

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND

1996 Legislative Session

Bill No. _____ CB-11-1996

Chapter No. _____ 51

Proposed and Presented by Chairman Del Giudice (by request - Planning Board)

Introduced by Council Member Del Giudice

Co-Sponsors

Date of Introduction _____ April 16, 1996

SUBDIVISION BILL

AN ACT concerning

Flag Lot Development

For the purpose of amending the provisions pertaining to flag lot development.

BY repealing and reenacting with amendments:

SUBTITLE 24. SUBDIVISIONS.

Section 24-138.01,

The Prince George's County Code

(1995 Edition).

SECTION 1. BE IT ENACTED by the County Council of Prince George's County, Maryland, sitting as the District Council for that part of the Maryland-Washington Regional District in Prince George's County, Maryland, that Section 24-138.01 of the Prince George's County Code be and the same is hereby repealed and reenacted with the following amendments:

SUBTITLE 24. SUBDIVISIONS.

DIVISION 6. REQUIREMENTS FOR OPTIONAL APPROACHES.

Sec. 24-138.01. Flag Lot Development.

* * * * *

(d) Design Standards. Where provided for by the Zoning Ordinance, flag lots may be permitted, provided the following conditions are met:

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(2) The flag stem shall have a minimum width of twenty-five (25) feet at the street line. This minimum width shall be maintained from the street line to the lot area. Driveways located within flag lot stems serving single lots shall be set back a minimum of five (5) feet from the parallel lot lines, unless modified [by the approved Detailed Site Plan] to address unique site characteristics.

(3) The minimum net lot area required in the respective zone shall be provided exclusive of the flag stem connection to the street.

(4) Building envelopes shall be established at the time of preliminary plat approval. [If an existing preliminary plat does not show building envelopes, they shall be established at the time of Detailed Site Plan approval.]

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(5) Shared driveways shall not be permitted unless the lot is located within the Chesapeake Bay Critical Area. When shared driveways are provided, they shall be in accordance with the following:

(A) Shared driveways shall only be permitted for a maximum of two (2) lots when the applicant can demonstrate that their use will minimize disturbance of existing vegetation, will be a benefit to public safety by minimizing the number of access points to the public street, and will enhance the appearance of the subdivision. Where two (2) lots are proposed to be served by a shared driveway, the driveway shall have a width of eighteen (18) feet. Parking spaces shall not be provided within the driveways.

(B) Easement locations for shared driveways must be shown on the preliminary plat[, the Detailed Site Plan,] and the final plat.

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(6) Where a rear yard is oriented towards a driveway that accesses other lots, or towards a front or side of another lot, the rear yard shall be screened by an "A Bufferyard" as defined by the Landscape Manual, unless Alternative Compliance is approved at the time of preliminary plat. The location of the bufferyard shall be shown on the preliminary and final plat. (See Figures 1 and 2.)

(7) Where a front yard is oriented towards a rear yard, a "C Bufferyard" as defined

by the Landscape Manual shall be provided, unless Alternative Compliance is approved at the time of preliminary plat. The location of the bufferyard shall be shown on the preliminary and final plat. (See Figure 1.)

(e) Evaluation criteria.

(1) When reviewing elements of the proposed plan, the Planning Board shall take into consideration the number of tiers of lots proposed, the number of lots per tier, traffic circulation patterns, outdoor activity likely to occur on any individual lot, on-site storage locations, and distances between dwellings.

(2) Appropriate treatments shall be proposed to assure the privacy of current and future residents. If a rear yard is oriented towards or visible from a front or side yard, or exposed to a driveway accessing another lot, a screen shall be provided along those areas. Special care shall be taken to assure that views from front yards into rear yards are completely buffered. Consideration shall be given to topography, the orientation of the houses, and existing vegetation. In orientation of houses, a front directly facing a rear is strongly discouraged. A courtyard effect, whereby the flag lot houses face each other, and face sideways to the adjoining non-flag lots, is encouraged. (See Figure 3.)

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(f) Findings.

(1) Prior to the approval of any preliminary plat submitted under these regulations, the Planning Board shall find that:

* * * * *

(C) The use of flag lots will result in the creative design of a development that blends harmoniously with the site and with adjacent development[.]; and

(D) The privacy of adjoining property owners has been assured in accordance with the evaluation criteria established above.

[(g) Detailed Site Plan.

(1) Prior to the approval of a final plat of subdivision or any grading permits for the development or the use of any flag lot included in such a subdivision, a Detailed Site Plan shall be approved by the Planning Board in accordance with the requirements of Part 3,

Division 9, of the Zoning Ordinance.

(2) In addition to the findings for approval of a Detailed Site Plan required in Part 3, Division 9, of the Zoning Ordinance, the Planning Board shall find that the privacy of adjoining property owners has been assured in accordance with the evaluation criteria established by the preliminary plat.]

(g)[h] Final Plat.

(1) In addition to the normal documents required, the final plat shall indicate that the subdivision has been approved under an optional residential design approach.

(2) When shared driveways are approved, the responsibilities for driveway maintenance shall be clearly stated in covenants, in a form acceptable to the Planning Board, which shall be filed in the land records at the time of filing of the final plat and a certification shall be included on the final plat to the effect that the subdivision is subject to covenants.

SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45) calendar days after it becomes law.

Adopted this 1st day of October, 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.