

Part 2: Definitions

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1 **PART 24-2 INTERPRETATION AND**
2 **DEFINITIONS**

3 **Sec. 24-2100 Rules of Construction and**
4 **Interpretation**

5 The following rules shall apply for construing or interpreting the
6 terms and provisions of these Regulations.

7 **24-2101. Meanings and Intent**

8 (a) All provisions, terms, phrases, and expressions contained in
9 these Regulations shall be interpreted in accordance with the
10 general purposes set forth in Sec. 24-1300, Purpose and Intent,
11 and any specific purpose statements set forth throughout these
12 Regulations. When a specific section of these Regulations
13 provides a different meaning than the general definition
14 provided in Section 24-300, Definitions, the specific section's
15 meaning and application of the term shall control.

16 (b) The particular and specific control the general.

17 (c) It is not intended that specific requirements be interpreted
18 separately from all other requirements in these Regulations. The
19 Subdivision Regulations shall be read as a whole.

20 **24-2102. Headings, Illustrations, and Text**

21 In the event of a conflict or inconsistency between the text of these
22 Regulations and any heading, caption, figure, illustration, table, or
23 map, the text shall control. Graphics and other illustrations are
24 provided for informational purposes only and should not be relied on
25 as a complete and accurate description of all applicable regulations
26 or requirements. Where regulations may only be incorporated in a

27 table (and are not otherwise specified in the text), that table shall
28 have equal weight as the text of this Ordinance.

29 **24-2103. Lists and Examples**

30 Unless otherwise specifically indicated, lists of items or examples that
31 use terms like "for example," "including," and "such as," or similar
32 language are intended to provide examples and are not exhaustive
33 lists of all possibilities.

34 **24-2104. Computation of Time**

35 The time in which an act is to be done shall be computed by excluding
36 the first day and the day of the event, and including the last day in
37 the determination. If a deadline or required date of action falls on a
38 Saturday, Sunday, or holiday observed by the County, the deadline or
39 required date of action shall be the next day that is not a Saturday,
40 Sunday, or holiday observed by the County. Unless the words
41 "calendar days" are used, Saturdays, Sundays, and holidays observed
42 by the County shall not be included. For purposes of computing time
43 required timeframes pursuant to this Subtitle, the month of August
44 and the period between and inclusive of December 20 and January 3
45 shall not be included.

46 **24-2105. References to Other Regulations/
47 Publications**

48 Whenever reference is made to a resolution, ordinance, code,
49 statute, regulation, or document, it shall be construed as a reference
50 to the most recent edition of such regulation, manual, resolution,
51 ordinance, code, statute, regulation, or document, unless otherwise
52 specifically stated.

1 **24-2106. Delegation of Authority**

2 Any act authorized by these Regulations to be carried out by a specific
3 official of the County may be carried out by a professional-level
4 designee of such official at the direction of the official.

5 **24-2107. Technical and Nontechnical Terms, and**
6 **Term Not Defined**

7 **(a)** Words and phrases shall be construed according to the common
8 and approved usage of the language, but technical words and
9 phrases that may have acquired a peculiar and appropriate
10 meaning in law shall be construed and understood according to
11 such meaning.

12 **(b)** Words and phrases not specifically defined or interpreted in this
13 Subtitle or the Prince George's County Code shall be construed
14 according to the common and generally recognized usage of the
15 language. Technical words and phrases, and others that have
16 acquired a peculiar and appropriate meaning in the law, shall be
17 construed according to that meaning.

18 **24-2108. Public Officials and Agencies**

19 All public officials, bodies, and agencies to which references are made
20 are those to Prince George's County or the Maryland-National Capital
21 Park and Planning Commission (M-NCPCC).

22 **24-2109. Mandatory and Discretionary Terms**

23 The words "shall," "must," "may only," "shall not," and "will" are
24 mandatory in nature, establishing an obligation or duty to comply
25 with the particular provision. The words "may" and "should" are
26 permissive in nature.

27 **24-2110. Conjunctions**

28 Unless the context clearly suggests the contrary, conjunctions shall
29 be interpreted as follows:

30 **(a)** "And" indicates that all connected items, conditions, provisions
31 or events apply or are required;

32 **(b)** "Or" indicates that only one of the connected items, conditions,
33 provisions, or events applies or is required; and

34 **(c)** "And/or" indicates that one or more of the connected items,
35 conditions, provisions, or events apply or are required.

36 **24-2111. Tenses and Plurals**

37 Words used in the present tense include the future tense. Words
38 used in the singular number include the plural number and the plural
39 number includes the singular number, unless the context of the
40 particular usage clearly indicates otherwise. Words used in the
41 masculine gender include the feminine gender, and vice versa.

42 **24-2112. Term Not Defined**

43 If a term used in these Regulations is not defined in this Division, the
44 Planning Director shall have the authority to provide a definition
45 based on the definitions used in accepted sources—including, but not
46 limited to, English dictionaries, *A Planners Dictionary*, *A Glossary of*
47 *Zoning, Development, and Planning Terms*, and *A Survey of Zoning*
48 *Definitions*, published by the American Planning Association.

49 **Sec. 24-2200 Rules of Measurement**

50 The rules of measurement in Section 27-2200 of Subtitle 27: Zoning
51 Ordinance, are incorporated by reference into this Section, and apply
52 to these Regulations.

Sec. 24-2300 Definitions

The following words, terms, and phrases, when used in these Regulations, shall have the meaning ascribed to them in this Section. Definitions in Subtitle 27: Zoning Ordinance, of the County Code shall also apply to this Subtitle. In the event of any conflict or inconsistency, the definition in this Subtitle shall govern.

100-year floodplain

Refer to the definition of “base flood (or 100-year flood)” in Subtitle 32: Water Resources Protection and Grading Code, of the County Code for the definition.

Adopted level of service standard (or “adopted LOS standard”)

As referenced in Section 24-4502(b), and Sections 24-4504 through 24-4510 for a particular Public Facility, the level of service standard that applies to the evaluation of an application for a Certificate of Adequacy or Conditional Certificate of Adequacy to determine whether they are approved, approved with conditions (mitigation), or denied. The adopted LOS standard may also provide a basis for the establishment or expansion of a public facility or service, which is subject to the adequate public facilities (APF) provisions.

Advanced capacity

Capacity created by public facilities which do not currently exist, but that will be provided by the applicant where permitted by Sections 24-4504 through 24-4510.

Afforestation

The establishment of a biological community of perpetual woodlands through the planting of trees on an area from which trees have always or very long been absent, or the planting of open areas which are not presently in forest cover.

Alley

A vehicular accessway that provides secondary access to the rear of a building, of which the primary access to the front façade of the building is from a public or private street.

Alternative trip capture

Anticipated trips that are captured by multimodal transit, pedestrian, or bicycle facilities that meet quality/level-of-service (Q/LOS) or level-of-comfort (LOC) standards and methodologies established in the *Transportation Review Guidelines*.

Area Master Plan

A planning document that guides the way an area in the County should be developed. An Area Master Plan includes the entirety of one or more planning areas. It combines policy statements, goals, standards, maps, and data relative to the past, present, and future trends of a particular area (such as population, housing, economic, social patterns, land use, water resources, transportation facilities, and other public facility conditions and trends). An Area Master Plan amends the County's General Plan. Adoption of a General Plan by the District Council may include amendments to approved area master plans for purposes of amending center designations and associated priorities. For transitional purposes, the term Area Master Plan shall include any Transit District Development Plan approved prior to the effective date of the Zoning Ordinance.

- 1 **Available capacity**
2 The capacity of a public facility, once used capacity and committed
3 capacity are taken into account.
- 4 **Building Restriction Line**
5 A line beyond which no property owner or others may extend any
6 part of a building or structure.
- 7 **Capacity**
8 The ability of a public facility to accommodate development or
9 service demands based upon the adopted LOS standard.
- 10 **Civic Association**
11 Civic Association means, and notwithstanding any other State or local
12 law, in its rules and procedures, the District Council may allow a duly
13 elected officer of a bona fide civic association or homeowners
14 association to represent the association before the County Planning
15 Board, District Council, Zoning Hearing Examiner, or Board of Appeals
16 regardless of whether that individual is an attorney.
- 17 **Collector**
18 Refer to the Prince George’s County Specifications and Standards for
19 Roadways and Bridges.
- 20 **Committed capacity**
21 The demand for capacity which will be used by a development that
22 has been approved but not yet built.
- 23 **Commencement of construction**
24 The first placement of permanent construction of a structure on a
25 site, such as pouring of slabs or footings or any work beyond the stage
26 of excavation.
- 27 **Commission**
28 Unless otherwise specified, The Maryland-National Capital Park and
29 Planning Commission (M-NCPPC).
- 30 **Concept plan**
31 Refer to Subtitle 32: Water Resources Protection and Grading Code,
32 of the County Code for the definition.
- 33 **Conservation easement**
34 A recorded easement established for the protection of sensitive
35 environmental features or other natural features.
- 36 **Conservation easement, Chesapeake Bay Critical Area**
37 A recorded easement, used to meet the requirements of Subtitle 5B
38 of the County Code, established for the protection of sensitive
39 resources within the Chesapeake Bay Critical Area.
- 40 **Conservation easement, regulated environmental features**
41 A recorded easement, generally established on a plat, for the
42 protection of regulated environmental features, including Primary
43 Management Area and other sensitive environmental features, as
44 determined by the Planning Board or designee.
- 45 **Conservation easement, woodland and wildlife habitat**
46 A recorded easement established for the protection of woodland and
47 wildlife habitat used to meet the requirements of Subtitle 25, Division
48 2, Woodland and Wildlife Habitat Conservation Ordinance, of the
49 County Code.
- 50 **Conservation subdivision**
51 A conservation subdivision protects the character of land through the
52 permanent preservation of farmland, woodland, sensitive natural
53 features, scenic and historic landscapes, vistas, and unique features
54 of the site in keeping with the General Plan, the County’s functional

1 master plan for green infrastructure, and applicable area master
2 plans or sector plans. A conservation subdivision is intended to
3 maintain large contiguous, unfragmented farming, forested areas,
4 and unique and significant features. The standards provide for lots,
5 open space, and internal street designs that conserve woodlands,
6 farmland, farm structures, historic structures, and the scenic and
7 unique character of development sites. A conservation subdivision
8 prioritizes site characteristics for conservation and creates a site
9 layout that conserves important site features such as open space
10 networks, blocks of productive farmland, and unique characteristics
11 of a site, scenic viewsheds within and on the site from adjoining
12 properties and streets, and contiguous woodland habitats.
13 Conservation subdivision design encourages agricultural pursuits,
14 creates attractive development layouts respecting existing features
15 of the site, and encourages connectivity between scenic, historic,
16 agricultural, and environmental characteristics of abutting properties
17 and streets. (See Sec. 24-4700, Conservation Subdivision Standards.)

18 **County**

19 Prince George’s County, Maryland.

20 **County Executive**

21 The chief executive officer of Prince George’s County who exercises
22 executive powers in accordance with the State Constitution and the
23 County Charter

24 **Critical habitat**

25 A habitat currently occupied by a rare, threatened, or endangered
26 (RTE) species as determined by the U.S. Fish and Wildlife Service or
27 the Maryland Department of Natural Resources.

28 **Critical habitat area**

29 The critical habitat of a rare, threatened, or endangered species and
30 its surrounding protection area. A critical habitat area shall:

- 31 1. Be likely to contribute to the long-term survival of the
32 species;
33 2. Be likely to be occupied by the species for the
34 foreseeable future; and
35 3. Constitute habitat of the species which is considered
36 critical by the U.S. Fish and Wildlife Service or the Maryland
37 Department of Natural Resources.

38 **Development**

39 “Development” means any activity that materially affects the exiting
40 condition or use of any land or structure. For purposes of this
41 Subtitle, “Development” shall not include a normal agricultural
42 activity; and/or improvements exempted herein from these
43 regulations or within Subtitle 27 of the County Code.

44 **District Council**

45 The Prince George’s County Council, sitting as the District Council for
46 the Prince George’s County portion of the Maryland-Washington
47 Regional District.

48 **DPIE**

49 The Department of Permitting, Inspections, and Enforcement of
50 Prince George’s County

51 **Environmental review package**

52 The information that shall be submitted by an applicant with the
53 submission of a preliminary plan of subdivision (minor or major) as
54 required by the Environmental Review Package submission checklist
55 and instructions, as approved and amended by the Planning Board
56 from time to time.

57 **Environmental strategy areas (ESA)**

58 Areas identified on the map below, which is available at a parcel level
59 of detail in the Planning Department, in which regulated stream

1 buffers are required in accordance with Section 24-4303, Stream,
2 Wetland, and Water Quality Protection and Stormwater
3 Management.

4 **Environmental Technical Manual**

5 Refer to Subtitle 25: Trees and Vegetation, of the County Code for the
6 definition.

7 **Erosion and Sediment Control Plan**

8 Refer to Subtitle 32: Water Resources Protection and Grading Code,
9 of the County Code for the definition.

10 **Federal Manual**

11 The current "Federal Manual for Identifying and Delineating
12 Jurisdictional Wetlands" including applicable Regional Supplements,
13 as defined by the U.S. Army Corps of Engineers.

14 **Final plat**

15 The final detailed drawing (to scale) of a tract of land, depicting the
16 proposed division of the tract into lots, blocks, streets, or other areas
17 within a proposed subdivision.

18 **Forest interior**

19 Woodlands that are located a minimum of 300 feet from the nearest
20 forest edge.

21 **Forest interior dwelling species (FIDS)**

22 Refer to Subtitle 25: Trees and Vegetation, of the County Code for the
23 definition

24 **Forest interior dwelling species (FIDS) habitat**

25 Woodland areas of sufficient size as to be favorable to the breeding
26 of certain interior dwelling bird species which are likely to be present
27 if the majority of the forest is dominated by pole-sized or larger trees

28 (five inches or greater diameter at breast height), or has a closed
29 canopy; and meets one the following conditions:

- 30 1. The woodlands are a minimum of 50 acres in size and
31 contain at least 10 acres of "forest interior" habitat which is
32 located more than 300 feet from the nearest forest edge; or
33 2. Riparian forests at least 50 acres in size with a minimum
34 average width of 300 feet within the watershed of a
35 regulated stream.

36 **Forest stand delineation (FSD)**

37 Refer to Subtitle 25: Trees and Vegetation, of the County Code for the
38 definition

39 **Functional master plan**

40 The current approved plan for one of the various elements of the
41 General Plan, such as transportation, schools, libraries, hospitals,
42 health centers, parks and other open spaces, police stations, fire
43 stations, utilities, or historic preservation.

44 **General Plan**

45 The Prince George's County General Plan approved in accordance
46 with State law. Adoption of a General Plan by the District Council may
47 include amendments to approved area master plans for purposes of
48 amending center designations and associated priorities.

49 **Guidelines for the Mitigation of Adequate Public Facilities: Public
50 Safety Infrastructure**

51 The Guidelines for the Mitigation of Adequate Public Facilities: Public
52 Safety Infrastructure, as may be amended from time to time.

53 **Highly erodible soils**

54 All soils having an erodibility (K) factor of 0.35 or greater as
55 determined by the Prince George's Soil Conservation District.

- 1 **Hydraulic Planning Analysis**
- 2 An analysis required by the Washington Suburban Sanitary
3 Commission for any proposed water and sewer systems to determine
4 hydraulic characteristics and planned alignments.
- 5 **Impact, Regulated Environmental Features**
- 6 An impact of a Regulated Environmental Feature is the physical
7 disturbance or the inclusion of a regulated feature within the
8 required net lot area.
- 9 **Impact area**
- 10 The area within which a proposed development is presumed to
11 create a demand for Public Facilities and is evaluated for compliance
12 with Sec. 24-4500, Public Facility Adequacy. An Impact Area for a
13 specific Public Facility is defined in Sec. 24-4500, Public Facility
14 Adequacy.
- 15 **Inadequate or inadequacy**
- 16 A public facility is inadequate where it is unable to meet the adopted
17 LOS standard based on its current demands, the demands created by
18 an application for a Certificate of Adequacy or Conditional Certificate
19 of Adequacy, and any impacts that will be created by approved but
20 unbuilt development.
- 21 **Landscape Manual**
- 22 The document that promulgates the standards and criteria for
23 developing landscaped, buffered, and screened areas in Prince
24 George's County, and which is adopted by the District Council and
25 revised and amended from time to time by the District Council.
- 26 **Level of service (LOS) standard**
- 27 An indicator of the extent or degree of service provided by, or
28 proposed to be provided by, a public facility based upon and related
29 to the operational characteristics of the facility. LOS standard
- 30 indicates the capacity per unit of demand for each public facility, or
31 the performance characteristics of the public facility that are affected
32 by new development.
- 33 **Lot**
- 34 See definition of lot in Section 27-2400, Terms and Uses Defined, of
35 Subtitle 27: Zoning Ordinance.
- 36 **Lot consolidation**
- 37 A combination or adjustment of any legal parcels of land or record
38 lots in accordance with Section 24-1403(i), or Section 24-
39 3402(b)(3)(D), in the Chesapeake Bay Critical Area.
- 40 **Lot, corner**
- 41 See definition of corner lot in Section 27-2400, Terms and Uses
42 Defined, of Subtitle 27: Zoning Ordinance.
- 43 **Lot, interior**
- 44 See definition of interior lot in Section 27-2400, Terms and Uses
45 Defined, of Subtitle 27: Zoning Ordinance.
- 46 **Lot, through**
- 47 See definition of through lot in Section 27-2400, Terms and Uses
48 Defined, of Subtitle 27: Zoning Ordinance.
- 49 **Minor subdivision for school surcharge exemption**
- 50 A minor subdivision for school surcharge exemption shall mean the
51 subdivision of a property pursuant to a minor final plat of subdivision
52 that was approved pursuant to a preliminary plan of minor
53 subdivision. Only one school surcharge exemption may be permitted
54 from a parcel of land that has been through the minor subdivision
55 procedure.
- 56 **M-NCPPC**
- 57 The Maryland-National Capital Park and Planning Commission.

1 **Natural regeneration**

2 The natural establishment or re-establishment of a biological
3 community of woodlands from nearby seed sources without
4 afforestation.

5 **Natural resource inventory (NRI)**

6 A plan map and supporting documentation or letter that provides all
7 required information regarding the existing physical and
8 environmental conditions on a site that is approved by the Planning
9 Director as described in the Environmental Technical Manual as
10 approved and amended by the Planning Board.

11 **Newspaper of record**

12 A County newspaper, designated as such by the County Council, in
13 accordance with the requirements of the Charter of Prince George's
14 County, Maryland.

15 **Nontidal wetland**

16 Land that:

- 17 1. Is inundated or saturated by surface or ground water at
18 a frequency and duration sufficient to support, and under
19 normal circumstances supports a prevalence of vegetation
20 typically adapted for life in saturated soil conditions; or
21 2. Is identified as a "wetland" in accordance with the
22 Federal Manual.

23 **Outlot**

24 A piece or parcel of land that remains within a subdivision but which
25 does not meet the minimum requirements of Subtitle 27: Zoning
26 Ordinance, of the County Code of Ordinance for a buildable lot and
27 is, therefore, not usable as a legal building site. No buildings or
28 structures shall be erected on an outlot or part thereof.

29 **Outparcel (Subdivision)**

30 For the purposes of these Regulations, a parcel of land designated on
31 a subdivision plat which does not comply with the requirements of
32 this Subtitle for adequate public facilities and is, therefore, not usable
33 as a legal building site. No buildings or structures shall be erected on
34 an outparcel or part thereof.

35 **Outparcel (Zoning)**

36 See Section 27-2400, Terms and Uses Defined, of Subtitle 27: Zoning
37 Ordinance.

38 **Owner's personal residence for minor subdivision school surcharge
39 exemption**

40 The lot for which a residential building permit was filed and the
41 applicant for that permit shall be the individual that subdivided the
42 land.

43 **Ownership lot**

44 Part of a parent lot used to define individual ownership, deed,
45 mortgage or lease lines within the parent lot. An ownership lot is only
46 established for the convenience of the owner. An ownership lot is
47 not:

- 48 1. A lot, as defined in Subtitle 27: Zoning Ordinance, used
49 to determine building setbacks, access or to establish
50 conformance with Zoning, Subdivision or any other law or
51 regulation;
52 2. Considered a building site for the purposes of obtaining
53 permits; or
54 3. A result of a change to any condition of approval for the
55 subdivision that created the parent lot.

1 **Parcel or parcel of land**

2 See Section 27-2400, Terms and Uses Defined, of Subtitle 27: Zoning
3 Ordinance.

4 **Parent lot**

5 A lot or parcel shown on a record plat on which ownership lots are
6 established.

7 **Park and Recreation Facilities Guidelines**

8 The Park and Recreation Facilities Guidelines prepared by the
9 Department of Parks and Recreation, in consultation with the
10 Planning Department, in accordance with Sec. 24-4500, Public Facility
11 Adequacy.

12 **Planned capacity**

13 A public improvement that is not in place and operational, but that is
14 scheduled for funding in the County's Capital Improvements Program
15 (County CIP) or the capital improvement program of the agency or
16 entity that provides the improvements.

17 **Planning Board**

18 The Prince George's County Planning Board of the Maryland-National
19 Capital Park and Planning Commission.

20 **Planning Director**

21 The Director of the Prince George's County Planning Department of
22 the Maryland-National Capital Park and Planning Commission, or
23 designee.

24 **Plat of Computation**

25 A drawing provided as an exhibit that delineates property limits and
26 includes bearings, distances, and property acreage.

27 **Preliminary plan of subdivision**

28 The preliminary detailed drawing (to scale) of a tract of land,
29 depicting its proposed division into lots, blocks, streets, or other
30 designated areas within a proposed subdivision.

31 **Primary management area (PMA)**

32 A vegetated buffer preserved and/or restored along all regulated
33 streams outside the Chesapeake Bay Critical Area Overlay (CBCA-O)
34 zones, which at a minimum includes:

- 35 1. All regulated streams and associated minimum stream
36 buffers;
- 37 2. The 100-year floodplain as defined in Subtitle 32: Water
38 Resources Protection and Grading Code, of the County Code;
- 39 3. All wetlands and associated wetland buffers that are
40 adjacent to the regulated stream, stream buffer or the 100-
41 year floodplain;
- 42 4. All areas having slopes of 15 percent or greater, adjacent
43 to the regulated stream or stream buffer, the 100-year
44 floodplain, or adjacent wetlands or wetland buffers; and
- 45 5. Adjacent critical habitat areas.

46 **Prince George's County Soil Conservation District**

47 Refer to 32: Water Resources Protection and Grading Code, of the
48 County Code for the definition.

49 **Public Facilities Agreement**

50 An agreement wherein an applicant for a subdivision promises to
51 provide required public improvements. Such agreement, however,
52 does not replace bonding requirements of public agencies in
53 connection with building, grading, street construction, and the like.

1 **Public Facilities Financing and Implementation Program**

2 A comprehensive program established by the County Council that is
3 intended to implement and facilitate the General Plan, applicable
4 area master plan, sector plan, or functional master plan
5 recommendations regarding the construction and maintenance of
6 public facilities not subject to public facilities surcharges, including
7 water, sewerage, transportation (streets and mass transit), libraries,
8 recreation, and privately owned and maintained streets and
9 recreational facilities authorized in accordance with the Zoning
10 Ordinance. This includes some or all proposed and future
11 development in a specified area, and should include provisions for
12 financing strategies including, but not limited to, pro-rata
13 contributions, sale leasebacks, and funding "clubs." Costs for the
14 proposed and future development in a specified area established
15 within a Public Facilities Financing and Implementation Program
16 (PFFIP) shall include annual cost adjustments, to be identified at the
17 time of establishment of the PFFIP, to account for the effect of
18 inflation.

19 **Public facility or public facilities**

20 A capital improvement that expands capacity sufficient to
21 accommodate demands for that facility (such as vehicle trips or water
22 or sewer flows). Public facilities include transportation (i.e., streets
23 and transit), sanitary sewer, water, police space or vehicles, parks
24 and recreation land and improvements, and public school land, space
25 and improvements.

26 **Pupil yield factor**

27 The estimated number of elementary, middle, and high school
28 students per dwelling unit, as determined by the Planning Director,
29 from information provided by the Superintendent of the Prince
30 George's County Public Schools.

31 **Record plat**

32 An official plat of subdivision authorized pursuant to this Subtitle, as
33 recorded in the Land Records of Prince George's County, Maryland.

34 **Reforestation**

35 The re-establishment of a biological community of perpetual
36 woodlands through the planting of trees on an area from which trees
37 were recently removed.

38 **Regional District**

39 That area within which the Maryland-National Capital Park and
40 Planning Commission exercises planning jurisdiction, as described in
41 the Land Use Article, Annotated Code of Maryland.

42 **Regulated environmental features**

43 Regulated streams, nontidal wetlands, and their associated buffers
44 inclusive of any primary management area(s).

45 **Regulated stream**

46 Streams that have water flowing year-round during a typical year and
47 streams that have water flowing during certain times of the year
48 when groundwater provides for stream flow. Water flow can be
49 identified by a defined channel and movement of leaf litter and
50 debris by the movement of water. During dry periods, some
51 regulated streams may not have flowing water. This definition
52 includes "perennial" and "intermittent" streams. Streams that only
53 have water flowing during, or for a short duration after precipitation
54 events in a typical year, are "ephemeral" streams and are not
55 regulated. The use of the term "stream" in this or other sections of
56 the County Code of Ordinances shall refer to a regulated stream
57 unless the provisions of that Section define a stream otherwise.

1 **Remainder agricultural parcel**

2 On or after October 1, 2012, in accordance with Section 9-206 of the
3 Environment Article, Annotated Code of Maryland, a remainder
4 parcel is created by the preliminary plan of minor subdivision
5 approval process in the Sustainable Growth Tier IV, and is restricted
6 to non-residential agricultural uses in perpetuity.

7 **Reservation**

8 A procedure by which land reservations are to set-aside land
9 identified for public use in the General Plan, functional master plans,
10 area master plans, and sector plans.

11 **Reserved capacity**

12 The projected impacts on a public facility created by a proposed but
13 unbuilt development that has received a Certificate of Adequacy or
14 Conditional Certificate of Adequacy, where (1) the County will count
15 those impacts against available capacity, and (2) the application will
16 not be retested during any point in the development approval
17 process to determine whether those facilities meet the adopted LOS
18 standard. Depending upon the type of application, whether the
19 applicant has taken steps to ensure that the capacity remains
20 committed, and the specific terms of Sec. 24-4500, committed
21 capacity may be reclassified as available capacity.

22 **Residential subdivision**

23 A subdivision in which all of the lots are reserved for uses within the
24 Residential uses classification in Subtitle 27: Zoning Ordinance, of the
25 County Code, including accessory uses and structures and the
26 transportation, water, sewer, schools, parks, recreation and open
27 space, and related infrastructure needed to serve the subdivision.

28 **Resubdivision of land**

29 A procedure that provides for the resubdivision of land that has been
30 subdivided in accordance with Subtitle 27 of the County Code, to

31 change the relationships between a lot in the subdivision and the
32 street shown on the record plat, or change the relationship between
33 one lot and another lot in the subdivision, as long as the resubdivision
34 of land complies with the requirements of Subtitle 27: Zoning
35 Ordinance.

36 **Road**

37 Refer to Subtitle 23: Roads and Sidewalks, of the County Code for the
38 definition.

39 **Roadway improvement**

40 Any road, pedestrian, transit, or bike capital improvement which will
41 serve to enhance the vehicular movement or increase the
42 multimodal volume or user safety on any road. The following
43 roadway elements shall be considered roadway improvements: thru-
44 lanes; turn lanes; bridges; traffic and pedestrian signalization;
45 sidewalks or bike facilities that serve to enhance crosswalk
46 movement or safety; transit capital improvements that increase
47 passenger capacity or safety; resurfacing of existing roadways
48 including planning and removal of existing paved surfaces where the
49 improvements enhance the roadway capacity and service level; and
50 other structural improvements shown by specific studies to enhance
51 roadway capacity.

52 The following activities are considered part of the cost of roadway
53 improvements: preliminary engineering, design studies, land surveys,
54 engineering design, right-of-way acquisition, and permitting, that are
55 associated with the construction of any of the roadway elements
56 listed above.

57 **School regulations**

58 The Adequate Public Facilities Regulations for Schools, as adopted
59 and amended by the County Council.

1 **Sector plan**

2 A comprehensive plan for the physical development of part of one or
3 more planning areas, showing in detail planning features such as the
4 type, density, and intensity of land uses; pedestrian, bicycle, and
5 vehicular traffic features; public facilities; and the relationship
6 between the various uses to transportation, other public facilities
7 and services, and amenities within the sector plan area, and where
8 appropriate, to other areas. A sector plan may be approved as an
9 amendment to an existing area master plan. A sector plan also
10 amends the General Plan. (see Section 27-3501, Comprehensive
11 Plans and Amendments, of the Zoning Ordinance). Adoption of a
12 General Plan by the District Council may include amendments to
13 approved area master plans for purposes of amending center
14 designations and associated priorities.

15 **Site development concept**

16 A generalized, conceptual plan to show the proper disposal of
17 stormwater, in accordance with the procedures and standards set
18 forth in Subtitle 32: Water Resources Protection and Grading Code,
19 of the County Code, as administered by DPIE.

20 **Slope**

21 An incline of terrain from the horizontal expressed in an arithmetic
22 ratio of horizontal magnitude to vertical magnitude (e.g. slope = 3:1
23 = 3 ft. horizontal to 1 ft. vertical). Steep slopes are slopes with an
24 incline of 15 percent or greater, while severe slopes are slopes with
25 an incline of 25 percent or greater.

26 **Stream buffer**

27 A protective buffer established in accordance with Section 24-
28 4303(c) and delineated in accordance with the Environmental
29 Technical Manual.

30 **Street**

31 A street is any of the following:

- 32 1. A public or dedicated right-of-way at least thirty (30) feet
33 in width; or a private road, right-of-way, or easement along
34 which development is authorized pursuant to this Ordinance,
35 except for easements created under Section 24-4204(b)(1)(F)
36 to avoid potentially hazardous or dangerous traffic
37 situations, or for right-of-way easements within a
38 nonresidential development pursuant to Section 24-
39 4204(b)(1)(E); or
- 40 2. A proposed street right-of-way or widening shown on the
41 applicable General Plan, area master plan, or functional
42 master plan; or in the current Capital Improvement Program
43 or Maryland State Consolidated Transportation Program; or
44 on a record plat; or
- 45 3. A public road designated by the Director of the
46 Department of Public Works and Transportation, and which
47 shall be deemed a public street for the purpose of
48 constructing a one-family detached dwelling, provided that:
 - 49 a. The designated public road has a right-of-way width of at
50 least 30 feet; and
 - 51 b. No subdivision plat is required prior to development of
52 the lot which abuts the designated public road.

53 **Subdivision**

54 The technical process and configuration of land by which one or more
55 lots, tracts, or parcels of land are divided, consolidated, or
56 established as one or more lots or parcels, or other divisions of land.
57 Subdivision also occurs when land is converted from residential to
58 nonresidential uses or nonresidential to residential uses, or from
59 residential or nonresidential uses to mixed-use development, and

1 one or more lots, tracts, or parcels of land are divided, consolidated,
2 or established.

3 **Subdivision bill**

4 An amendment of these Regulations approved by the County
5 governing body.

6 **Subdivision and Development Review Committee**

7 An inter-agency committee that assists the Planning Director in
8 coordinating review of Subdivision and zoning applications under
9 these Regulations. The Subdivision and Development Review
10 Committee shall, at minimum, be composed of representatives from
11 the following agencies, departments, and offices:

- 12 1. Planning Department;
- 13 2. Department of Parks and Recreation;
- 14 3. Police Department;
- 15 4. Department of Public Works and Transportation;
- 16 5. Washington Suburban Sanitary Commission;
- 17 6. Department of Permitting, Inspections, and
18 Enforcement;
- 19 7. Fire Department;
- 20 8. State Highway Administration;
- 21 9. Soil Conservation District;
- 22 10. Department of Housing and Community Development;
23 and
- 24 11. Municipalities, as appropriate.

25 **Subdivision, conventional**

26 A subdivision that is not a conservation subdivision, zero lot line
27 development, or resubdivision.

28 **Subdivision, major**

29 A procedure established by these Regulations that requires proposed
30 development that is not classified as a minor subdivision, or
31 exempted in accordance with Section 24-1403, Exemptions, to gain
32 subdivision approval (both a preliminary plan for subdivision and final
33 plat). The applications are decided by the Planning Board.

34 **Subdivision, minor**

35 A procedure established by these Regulations that requires the
36 following development to gain subdivision approval (both a
37 preliminary plan for subdivision and final plat), unless exempted in
38 accordance with Section 24-1403, Exemptions, or unless the Planning
39 Director determines the subdivision will have similar impacts to
40 surrounding lands, infrastructure, or the environment as a major
41 subdivision, in which case the subdivision shall be reviewed as a
42 preliminary plan of major subdivision:

- 43 1. Any subdivision that results in 25 or fewer dwelling units;
- 44 2. Any subdivision that results in 25,000 square feet or less
45 of gross floor area of nonresidential development; and
- 46 3. Any subdivision that consists of mixed-use development
47 that results in a total of 25 or fewer, either dwelling units or
48 1,000 square feet of gross floor area.

49 The applications are decided by the Planning Director.

50 **Sustainable Growth Tier**

51 The tiers adopted by a local jurisdiction in accordance with Section 9-
52 206 of the Environment Article, Annotated Code of Maryland.

53 **Tidal Wetlands**

54 Refer to Subtitle 5B: Chesapeake Bay Critical Area, of the County
55 Code for the definition.

1 **Transportation Review Guidelines**

2 The guidelines for the analysis of the traffic, pedestrian or bicycle
3 impact of development proposals.

4 **Transportation facility**

5 Any public highway, road, bridge, transit system, bikeway, or
6 pedestrian pathway that: (1) is located within a project’s impact area
7 identified in a traffic impact study, and (2) that provides capacity to
8 accommodate vehicle trips, or to offset vehicle trips through
9 alternative trip capture.

10 **Transportation impact area**

11 The area surrounding a proposed development, consisting of the land
12 and transportation facilities that may be affected by the proposed
13 development. The specific boundaries of the transportation impact
14 area, including the intersections, roadway links, pedestrian crossings,
15 and other transportation facilities shall be determined by the
16 Planning Director and identified within the Transportation Impact
17 Study Scoping Agreement for each proposed development as
18 outlined in the Transportation Review Guidelines.

19 **Tree conservation plan (TCP)**

20 Refer to Subtitle 25: Trees and Vegetation, of the County Code for the
21 definition.

22 **Used capacity**

23 Public facilities capacity that is used or consumed by existing
24 development at the time of the filing of an application.

25 **Vacation**

26 A procedure that provides for the vacating (or extinguishment) of any
27 recorded plat of subdivision, or part thereof.

28 **Variation**

29 A procedure that provides for the variation or modification of the
30 standards established in these Regulations where extraordinary
31 hardship or practical difficulties may result from strict compliance, or
32 the purposes of these Regulations may be served to a greater extent
33 by an alternative proposal.

34 **Wetland buffer**

35 Where a wetland or a portion of land containing a wetland is located
36 outside the Chesapeake Bay Critical Areas Overlay (CBCA-O) zones, a
37 minimum of 25 feet in width measured from the edge of the wetland,
38 and expanded up to 100 feet in width due to the presence of steep
39 slopes 15 percent or greater, highly erodible soils, other soils with
40 development constraints, or the presence of Nontidal Wetlands of
41 Special State Concern as defined by COMAR.

42 **Zero lot line development**

43 A procedure that provides subdividers maximum flexibility in
44 subdivision design to take advantage of natural features, and to
45 create energy efficiency and environmentally-sensitive, attractively
46 designed communities. The zero lot line procedure allows minimum
47 setbacks, yards, and street frontages for zero lot line development (a
48 development where single-family detached dwelling units are placed
49 on the lot so that they are positioned along one or more lot lines), if
50 the Planning Board finds that those alternatives will function safely
51 and efficiently and will yield a better design than conventional
52 approaches.

53 **Zoning Ordinance**

54 Subtitle 27: Zoning Ordinance, of the County Code.

55