

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2011 Legislative Session**

Bill No. CB-30-2011

Chapter No. 39

Proposed and Presented by The Chair (by request – Planning Board)

Introduced by Council Member Turner

Co-Sponsors \_\_\_\_\_

Date of Introduction October 4, 2011

**SUBDIVISION BILL**

1 AN ACT concerning

2 Subdivisions – Environmental Regulations

3 For the purpose of amending certain definitions, revising certain regulations, and clarifying  
4 grandfather provisions concerning environmental features in the Subdivision Ordinance.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 24. SUBDIVISIONS.

7 Sections 24-101, 24-120, and 24-130,

8 The Prince George's County Code

9 (2007 Edition, 2010 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
11 Maryland, that Sections 24-101, 24-120, and 24-130 of the Prince George's County Code be and  
12 the same are hereby repealed and reenacted with the following amendments:

13 **SUBTITLE 24. SUBDIVISIONS.**

14 **DIVISION 1. GENERAL PROVISIONS.**

15 **Subdivision 1. Definitions.**

16 **Sec. 24-101. Definitions.**

17 \* \* \* \* \*

18 (b) The following terms used in this Subtitle are defined as follows:

19 \* \* \* \* \*

20 (15.1) **Impact:** An impact of a regulated environmental feature is the physical  
21 disturbance or the inclusion of a regulated feature within the required net lot area.

1 \* \* \* \* \*

2 (17) **Natural Resource Inventory (NRI):** A plan map and supporting documentation  
 3 or letter that provides all required information regarding the existing physical and environmental  
 4 conditions on a site that is approved by the Planning Director or designee as described in the  
 5 Environmental Technical Manual as approved and amended by the Planning Board from time to  
 6 time.

7 \* \* \* \* \*

8 (27) **Regulated Environmental Features:** Regulated streams, nontidal wetlands, and  
 9 their associated buffers inclusive of any Primary Management Area(s).

10 \* \* \* \* \*

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

12 **Subdivision 2. General Requirements.**

13 **Sec. 24-120. Documents required for minor subdivisions.**

14 (a) Preliminary Plats.

15 \* \* \* \* \*

16 (11) Existing topography, indicating areas of steep slopes (greater or equal to fifteen  
 17 percent (15%) [and less than twenty-five percent (25%) on highly erodible soils) and severe  
 18 slopes (greater or equal to twenty-five percent (25%) as depicted on the approved NRI];

19 \* \* \* \* \*

20 **DIVISION 5. REQUIREMENTS: ENVIRONMENTAL AND PARKS.**

21 **Sec. 24-130. Stream, wetland, and water quality protection and stormwater management.**

22 \* \* \* \* \*

23 (b) The Planning Board shall require that proposed subdivisions conform to the following:

24 \* \* \* \* \*

25 (5) Where a property is located outside the Chesapeake Bay Critical Areas Overlay  
 26 Zones the preliminary plan and all plans associated with the subject application shall  
 27 demonstrate the preservation and/or restoration of regulated environmental features in a natural  
 28 state to the fullest extent possible consistent with the guidance provided by the Environmental  
 29 Technical Manual established by Subtitle 25. [Any lot or parcel proposed for development shall  
 30 provide a minimum of one acre of contiguous land area exclusive of any land within regulated  
 31 environmental features in a configuration that will support the reasonable development of the

1 | property.] Any lot with an impact shall demonstrate sufficient net lot area, where a net lot area is  
2 | required pursuant to Subtitle 27, for the reasonable development of the lot outside the regulated  
3 | feature. [This limitation does not apply to open space and recreational parcels.] All regulated  
4 | environmental features shall be placed in a conservation easement and depicted on the final plat.

5 | \* \* \* \* \*

6 | SECTION 2. BE IT FURTHER ENACTED that a development project for which all  
7 | required development applications have been approved by the Planning Board, Zoning Hearing  
8 | Examiner, or District Council, notwithstanding any [and] appeal period[s have not expired], is  
9 | grandfathered regarding the provisions of CB-26-2010 that became effective on September 1,  
10 | 2010, or any subsequent revisions in conformance with the grandfathered approval; or a  
11 | development project that has an approved preliminary plan of subdivision, notwithstanding any  
12 | further development review requirements including record plats [but has not completed  
13 | subsequent processes such as final plat or site plan,] is grandfathered regarding the provisions of  
14 | CB-26-2010 that became effective on September 1, 2010, or any subsequent revisions in  
15 | conformance with the grandfathered approval for that portion of the project covered by the  
16 | preliminary plan.  
17 |

1 SECTION 3. BE IT FURTHER ENACTED that this Act shall take effect  
2 February 1, 2011.

Adopted this 15th day of November, 2011.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Ingrid M. Turner  
Chair

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive