23 * * * * *

24 **DIVISION 2. APPLICATION PROCEDURES AND DOCUMENTS.**

25 * * * * *

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

27 * * * * *

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

31 (i) When an application is for a development for which an alternative method of

1 compliance is proposed pursuant to the requirement for moderately priced housing units set forth
2 in Subtitle 13, Division 8, and Subtitle 27, Part 4A of this Code, a joint letter signed by the
3 County Executive and Chairman of the County Council approving the alternative method of
4 compliance shall be submitted.

5 * * * * *

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

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

13 * * * * *

14 (28) The lots proposed to be moderately priced dwelling units pursuant to Subtitle 13,
15 Division 8, and Subtitle 27, Part 4A of this Code.

16 (b) Final Plat.

17 * * * * *

18 (6) The Final Plat shall show:

19 * * * * *

20 (K) All conservation easements with metes and bounds and the associated plat
21 note(s); [and]

22 * * * * *

23 (L) Cemeteries, delineated by metes and bounds, if appropriate; [.]

24 (M) Restriction on the further subdivision of land and land use, in conformance
25 with the Sustainable Growth Act Section 9-206 of the Environment Article if applicable[.]; and

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

28 * * * * *

29 SECTION 2. BE IT FURTHER ENACTED that the provisions of this Ordinance shall not

1 apply to a preliminary plan of subdivision, or detailed site plan(s) that are not pursuant to a
2 preliminary plan of subdivision, for which an application has been filed prior to July 1, 2016, and
3 an approval has been granted prior to January 1, 2017. The provisions of this Ordinance shall
4 not apply to any construction or development of an approved and permitted dwelling unit(s)
5 within any property within a Comprehensive Design Zone (C-D-Z), Mixed Use Town Center
6 Zone (M-U-TC), Mixed Use Transportation Oriented Zone (M-X-T), Mixed Use Community
7 (M-X-C), Mixed Use – Infill (M-U-I),_Recreational Planned Community Zone (R-P-C), or
8 Transit District Overlay Zone (T-D-O) prior to July 1, 2016.

9 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect on July 1, 2016.
Adopted this ____ day of _____, 2015.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Mel Franklin
Chairman

ATTEST:

Redis C. Floyd
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Rushern L. Baker, III
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.