

**COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND**  
**2001 Legislative Session**

Bill No. CB-41-2001

Chapter No. \_\_\_\_\_

Proposed and Presented by Chairman Ronald V. Russell

Introduced by \_\_\_\_\_

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

Date of Introduction \_\_\_\_\_

**SUBDIVISION BILL**

1 AN ACT concerning

2 Recorded Subdivision Lots

3 For the purpose of establishing adequate public facilities testing and bonding requirements for  
4 recorded subdivision lots.

5 BY repealing and reenacting with amendments:

6 SUBTITLE 24. SUBDIVISIONS.  
7 Section 24-122.01,  
8 The Prince George's County Code  
9 (1999 Edition, 2000 Supplement).

10 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,  
11 Maryland, that Section 24-122.01 of the Prince George's County Code be and the same is hereby  
12 repealed and reenacted with the following amendments:

13 **SUBTITLE 24. SUBDIVISIONS.**

14 **DIVISION 3. REQUIREMENTS: PLANNING, DESIGN, AND PUBLIC FACILITIES**

15 **Sec. 24-122.01. Adequacy of public facilities.**

16 (a) The Planning Board may not approve a subdivision plat if it finds that adequate public  
17 facilities do not exist or are not programmed for the area within which the proposed subdivision  
18 is located, as defined in the "Guidelines for the Analysis of Development Impact on Fire and  
19 Rescue Facilities," "Guidelines for the Analysis of Development Impact on Police Facilities,"  
20 and "Guidelines for the Analysis of the Traffic Impact of Development Proposals." The

1 Planning Board shall require adequate public facilities, as provided in this Section and in  
2 Division 4 of this Subtitle.

3 (b) Water and sewerage.

4 (1) The location of the property within the appropriate service area of the Ten Year  
5 Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability  
6 of public water and sewerage for preliminary or final plat approval.

7 (c) Police facilities.

8 (1) Before any preliminary plat may be approved, the Planning Board shall find that:

9 (A) The population and/or employees generated by the proposed subdivision at  
10 each stage of the proposed subdivision will not exceed the service capacity of existing police  
11 stations as determined by the Planning Board in the "Guidelines for the Analysis of Development  
12 Impact on Police Facilities," as may be amended from time to time; or

13 (B) An adequate police facility available to serve the population and/or  
14 employees generated by the proposed subdivision has been programmed with one hundred  
15 percent (100%) of the expenditures for the construction of such a facility within the adopted  
16 County Capital Improvement Program as determined under the "Guidelines"; or

17 (C) That improvements participated in or funded by the subdivider will alleviate  
18 any inadequacy as determined under the "Guidelines."

19 (d) Fire and rescue facilities.

20 (1) Before any preliminary plat may be approved, the Planning Board shall find that:

21 (A) The population and/or employees generated by the proposed subdivision at  
22 each stage of the proposed subdivision will be within the adequate coverage area of the nearest  
23 fire and rescue station(s) as determined by the Planning Board in the "Guidelines for the  
24 Analysis of Development Impact on Fire and Rescue Facilities" as may be amended from time to  
25 time; or

26 (B) An adequate fire and rescue station(s) available to serve the population  
27 and/or employees generated by the proposed subdivision has been programmed with one  
28 hundred percent (100%) of the expenditures for the construction of such a facility within the  
29 adopted County Capital Improvement Program as determined under the "Guidelines"; or

30 (C) That improvements participated in or funded by the subdivider will alleviate  
31 any inadequacy as determined under the "Guidelines."

1           (e) Recorded subdivision lots and adequate public facilities requirements.

2           (1) This Subsection (e) applies to all subdivisions for which a final plat has been  
3 recorded, regardless of whether it has been tested for adequacy of public facilities.

4           (2) Building permits may not be issued for a subdivision recorded more than six (6)  
5 years before permit application unless the subdivision presently meets all adequate public  
6 facilities requirements or meets all of the following which apply:

7           (A) If a residential subdivision, with uses permitted under Parts 5, 8, 9, or 10 of  
8 Subtitle 27, the Zoning Ordinance, or an industrial lot, with uses permitted under Parts 7,8 or 10  
9 of Subtitle 27, containing twenty (20) or fewer lots, is on a plat recorded for six (6) years or  
10 more, then building permits may be issued if bonds have been approved by July 1, 2001, or  
11 within six (6) years of recordation for all infrastructure (including without limitation streets,  
12 sidewalks, stormwater management facilities, and other required facilities) for all lots shown on  
13 a single record plat.

14           (B) If a residential subdivision, with uses permitted under Parts 5, 8, 9, or 10 of  
15 Subtitle 27, or an industrial lot, with uses permitted under Parts 7, 8 or 10 of Subtitle 27,  
16 containing more than twenty (20) lots, is on a plat recorded for more than six (6) years but less  
17 than twelve (12) years, then building permits may be issued if bonds have been approved by July  
18 1, 2001 or within six years of recordation, for all infrastructure (including without limitation  
19 streets, sidewalks, stormwater management facilities, and other required facilities) for twenty  
20 (20) lots or twenty five percent (25%) of the number of lots shown on a single record plat,  
21 whichever is greater.

22           (C) If a residential subdivision, with uses permitted under Parts 5, 8, 9, or 10 of  
23 Subtitle 27, or an industrial lot, with uses permitted under Parts 7, 8, or 10 of Subtitle 27,  
24 containing more than twenty (20) lots, is on a plat recorded for twelve (12) years or more, then  
25 building permits may be issued if bonds have been approved by July 1, 2001 or within twelve  
26 (12) years of recordation for all infrastructure (including without limitation streets, sidewalks,  
27 stormwater management facilities, and other required facilities) for all lots shown on a single  
28 record plat.

29           (D) If a commercial subdivision, with uses permitted under Parts 6, 9, or 10 of  
30 Subtitle 27, is on a plat recorded for six (6) years or more, then building permits may be issued if  
31 bonds have been approved for all infrastructure (including without limitation streets, sidewalks,

1 stormwater management facilities, and other required facilities) for all lots shown on a single  
2 record plat.

3  
4 SECTION 2. BE IT FURTHER ENACTED that this Act shall take effect thirty (30)  
5 calendar days after it becomes law.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2001.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Ronald V. Russell  
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.