

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**1996 Legislative Session**Bill No. CB-85-1996Chapter No. 69Proposed and Presented by Council Member WilsonIntroduced by Council Member Wilson

Co-Sponsors

Date of Introduction October 8, 1996**SUBDIVISION BILL**

AN ACT concerning

Private Roads and Easements

For the purpose of permitting 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.

BY repealing and reenacting with amendments:

SUBTITLE 24. SUBDIVISIONS.

Sections 24-128, and

24-129,

The Prince George's County Code

(1995 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, that Sections 24-128 and 24-129 of the Prince George's County Code be and the same are hereby repealed and reenacted with the following amendments:

SUBTITLE 24. SUBDIVISIONS.**DIVISION 4. REQUIREMENTS: TRANSPORTATION AND CIRCULATION.****Sec. 24-128. Section name.**

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

- (1) In the O-S, R-A, R-E, and R-R Zones, a private right-of-way easement may be

deemed adequate by the Planning Board if no more than four (4) lots are to be served by the easement and if shown to be in conformance with the following criteria:

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

(B) All lots served by such easement shall have a minimum net lot area of two (2) acres, as provided in Section 24-129(a) of this Subtitle; and

(C) The use of such lots shall be restricted to one-family dwellings or agricultural purposes.

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DIVISION 5. REQUIREMENTS: ENVIRONMENTAL AND PARKS.

Sec. 24-129. One hundred (100) year floodplain.

(a) Land shall be platted in a manner that protects the public against loss of life or property due to the one hundred (100) year flood, while minimizing the public and private costs of flood control measures. The Planning Board shall require that proposed subdivisions conform to the following:

(1) Except as provided in Paragraphs (2) and (3), lots shall comply with the minimum net lot areas prescribed by the Zoning Ordinance, exclusive of any land area within the one hundred (100) year floodplain.

(2) In the R-A and O-S Zones, where any lot contains a floodplain area, there shall be a minimum of forty thousand (40,000) contiguous square feet of area exclusive of any land within the one hundred (100) year floodplain.

(3) In the R-E Zone, and in the R-R Zone for the purposes of compliance with Section 24-128(b)(1)(B), any area of a lot in excess of twenty thousand (20,000) contiguous square feet may be in the one hundred (100) year floodplain provided that such lot is to be served by a public water and sewerage system, and is in water and sewer service area category [one, two, or] three at the time of approval of the final plat of subdivision.

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

Adopted this 19th day of November, 1996.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY:

Stephen J. Del Giudice
Chairman

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.