

# Part 3: Administration



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1 **PART 24-3 SUBDIVISION**  
 2 **ADMINISTRATION**

3 **Sec. 24-3100 Purpose and Organization**

4 This Division sets forth applicable subdivision requirements in  
 5 accordance with the Land Use Article, Annotated Code of Maryland.

6 **Sec. 24-3200 Summary Table of**  
 7 **Subdivision Review Responsibilities**

8 Table Sec. 24-3200: Summary of Subdivision Review Responsibilities,  
 9 identifies the types of subdivision applications authorized by these  
 10 regulations. For each type of application, the table identifies the  
 11 action required by the various advising or decision-making bodies or  
 12 persons.

Table Sec. 24-3200: Summary of Subdivision Review Responsibilities					
D = Decision R = Recommendation C = Comment A = Appeal < > = Public Hearing Required S = Sign					
Procedure	Review and Decision-Making Bodies				
	County Executive	District Council	Planning Board	Planning Director	Historic Preservation Commission
<b>Subdivision Bill</b>	S	<D>	C	R	
<b>Minor Subdivision or Resubdivision</b>					
Preliminary Plan			<A>	D	R [3]
Final Plat				D	
Final Plat Not Otherwise Subject to				D	

Table Sec. 24-3200: Summary of Subdivision Review Responsibilities					
D = Decision R = Recommendation C = Comment A = Appeal < > = Public Hearing Required S = Sign					
Procedure	Review and Decision-Making Bodies				
	County Executive	District Council	Planning Board	Planning Director	Historic Preservation Commission
Preliminary Plan					
<b>Major Subdivision</b> (Conventional, Conservation, Zero Lot Line, or Resubdivision)					
Preliminary Plan			<D>	R	R [3]
Final Plat			<D> [1]	R	
<b>Sketch Plan for Conservation Subdivision</b>				D	
<b>Variation</b>					
<b>Minor Variation</b>			<A>	D	
<b>Major Variation</b>			<D>	C	
<b>Zero Lot Line Development</b>			<D>	R	
<b>Reservations</b>	C	C	<D> [2]		
<b>Vacation of Plat</b>					
<b>Minor Vacation</b>			<A>	D	
<b>Major Vacation</b>			<D>	R	
<b>Interpretation</b>			<A>	D	
NOTES					
[1] Public hearing not required if waived by the Planning Board or if the final plat is approved as submitted.					
[2] Public hearing required if the location of the proposed reservation is not reflected, or differs substantially from that shown, on the General Plan, functional master plan, or the applicable area master plan or sector plan.					
[3] The Historic Preservation Commission makes a recommendation only if the preliminary plan of subdivision (minor or major) contains a historic resource or historic site identified on the <i>Approved Historic Sites and Districts Plan</i> .					

**Sec. 24-3300 Standard Subdivision Review Procedures**

**24-3301. Purpose**

This Section sets forth the standard procedures that generally apply to the review of subdivision applications under these Regulations. Not all procedures in this Section apply to every subdivision application. Each Subsection in Sec. 24-3400, Application-Specific Subdivision Review Procedures and Decision Standards, identifies, for a specific type of subdivision application, which standard procedures are required, including any additions or modifications that apply.

**24-3302. Pre-Application Conference**

**(a) Purpose**

A pre-application conference provides an opportunity for:

- (1) The applicant to determine the submission requirements, procedures, and standards applicable to an anticipated application; and
- (2) Staff to become familiar with, and offer the applicant preliminary comments about the scope, features, and impacts of the proposed development as it relates to the standards in these Regulations.

**(b) Applicability**

- (1) A pre-application conference is required before the submittal of a preliminary plan of major subdivision.
- (2) A pre-application conference is optional for any other type of subdivision application.

**(c) Procedure**

**(1) Submission of Materials Prior to Conference**

Before a pre-application conference is held, the applicant shall submit to the Planning Director a narrative describing the scope of the proposed subdivision, a conceptual plan of the subdivision to be proposed in the application (to include conceptual grading, the proposed lotting pattern, and on-site circulation and access), and any other information reasonably requested by the Planning Director.

**(2) Scheduling**

Within a reasonable period of time after receipt of a request for a pre-application conference, the Planning Director shall schedule the pre-application conference and notify the applicant of the conference time and location.

**(3) Conference Proceedings**

The Planning Director shall review the materials submitted by the applicant prior to the conference. At the conference, the Planning Director shall seek any needed clarification from the applicant regarding the proposed application, and identify any concerns, problems, or other factors the applicant should consider regarding the proposed application.

**(d) Effect of Conference**

- (1) The pre-application conference is intended to facilitate the application review process. Discussions at the pre-application conference are not binding on the County, and consequently no final or binding decision is made at a pre-application conference.
- (2) A pre-application conference request does not constitute the filing of an application. Processing times for application

1 review do not begin until an application is submitted and  
2 determined to be complete in accordance with Section 24-  
3 3305, Determination of Completeness.

#### 4 **24-3303. Pre-Application Neighborhood Meeting**

##### 5 **(a) Purpose**

6 The purpose of the pre-application neighborhood meeting is to  
7 inform owners and occupants of nearby lands about a proposed  
8 application to be reviewed under these Regulations, and to  
9 provide the applicant an opportunity to hear comments and  
10 concerns about the development proposal to resolve conflicts  
11 and outstanding issues, where possible. Pre-application  
12 neighborhood meetings are opportunities for informal  
13 communication between applicants and the owners and  
14 occupants of nearby lands, and other residents affected by  
15 subdivision applications. Participation in any preliminary, pre-  
16 application meeting is for informational purposes only. Any  
17 resultant participation and/or written summary of same shall  
18 not be part of the administrative record for any development  
19 application that may be filed and accepted.

##### 20 **(b) Applicability**

- 21 (1) A pre-application neighborhood meeting is required before  
22 submission of an application for a preliminary plan of major  
23 subdivision.
- 24 (2) A pre-application neighborhood meeting is optional for all  
25 other applications.
- 26 (3) The informational mailings and meetings required by this  
27 Subsection are in addition to all postings and notices  
28 required by these Regulations and State law.
- 29 (4) If an application is not submitted for review in accordance  
30 with the requirements of Section 24-3304, Application

31 Submittal, within one year of the date the pre-application  
32 neighborhood meeting is conducted, the applicant shall  
33 conduct a second pre-application neighborhood meeting in  
34 accordance with this Section.

##### 35 **(c) Procedure**

36 If a pre-application neighborhood meeting is conducted, it shall  
37 comply with the following requirements:

##### 38 **(1) Meeting Location and Time**

39 The meeting shall be held after 6:30 P.M. on a weekday, or  
40 between 10 AM and 4 PM on a weekend, at a location that is  
41 convenient and generally accessible to neighbors residing in  
42 proximity to the land subject to the proposed application.

##### 43 **(2) Notification**

##### 44 **(A) Informational Mailing**

- 45 (i) The applicant shall mail notice of the meeting at  
46 least 30 days before the meeting.
- 47 (ii) Notice shall be mailed to:
- 48 **(aa)** The Planning Director;
- 49 **(bb)** All persons to whom mailed notice of a  
50 public hearing on the application is required  
51 by Section 24-3308(b), Public Notice;
- 52 **(cc)** Any municipality in which the land subject  
53 to the application is located, and every  
54 municipality located within one mile of the  
55 land subject to the application, and any  
56 municipal planning department;

1	<b>(dd)</b> All civic associations and residents	31
2	registered in accordance with Section 24-	32
3	3303(d), Civic Association Registration;	33
4	<b>(ee)</b> All adjoining land owners (including owners	34
5	whose land lies directly across a street,	35
6	alley, or stream from the land subject to the	36
7	application being reviewed).	37
8	<b>(iii)</b> A civic association entitled to an informational	38
9	mailing may waive the requirement, and an	39
10	applicant's filing of a signed waiver constitutes	40
11	its compliance with the mailing requirement, for	41
12	the entity signing.	42
13	<b>(B) Posted Notification</b>	43
14	The applicant shall also post notification of the pre-	44
15	application neighborhood meeting on the land subject	45
16	to the application at least 30 days before the date fixed	46
17	for the meeting.	47
18	<b>(C) Notification Contents</b>	48
19	The mailed and posted notifications shall state the	49
20	time and place of the meeting, the purpose of the	50
21	meeting, the general nature of the proposed	51
22	subdivision, and the type of approval sought.	52
23	Additionally, the notice shall include the application	53
24	number, contact information for the M-NCPPC to	54
25	obtain more information about the application after it	55
26	is filed, an applicant telephone number and email	56
27	address for persons wishing to meet, an explanation of	57
28	the procedures and the necessity for becoming a	58
29	person of record for the proposed application, and a	
30	statement that no government agency has reviewed	

the application. Developer or builder information shall be provided if different than the applicant.

### **(3) Conduct of Meeting and Summary**

#### **(A) Generally**

The pre-application neighborhood meeting shall be open to the public. At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to any questions or concerns neighbors raise about the proposed application, and discuss ways to resolve any conflicts or concerns.

#### **(B) Project Materials**

The applicant shall ensure the following materials are available for review and discussion at the pre-application neighborhood meeting:

- (i)** A map of the proposed development site clearly indicating the site location and streets in the vicinity;
- (ii)** Illustrations depicting the layout and design of the proposed development, existing conditions, and the neighborhood context;
- (iii)** A development fact sheet or summary that includes, but is not limited to, the size of the proposed project, proposed land uses, proposed number of dwelling units and/or amount of gross square footage, proposed density and intensity of the project, proposed building heights, and anticipated parking need;



1	(iv)	Information explaining the subdivision review process and how members of the public may participate; and	32 33 34		entitled to informational mailings and e-mails, for all pre-application neighborhood meetings within the association's defined geographical area.
4	(v)	Sign-in sheets including the meeting date and time, meeting address, project address, property owner name, applicant name and contact information, and space for participants to include their name, organization, address, phone number, and email address.	35 36 37 38 39 40 41	(2)	To register to obtain notice of pre-application neighborhood meetings, a civic association shall provide the following to the Planning Director: its name; the names, street addresses and e-mail addresses of all its officers; the number of members (individuals or households); the geographical area it represents and is interested in, by a description acceptable to the Planning Director; the name, street address, e-mail address, and daytime telephone number of the individual, the association designee, who is to receive informational mailings in the initial registration period; and the initial registration's effective dates, which may run from date of first registration to December 31 of the following year. To continue to receive notice of applications, an association shall re-register every two years.
10	(C)	<b>Written Summary of Meeting</b>	42	(3)	Associations may represent overlapping geographical areas. However, for the purpose of obtaining informational mailings, an association may not represent an area extending beyond two adjoining Council Districts.
11	(i)	The applicant shall prepare a written summary of the pre-application neighborhood meeting that includes a list of those invited to the meeting, meeting attendees, and/or a copy of the sign-in sheet, copies of the materials distributed or made available for review during the meeting, and any other information the applicant deems appropriate.	43 44 45 46 47 48 49 50	(4)	The Planning Director may decline registration of any association which purports to represent an area of unreasonable description or otherwise does not meet the requirements of this Subsection.
19	(ii)	If the applicant complies with all the requirements for the pre-application neighborhood meeting established in subsections C.1, 2, and-3 a. above, and no one attends the meeting, the applicant may state this in the written summary, and demonstrating compliance with the relevant subsections, has no further obligations under this ordinance to conduct a pre-application neighborhood meeting.	51 52 53 54 55 56 57 58 59 60	(5)	For a watershed protection group that is registered as a Section 501l(3) environmental organization, the group may designate an area consisting of the watershed whose protection is the purpose of the organization if the officers of the organization maintain their primary residence within the watershed.
29	(d)	<b>Civic Association Registration</b>	61		
30	(1)	Any civic association that maintains a registration with the Planning Director in accordance with this Subsection is	62		

1 (6) An association may correct or update registration  
2 information at any time. In addition, the Planning Director  
3 will send notice to registered associations no later than  
4 January 31 of each year to solicit updated information and  
5 confirm that the associations wants to continue receiving  
6 informational mailings.

## 7 **24-3304. Application Submittal**

8 Applications shall be submitted in accordance with the requirements  
9 of this Subsection.

### 10 **(a) Authority to File Applications**

#### 11 **(1) Generally**

12 Applications submitted under these Regulations shall be  
13 submitted by:

14 **(A)** The land owner; or

15 **(B)** Any other person or entity having a legal interest in the  
16 land upon which the application is proposed, or their  
17 authorized agent.

#### 18 **(2) Applicant is Not the Owner**

19 If the applicant is not the owner of the land, or is a contract  
20 purchaser of the land, a letter signed by the owner  
21 consenting to submission of the application is required.

### 22 **(b) Application Contents and Form**

23 The application contents and form shall comply with  
24 requirements established by Section 24-3304(b), Application  
25 Contents and Form. Documents shall supply sufficient  
26 information to indicate compliance with this Subtitle, and with

27 pertinent sections of the Maryland Environment Article,  
28 Annotated Code of Maryland, when applicable.

### 29 **(c) Fees**

30 The County governing body shall establish the fees required for  
31 each type of development application submitted under these  
32 Regulations, as appropriate. No application is complete until all  
33 required fees are paid in full. The fees for development  
34 applications required by this Subtitle are as set forth in Division  
35 8, Subtitle 27 of this Code.

### 36 **(d) Submission Schedule**

37 The Planning Director shall establish the schedule for application  
38 submission and review, by application type and by time frames  
39 for review consistent with any deadlines imposed by State or  
40 County law.

### 41 **(e) Application Submittal and Notice**

42 (1) Subdivision applications shall be submitted to the Planning  
43 Director along with the fees required for the application.

44 (2) The applicant shall obtain an application number from the  
45 Commission before sending an informational notice of  
46 application submittal. This information notice shall contain  
47 at least the following: the application number; a description  
48 of the property and its location; the nature of the applicant's  
49 request; the justification statement, if required with the  
50 application; the Commission department, with telephone  
51 number, to obtain more information about the application  
52 after it is filed; a statement to recipients that the applicant  
53 will meet, to explain the application; an applicant telephone  
54 number and email address, for persons willing to meet; an  
55 explanation of the procedures and the necessity for  
56 becoming a person of record in the pending application; and

- 1 a statement that no government agency has reviewed the 29  
2 application. A municipality, civic association, or other party 30  
3 entitled to an informational mailing may request a copy of 31  
4 the site plan from the applicant. Information mailings 32  
5 required by this Section are in addition to all postings and 33  
6 notices required by law. 34
- 7 **(f) Filing of Affidavits** 35
- 8 If the application is for one of the review procedures listed 36  
9 below, the applicant shall file an affidavit of mailing, which shall  
10 give the names and addresses of all persons sent informational  
11 mailings and the dates when they were sent: 37
- 12 (1) Preliminary plans of major subdivision (Section 24- 38  
13 3402(e)(1)); 39  
14 (2) Any preliminary plans of minor subdivision to be approved 40  
15 by the Planning Board; and 41  
16 (3) Sketch plans for conservation subdivisions (Section 24- 42  
17 4703(b)). 43
- 18 **24-3305. Determination of Completeness** 44
- 19 **(a) Generally** 45
- 20 Upon receipt of an application, the Planning Director shall 46  
21 determine if the application is complete within 10 business days. 47  
22 A complete application is one that: 48
- 23 (1) Contains all content as required for the particular type of 49  
24 application in accordance with Section 24-3304(b), 50  
25 Application Contents and Form; 51
- 26 (2) Is in the form required for the particular type of application 52  
27 in accordance with Section 24-3304(b), Application 53  
28 Contents and Form; 54  
55  
56  
57
- (3) Includes all required affidavits, such as the applicant's  
affidavit of mailing of any required information notices;
- (4) Includes information in sufficient detail to evaluate the  
application to determine whether it complies with the  
appropriate substantive standards of these Regulations;  
and
- (5) Is accompanied by the fee established for the particular  
type of application.
- (b) Application Incomplete**
- (1) If it is determined the application is incomplete, the  
Planning Director shall send written notice to the applicant  
of the deficiencies and review of the application shall not  
proceed. The applicant may correct the deficiencies and  
resubmit the application for completeness determination.
- (2) Notwithstanding the other provisions of this Subsection,  
after an application is determined incomplete, an applicant  
may:
- (A)** Request, and the Planning Director undertake,  
processing and review of the application even though  
it is not considered a complete application. Under no  
circumstance may an application proceed under this  
provision until the applicant has paid all applicable  
application fees and provided all required affidavits;
- (B)** Resubmit the application; or
- (C)** For final plats, withdraw the application, in which case  
the application is considered as not submitted. If the  
applicant does not indicate whether the application  
should be reviewed or withdrawn, it will be forwarded  
to the Planning Board for review. If the application is

1 denied, the applicant shall submit a new application  
2 for review.

3 **(c) Application Complete**

4 (1) If the application is determined to be complete it shall be  
5 reviewed in accordance with the procedures and standards  
6 of these Regulations.

7 (2) Any established time frame for review of the application  
8 starts on the date the application is determined complete in  
9 accordance with this Section.

10 **(d) Notice of Completeness and Referral to Historic  
11 Preservation Commission**

12 (1) The applicant shall notify in writing via first class mail  
13 municipalities, civic associations, and other parties entitled  
14 to receive information mailings that the application has  
15 been deemed complete. The name and contact information  
16 of the staff member assigned to the application shall be  
17 included in the notice.

18 (2) If an application for a preliminary plan of subdivision (minor  
19 or major) contains a historic resource or historic site  
20 identified on the *Approved Historic Sites and Districts Plan*,  
21 the application shall be referred to the Historic Preservation  
22 Commission as soon as practicable after filing. The Historic  
23 Preservation Commission shall submit its comments and  
24 recommendation for the record within 30 calendar days  
25 after the date upon which the application was referred to it.  
26 Failure of the Historic Preservation Commission to submit a  
27 recommendation within this time period shall constitute no  
28 objection to approval of the preliminary plan of subdivision  
29 (minor or major) as requested.

30 **(e) Subdivision and Development Review Committee  
31 Meeting**

32 Once determined complete, the application shall be referred to  
33 the Subdivision and Development Review Committee, which  
34 shall hold a meeting on the application within 14 days of the  
35 determination of completeness.

36 **24-3306. Application Amendment or Withdrawal**

37 **(a) Amending an Application**

38 An applicant may revise an application as follows:

39 (1) Amendments concerning either (1) an error, omission of  
40 fact, or other factual change or (2) made by the applicant in  
41 direct response to an advisory or decision-making body  
42 recommendation are permitted at any time after receiving  
43 initial staff review comments on the application, or upon  
44 requesting and receiving permission from an advisory or  
45 decision-making body after that body has reviewed but not  
46 yet taken action on the application.

47 (2) Amendments which involve substantial modifications to the  
48 original proposal such as changing a significant area or  
49 configuration shall cause the application to be reviewed  
50 again in accordance with the requirements of this Division.

51 **(b) Withdrawal by Applicant**

52 After an application has been accepted as complete for review,  
53 or is being considered in accordance with Section 24-3305(b)(2)  
54 above, the applicant may withdraw the application at any time  
55 by submitting a letter of withdrawal to the Planning Director, or  
56 by verbally withdrawing the application at a public hearing for  
57 which review of the application is scheduled.

1	<b>(c) Application Fees Not Refunded</b>	31	<b>(b) Application Subject to Staff Recommendation</b>
2	Application fees are not refunded for withdrawn applications.	32	<b>(1) Technical Staff Report</b>
3	<b>24-3307. Staff Review and Action</b>	33	<b>(A)</b> If an application is subject to review by the Planning
4	<b>(a) Staff Review and Opportunity to Revise Application</b>	34	Board in accordance with Sec. 24-3200, Summary
5	When the subdivision application is determined complete, or is	35	Table of Subdivision Review Responsibilities, the
6	processed in accordance with Section 24-3305(b)(2) above, the	36	Planning Director shall, following completion of staff
7	Planning Director shall distribute it to all appropriate staff and	37	review and receipt of responses in accordance with
8	other review agencies and affected municipalities for review and	38	Section 24-3307(a), Staff Review and Opportunity to
9	comment.	39	Revise Application, prepare a technical staff report
10	<b>(1)</b> Each agency, municipality, or other review body to which	40	that:
11	the Planning Director refers a preliminary plan of	41	<b>(i)</b> Analyzes whether the application complies with
12	subdivision (minor or major) shall return to the Planning	42	applicable review standards; and
13	Director one copy of the plan and any comments noted on	43	<b>(ii)</b> Recommends action on the application,
14	it within 30 days following the date the referral is sent.	44	including any recommended conditions of
15	<b>(2)</b> If an agency, municipality, or other review body does not	45	approval.
16	reply within 30 days, the plan shall be considered to be	46	<b>(B)</b> Staff reports are not required for final plats of
17	approved by that party.	47	subdivision.
18	<b>(3)</b> Subsections (1) and (2) above shall only apply to preliminary	48	<b>(2) Distribution and Availability of Application and Staff</b>
19	plans of subdivision (minor or major). No other subdivision	49	<b>Report</b>
20	application type is subject to these provisions.	50	<b>(A)</b> After completion of the staff report, the Planning
21	The Planning Director shall then review the application, along	51	Director shall transmit the application and report to all
22	with the relevant support material, and any comments or	52	advisory or decision-making bodies that review or
23	recommendations from staff or other review agencies to which	53	make a decision on the application in accordance with
24	the application was referred. If deficiencies in complying with	54	Sec. 24-3200, Summary Table of Subdivision Review
25	applicable standards are identified, the Planning Director shall	55	Responsibilities. The Planning Director shall also
26	notify the applicant of those deficiencies and provide the	56	provide a copy of the staff report to the applicant and
27	applicant a reasonable opportunity to discuss the deficiencies	57	any municipality within one mile of the land subject to
28	and revise the application and amend or revise the plan, plat, or	58	the application, and make a copy of the report
29	other subdivision application type, as appropriate, to address	59	available for examination by the public in accordance
30	them.	60	with Section 24-3315, Examination and Copying of
		61	Application/Other Documents.

1 (B) Any person may request, in writing, a copy of the staff 29  
2 report sent by first class mail. A reasonable fee may be  
3 charged to cover the costs of postage and copying. 30  
4 Such persons shall be sent a copy of the staff report as 31  
5 provided in Table 24-3308(b): Required Public Notice.

6 (c) Application Subject to Decision by Planning Director

7 (1) Decision

8 If an application is subject to a final decision by the Planning  
9 Director in accordance with Sec. 24-3200, Summary Table  
10 of Subdivision Review Responsibilities, the Planning  
11 Director shall consider the application and, within seventy  
12 (70) calendar days after the application is determined  
13 complete, either approve the application; approve the  
14 application subject to conditions of approval in accordance  
15 with Section 24-3311, Conditions of Approval; or  
16 disapprove the application. The decision shall be based on  
17 the review standards set forth in Sec. 24-3400, Application-  
18 Specific Subdivision Review Procedures and Decision  
19 Standards, for the specific type of application.

20 The Planning Director's time period for deciding the  
21 application may be extended for up to 70 additional  
22 calendar days with the written consent of the applicant. If  
23 final action is not taken by the Planning Director within the  
24 specified time periods of this Subsection, the preliminary  
25 plan of minor subdivision shall be deemed to have been  
26 approved. The month of August and the period between,  
27 and inclusive of, December 20 and January 3 shall not be  
28 included in calculating either 70-day period.

30 **24-3308. Scheduling Public Hearing and Public  
31 Notice**

32 (a) Public Hearing Scheduling

- 33 (1) If an application is subject to a public hearing in accordance  
34 with Table Sec. 24-3200, Summary of Subdivision Review  
35 Responsibilities, the Planning Director shall ensure that the  
36 hearing on the application is scheduled for a regularly  
37 scheduled meeting of the body conducting the hearing or a  
38 meeting specially called for that purpose by that body.  
39 (2) The hearing on the application shall be scheduled so there  
40 is sufficient time for any required staff report to be prepared  
41 and distributed in accordance with Section 24-3307(b),  
42 Application Subject to Staff Recommendation, and for  
43 public notification in accordance with Section 24-3308(b),  
44 Public Notice, below.

45 (b) Public Notice

46 (1) Generally

47 Notification shall be provided for all required public  
48 hearings on applications in accordance with Table 24-  
49 3308(b): Required Public Notice, all other provisions of this  
50 Subsection, and, the Land Use Article, Annotated Code of  
51 Maryland. Computation of the required time periods shall  
52 comply with Section 24-2104, Computation of Time, unless  
53 specifically stated to the contrary in other locations in these  
54 Regulations.



**Table 24-3308(b): Required Public Notice**

Application Type		Required Timing and Specific Recipients [1]		
		Mail [3]	Publication	Posting Notice
Subdivision Bills		N/A	30 days prior to the hearing	No requirement
Minor Subdivision	Preliminary plan [2]	<b>Appeal only:</b> 30 days prior to the hearing to: <ul style="list-style-type: none"> <li>Parties of record;</li> <li>Owners of land adjoining, across the street from, on the same block as, or within 500 feet of the land subject to the application; and</li> <li>Every municipality located within one mile of the land subject to the application.</li> </ul>	No requirement	10 days prior to the date of the Planning Director's decision
	Final plat	No requirement	No requirement	No requirement
	Final plat not otherwise subject to a preliminary plan	No requirement	No requirement	No requirement
Major Subdivision	Preliminary plan [2]	30 days prior to the hearing, to: <ul style="list-style-type: none"> <li>The address included on the application;</li> <li>Parties of record;</li> <li>Registered civic associations that identified the geographical area in which the site is located as part of their represented areas;</li> <li>Owners of land adjoining, across the street from, on the same block as, or in the general vicinity of the land subject to the application; and</li> <li>Every municipality located within one mile of the land subject to the application</li> </ul>	No requirement	30 days prior to the hearing
	Final plat	10 days prior to the hearing, to the address included on the application	Notice of a granted reservation	No requirement
Reservation		No requirement, except if the location of the proposed reservation is not well-reflected or included on a plan, a public hearing is required with 15 days prior notice to: <ul style="list-style-type: none"> <li>The address included on the application;</li> <li>Parties of record;</li> <li>Owners of land adjoining, across the street from, on the same block as, or in the general vicinity of the land subject to the application; and</li> <li>Every municipality located within one mile of the land subject to the application</li> </ul>	No requirement	No requirement
Vacation	Minor	<b>Appeal only:</b> 7 days prior to the appeal hearing to: <ul style="list-style-type: none"> <li>Parties of record;</li> <li>Owners of land adjoining, across the street from, on the same block as, or in the general vicinity of the land subject to the application; and</li> <li>Every municipality located within one mile of the land subject to the application</li> </ul>	No requirement	No requirement
	Major	7 days prior to the hearing to: <ul style="list-style-type: none"> <li>Parties of record;</li> <li>Owners of land adjoining, across the street from, on the same block as, or in the general vicinity of the land subject to the application; and</li> <li>Every municipality located within one mile of the land subject to the application</li> </ul>	No requirement	30 days prior to the hearing

Table 24-3308(b): Required Public Notice				
Application Type		Required Timing and Specific Recipients [1]		
		Mail [3]	Publication	Posting Notice
Interpretation		<b>Appeal only:</b> 7 days prior to the appeal hearing to: <ul style="list-style-type: none"> <li>Parties of record;</li> <li>Owners of land adjoining, across the street from, on the same block as, or in the general vicinity of the land subject to the application; and</li> <li>Every municipality located within one mile of the land subject to the application</li> </ul>	No requirement	No requirement
NOTES: [1] Time periods are minimum time periods unless otherwise stated. [2] Notice shall include a description of any requested variation being reviewed in conjunction with the preliminary plan of subdivision. [3] Notice shall be provided for any proposed sketch plan for a conservation subdivision to registered civic associations that identified the geographical area in which the site is located as part of their represented areas, upon receipt of the sketch plan.				

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**(2) Contents**

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**(G)** A statement, clearly displayed, that any member of the public is welcome to attend the public hearing and speak either in support or opposition to the application.

4

All notices and posted signage required by this Subsection shall include:

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5

**(A)** The date, time, and place of the public hearing on the application;

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**(3) Registration to Receive Notice by Mail**

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**(B)** The application number, and the type of application being considered;

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**(A)** Any civic or neighborhood organization or other organization in the County may register with the Planning Director to receive notice of public hearings under this Subsection.

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**(C)** The description of the land subject to the application;

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**(B)** To register to obtain notice of applications and public hearings, a civic or neighborhood organization or other organization in the County shall provide the following to the Planning Director: its name; the names, street addresses and e-mail addresses of all its officers; the number of members (individuals or households); the geographical area it represents and is interested in, by a description acceptable to the

11

**(E)** A phone number, prominently displayed, to call for additional information, along with the website address of the Planning Department;

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**(F)** The word "Hearing" shall be prominently displayed; and



1	Planning Director; the name, street address, e-mail	30	<b>(B)</b> The failure or any party to send, or to receive, the
2	address, and daytime telephone number of the	31	mailing shall not invalidate any future decision on the
3	individual, the association designee, who is to receive	32	application.
4	informational mailings in the initial registration period;	33	<b>(5) Notice Published in a Newspaper</b>
5	and the initial registration's effective dates, which may	34	Where required by Table 24-3308(b) Required Public
6	run from date of first registration to December 31 of	35	Notice, unless otherwise provided in Table 24-3308(b), the
7	the following year. To continue to receive notice of	36	Planning Director shall ensure notice is published at least
8	applications, an organization shall re-register every	37	once in a newspaper of general circulation in the County, or
9	two years.	38	as otherwise required by State law.
10	<b>(C)</b> The notice shall be transmitted by electronic mail or, if	39	<b>(6) Posted Notice</b>
11	requested by the organization, by mail.	40	Where required by Table 24-2-408.B: Required Public
12	<b>(4) Mailed Notice</b>	41	Notice, the applicant shall ensure notice is posted on the
13	<b>(A)</b> Mailed notice required by Table 24-3308(b): Required	42	site subject to the application, in accordance with the
14	Public Notice, shall be sent by the Planning Director,	43	requirements of this Subsection.
15	by U.S. mail (unless otherwise specified in Sec. 24-	44	<b>(c) Deferral of Application</b>
16	3400, Application-Specific Subdivision Review	45	<b>(1) Request for Deferral</b>
17	Procedures and Decision Standards) and electronic	46	An applicant may request that a review body's
18	mail (if appropriate) to:	47	consideration of an application at a public hearing be
19	<b>(i)</b> The person whose name and address were	48	deferred at any time prior to the public hearing by
20	submitted with the application, in accordance	49	submitting a written request for deferral to the Planning
21	with the application requirements, to receive	50	Director.
22	mailed notice;	51	<b>(2) Decision on Request Submitted Prior to Public</b>
23	<b>(ii)</b> Land owners adjoining, across the street from,	52	<b>Notification</b>
24	on the same block as, or in the general vicinity of	53	<b>(A)</b> If public notice in accordance with Section 24-3308(b),
25	the land subject to the application; and	54	Public Notice, has not been provided, the Planning
26	<b>(iii)</b> Persons of record, other registered persons and	55	Director may grant the request.
27	neighborhood or other organizations, and	56	<b>(B)</b> If a deferral is granted, the date of the public hearing
28	municipalities within one mile of the land subject	57	at which the application will be heard shall be set at
29	to the application.	58	the time the deferral is granted.

1           **(3) Decision on Request Submitted After Public**  
2           **Notification**

3           **(A)** If public notification in accordance with Section 24-  
4           3308(b), Public Notice, has been provided, the request  
5           for deferral shall be placed on the public hearing  
6           agenda on the date the application is to be considered  
7           and acted upon by the review body.

8           **(B)** Review bodies may approve requests for deferral.

9           **(C)** If a deferral is granted, the date of the public hearing  
10          at which the application will be heard shall be set at  
11          the time the deferral is granted, and the applicant may  
12          be subject to additional application fees to defray the  
13          additional costs of processing the application.

14 **24-3309. Review and Recommendation by**  
15 **Planning Board**

16 Upon receipt of a copy of a proposed subdivision bill from the Clerk  
17 of the Council, along with a notice of the date, time, and place of the  
18 public hearing on the bill before the Council, the Planning Board shall  
19 hold a meeting on the proposed amendment in accordance with the  
20 Planning Board's Rules of Procedure, to consider the proposed  
21 subdivision bill, and decide whether to provide the Council any  
22 comments on the bill. Comments, if any, issued by the Planning Board  
23 shall be submitted to the Council prior to, or in person, at the  
24 Council's public hearing on the legislation/amendment.

25 **24-3310. Review and Decision by Decision-**  
26 **Making Body**

27 If a subdivision application is subject to a final decision by the  
28 Planning Board in accordance with Sec. 24-3200, Summary Table of  
29 Subdivision Review Responsibilities, the Planning Board shall review

30 and make a final decision on the application in accordance with the  
31 requirements in this Subsection.

32 **(a) General**

33 The Planning Board shall hold any required public hearing on the  
34 application in accordance with its Rules of Procedure. At the  
35 hearing, the Planning Board shall consider the application,  
36 relevant support materials, the staff report, any comments by  
37 the Planning Director, and any public comments. The Planning  
38 Board shall then make one of the decisions authorized for the  
39 particular type of application, based on the review standards  
40 applicable to the application type, as set forth in Sec. 24-3400,  
41 Application-Specific Subdivision Review Procedures and  
42 Decision Standards.

43 **(b) Witnesses**

44 The Planning Board shall administer oral oaths, in accordance  
45 with Maryland Rules 1-303 and 1-304, as applicable, for all  
46 witnesses submitting oral or written testimony to the  
47 administrative record of any matter pending before the Board.

48 **(c) Timing**

49 The decision-making body shall take action within any time  
50 period specified in these Regulations or its Rules of Procedure  
51 for the type of application. Otherwise, it shall take action as  
52 promptly as reasonably possible in consideration of the interests  
53 of the applicant, affected parties, and citizens of the County.

54 **(d) Conditions of Approval**

55 If permitted for the particular type of application in accordance  
56 with Sec. 24-3400, Application-Specific Subdivision Review  
57 Procedures and Decision Standards, the decision-making body

1 may impose conditions of approval in accordance with Section  
2 24-3311, Conditions of Approval.

3 **(e) Remand**

4 Before making its decision, the decision-making body may  
5 remand the application to an advisory board or official, as  
6 applicable, for further consideration of any issue.

7 **24-3311. Conditions of Approval**

8 **(a) Generally**

9 If permitted for the particular type of application in accordance  
10 with Sec. 24-3400, Application-Specific Subdivision Review  
11 Procedures and Decision Standards, approval of an application  
12 may be subject to conditions of approval.

13 **(b) Limitations on Conditions**

14 Any conditions of approval shall be expressly set forth in the  
15 approval, shall be limited to conditions deemed necessary to  
16 ensure compliance with the requirements and particular  
17 standards of these Regulations, and shall relate in both type and  
18 scope to the anticipated impacts of the proposed development,  
19 and ensure the health, safety, and welfare of the occupants of  
20 the proposed development.

21 **(c) Requirements**

22 (1) Conditions and findings become a permanent part of the  
23 approval and are binding as long as the approval remains  
24 valid.

25 (2) All conditions imposed are mandatory. Failure to comply  
26 with any condition of approval constitutes a violation of  
27 these Regulations, and is grounds to:

28 **(A)** Annul the approval;

29 **(B)** Institute appropriate civil or criminal proceedings in  
30 accordance with PART 24-6, Enforcement; or

31 **(C)** Institute any other action necessary to obtain  
32 compliance.

33 **24-3312. Notification to Applicant**

34 Within 14 calendar days after a final decision on an application, the  
35 Planning Director shall notify the applicant of the decision, in writing,  
36 and shall make a copy of the decision available to the public on the  
37 Planning Department's website and in the Planning Department  
38 offices during normal business hours.

39 **24-3313. Appeal**

40 Any appeal of a decision on an application shall be in accordance with  
41 State law and Sec. 24-3400, Application-Specific Subdivision Review  
42 Procedures and Decision Standards.

43 **24-3314. Post-Decision Actions**

44 Unless specified in the procedure for the particular type of  
45 application in Sec. 24-3400, Application-Specific Subdivision Review  
46 Procedures and Decision Standards, an amendment of an approved  
47 subdivision application (including expansion of the limits of the  
48 approved subdivision) may only be reviewed in accordance with the  
49 procedures and standards established for its original approval.

50 **24-3315. Examination and Copying of  
51 Application/Other Documents**

52 **(a)** Each application (including all materials filed with the  
53 application) accepted as complete and processed in accordance  
54 with Section 24-3305(a)(2), Determination of Completeness,  
55 and any staff report prepared in accordance with this Subsection  
56 shall be published on the Planning Board website.

1 **(b)** At any time, upon reasonable request and during normal 28  
2 business hours, any person may examine an application, a staff 29  
3 report, and materials submitted in support of or in opposition to 30  
4 an application in the Planning Director’s office. Any individual 31  
5 who personally appears at the office of the custodian of the 32  
6 materials may receive copies free of charge. Copies of such 33  
7 materials shall be made available at a reasonable cost if 34  
8 requested to be mailed. 35

9 **Sec. 24-3400 Application-Specific**  
10 **Subdivision Review Procedures and**  
11 **Decision Standards**

12 **24-3401. Subdivision Regulation Amendments**

13 **(a) Purpose**

14 The purpose of this Section is to establish a uniform mechanism 45  
15 for amendments to these Regulations. 46

16 **(b) Applicability**

17 A subdivision bill shall be initiated by the Council to amend the 49  
18 text of these Regulations. 50

19 **(c) Subdivision Bill Procedure**

20 Pursuant to provisions of Title 23, Land Use Article, Annotated 53  
21 Code of Maryland, as well as Sec. 24-3300, Standard Subdivision 54  
22 Review Procedures, the following procedural requirements 55  
23 apply to enactment of amendments to the County Subdivision 56  
24 Regulations by the governing body of Prince George’s County: 57

25 (1) Before the governing body of Prince George’s County may 58  
26 adopt a subdivision regulation, or an amendment to a 59  
27 subdivision regulation or amendment, the County Council

shall hold a public hearing on the regulation or amendment.  
The Council shall provide public notice of the time and place  
of the public hearing in at least one newspaper of general  
circulation in the Regional District within Prince George’s  
County, *i.e.*, within the designated newspapers of record for  
the County, at least 30 days prior to the scheduled public  
hearing on the subdivision regulation bill or amendment.

(2) **Review and Recommendations by Advisory Board.**

Proposed subdivision regulations or legislative amendments  
thereto shall be transmitted to the Planning Board by the  
Clerk of the Council, along with notice of the date, time, and  
place of the public hearing. Within five (5) days from the  
date of the referral, the Planning Board shall submit its  
comments on the proposed legislation to the Clerk of the  
Council. The respective standing committee of the County  
Council shall not schedule a public work session on the  
proposed subdivision legislation prior to the conclusion of  
the five-day referral period. If the Planning Board is not in  
session within the prescribed referral timeframe, then the  
Planning Director may submit a recommendation on the  
proposed legislation on behalf of the Planning Board. The  
failure by the Planning Board to submit comments on a  
pending subdivision bill shall constitute a Planning Board  
recommendation of approval. Comments received on  
referral as to proposed subdivision regulation legislation  
shall be posted online for public access by the respective  
standing committee of the Council.

(3) Subdivision regulations and amendments shall be adopted  
by the governing body of Prince George’s County, and may  
be amended by the governing body of the County.  
Subdivision bills shall be effective from:

**(A)** The date of adoption; or

1	<b>(B)</b> The date designated by the governing body of the County.	28	<b>(b) Minor and Major Subdivisions or Resubdivision Applicability</b>
2		29	
3	<b>(i)</b> If the governing body of the County designated an effective date for the subdivision bill, the effective date may not affect:	30	There are two basic types of subdivision review under these Regulations: minor subdivisions and major subdivisions. Both types of subdivision include separate review procedures and decision standards as set forth in this Section. Resubdivision of land that has been legally subdivided, with the intent to change the relationships between a lot and the street shown on the record plat, or between one lot and another, is permitted in accordance with this Section.
4		31	
5		32	
6	<b>(ii)</b> The Planning Board’s administration of the regulations; or	33	
7		34	
8	<b>(iii)</b> The Planning Board’s functions set forth in Title 23, Land Use Article, Annotated Code of Maryland.	35	
9		36	
10		37	
11	<b>(4) Notification to Applicant.</b> The Clerk of the Council shall transmit a copy of the adopted subdivision bill to the Planning Board and publish notice of final action on any subdivision bill in the County newspapers of record in accordance with State and County law.	38	
12		39	
13		40	
14		41	
15		42	
16		43	
17		44	
18	<b>(5) Reconsideration.</b> After the effective date, the District Council shall only reconsider a subdivision bill by introducing a new subdivision bill.	45	
19		46	
20		47	
21		48	
22	<b>24-3402. Minor and Major Subdivision, or Resubdivision</b>	50	<b>(1) Minor Subdivision or Resubdivision Applicability</b>
23		51	
24	<b>(a) Purpose</b>	52	<b>(A)</b> Unless exempted in accordance with Section 24-1403, Exemptions, minor subdivisions shall include the following, unless the Planning Director determines the subdivision will have similar impacts to surrounding lands, infrastructure, or the environment as a major subdivision, in which case the subdivision shall be reviewed as a preliminary plan of major subdivision:
25	The purpose of this Section is to establish a uniform procedure for the review of minor and major subdivisions and resubdivision.	53	<b>(i)</b> Any subdivision that results in 10 or fewer dwelling units, including any residential subdivision in Sustainable Growth Tier IV that results in 7 or fewer dwelling units;
26		54	<b>(ii)</b>
27		55	<b>(B)</b> A final plat for subdivision approved prior to October 27, 1970, shall require the approval of a preliminary plan of minor subdivision prior to the issuance of a building permit, unless:
		56	<b>(i)</b> The proposed use is for a single-family detached dwelling and its accessory uses;

1	(ii)	The total cumulative development proposed for	32
2		the lot (one or more record lots) on the approved	33
3		final plat does not exceed 5,000 square feet of	34
4		gross floor area;	35
5	(iii)	The development proposed is in addition to a	36
6		development in existence prior to January 1,	37
7		1990, and does not exceed five thousand (5,000)	38
8		square feet of gross floor area; or	39
9	(iv)	The development of more than five thousand	40
10		(5,000) square feet of gross floor area has been	41
11		constructed pursuant to a building permit issued	42
12		on or before December 31, 1991.	43
13	(C)	Lot line adjustments shall be considered and reviewed,	44
14		as follows:	45
15	(i)	A minor lot line adjustment shall be reviewed as	46
16		a final plat of minor subdivision for which no	47
17		preliminary plan is required. It typically occurs	48
18		when property owners propose a minor	49
19		adjustment of lot lines (often to accommodate	50
20		existing development). The minor lot line	51
21		adjustment shall not materially change the	52
22		character of the lot and block including frontage,	53
23		access, and orientation. It shall not have an	54
24		adverse effect on the surrounding development.	55
25		This does not abrogate the rights and restrictions	56
26		of a previously recorded plat.	57
27	(ii)	A major lot line adjustment shall be reviewed as	58
28		a preliminary plan and may be treated as a minor	59
29		subdivision, subject to the determination of the	60
30		Planning Director. A major lot line adjustment	
31		consists of a proposal to change the relationship	

between a lot and the street, and one lot and another lot (that does not constitute a minor lot line adjustment). It shall be subject to all the requirements of a new preliminary plan for minor subdivision. The resubdivision shall comply with the standards in 24-3402(e)(2)(C), Resubdivision Decision Standards.

(iii) The Planning Director may determine that a minor or major lot line adjustment rises to the level of review of a minor or major subdivision, in which case it shall be reviewed as a minor or preliminary plan of major subdivision.

(D) Subdivision applications identified in Section 24-3402(b)(3), Exemptions from Filing Preliminary Plans, must comply with these Regulations but are only required to receive approval for a final plat for minor subdivision.

## (2) Major Subdivision Applicability

A major subdivision includes any subdivision that is not classified as a minor subdivision in Section 24-3402(b)(2) above, or is exempted in accordance with Section 24-1403, Exemptions, except acceptance of an application for approval of a major residential subdivision is not permitted in Sustainable Growth Tier IV.

## (3) Exemptions from Filing Preliminary Plans

The following do not require approval of a preliminary plan but may instead be submitted to the Planning Director and reviewed as a final plat for minor subdivision for which no preliminary plan is required.



1	<b>(A)</b> Resubdivision of land which is the subject of a record	32	<b>(ii)</b> The total maximum number of trips generated	33
2	plat in order to correct a drafting or engineering error	33	on all "ownership lots" created will not exceed	34
3	(this does not abrogate the rights and restrictions of a	34	the number of trips approved for the "parent	35
4	previously recorded plat).	35	lot."	
5	<b>(B)</b> The incorporation of an outlot on a record plat into an	36	<b>(iii)</b> All land in the "parent lot" is included in the final	37
6	adjoining lot (this does not abrogate the rights and	37	plat.	
7	restrictions of a previously recorded plat).	38	<b>(iv)</b> Any necessary cross access easements,	
8	<b>(C)</b> The sale or exchange of land between adjoining land	39	covenants, or other deed restrictions necessary	
9	owners for a minor lot line adjustment or	40	to implement all the conditions of approval on	
10	consolidation of a lot to adjust common boundary	41	the "parent lot" are executed before recording	
11	lines, incorporate vacated area, or consolidate lots, if	42	the ownership plat.	
12	no additional lots are created and all lands are the	43	<b>(v)</b> "Ownership lots" may not be used to create the	
13	subject of a record plat (this does not abrogate the	44	outside boundaries of a private right-of-way or	
14	rights and restrictions of a previously recorded plat).	45	other easement.	
15	<b>(D)</b> Lot consolidation in the Chesapeake Bay Critical Area	46	<b>(vi)</b> If the "parent lot" was recorded prior to October	
16	Overlay (CBCA-O) zones, provided a conservation plan	47	27, 1970 on the previous plat, it is subject to	
17	is approved in accordance with Subtitle 5B of the	48	Section 24-3402(b)(1)(B).	
18	County Code of Ordinances. The final plat shall	49	<b>(F)</b> In the ROS, AG, and AR zones, any division of land for	
19	reference the conservation plan and the liber/folio of	50	a residential or agricultural use pursuant to Section 24-	
20	the conservation agreement and the conservation	51	1403, Exemptions, created on or after October 1,	
21	easement, when required.	52	2012, provided the minor final plat contains	
22	<b>(E)</b> Establishment of "ownership lots" within a	53	appropriate plat notes which limit the further division	
23	commercial, industrial, institutional or multifamily	54	of land and use of land in accordance with Section 9-	
24	residential "parent lot" to reflect a change in	55	206 of the Environment Article, Annotated Code of	
25	ownership, deed, mortgage or lease line, which	56	Maryland and these Regulations.	
26	complies with the following standards.	57	<b>(G)</b> A final plat for minor subdivision may be filed for any	
27	<b>(i)</b> The "ownership lots" are subject to all approvals,	58	exemption listed in Section 24-1403.	
28	conditions of approval, regulations and	59	<b>(H)</b> The conversion of condominium townhouse dwelling	
29	restrictions of the "parent lot" and may be	60	units to individual record lots provided the	
30	established at the time of platting of the parent	61	condominium townhouse dwelling units are shown on	
31	lot.	62	an approved preliminary plan of subdivision, the	

1	number of lots does not exceed the preliminary plan	29	and Sewerage Plan and the Sustainable Growth
2	of subdivision approved number of townhouse	30	Tier;
3	dwelling units, the individual townhouse dwelling	31	<b>(viii)</b> Method of stormwater disposal proposed,
4	units and lots are reflected on an approved specific	32	including, where required by the appropriate
5	design plan, detailed site plan, or special exception	33	agency or municipality having approval
6	plan and conforms to Subtitles 24: Subdivision	34	authority, an approved stormwater
7	Regulations and 27: Zoning Ordinance.	35	management concept plan or indication that an
8	<b>(c) Preliminary Plan of Minor and Major Subdivision and</b>	36	application for such approval has been filed;
9	<b>Final Plat Submittal Requirements</b>	37	<b>(ix)</b> Date, north arrow, and scale;
10	<b>(1) Documents Required for Minor Subdivision and</b>	38	<b>(x)</b> Vicinity map showing location of property and
11	<b>Minor Final Plat</b>	39	nearest road intersections;
12	<b>(A) Preliminary Plan of Minor Subdivision</b>	40	<b>(xi)</b> Deed description or survey of property
13	The subdivider shall pay the appropriate fee and	41	boundary;
14	present to the Planning Director a preliminary plan,	42	<b>(xii)</b> Method of water supply proposed;
15	prepared by a registered surveyor or Professional	43	<b>(xiii)</b> Location of existing public water and/or sewer
16	Landscape Architect, preferably at a scale of 1 inch	44	lines;
17	equals 100 feet, showing the following information:	45	<b>(xiv)</b> A traffic impact study prepared pursuant to the
18	<b>(i)</b> Subdivision name;	46	Transportation Review Guidelines, if needed;
19	<b>(ii)</b> Names and addresses of record owner(s) and	47	<b>(xv)</b> Any required pedestrian and bicycle facility
20	subdivider;	48	analysis pursuant to Section 24-4506, Pedestrian
21	<b>(iii)</b> Location and names of streets, alleys, and other	49	and Bikeway Adequacy;
22	public ways;	50	<b>(xvi)</b> Historic resources within or adjacent to the
23	<b>(iv)</b> Lot lines in approximate dimensions;	51	proposed preliminary plan of subdivision;
24	<b>(v)</b> Tax map number and grid;	52	<b>(xvii)</b> Cemeteries;
25	<b>(vi)</b> Proposed area for mandatory dedication of land	53	<b>(xviii)</b> An approved Natural Resource Inventory;
26	for parks, if any;	54	<b>(xix)</b> An Environmental Review Package;
27	<b>(vii)</b> Method of sewage disposal proposed and		
28	systems area designations in the Ten Year Water		



1	<b>(xx)</b> A hydraulic planning analysis, submitted to the	30	
2	Washington Suburban Sanitary Commission,	31	prepared at a scale of 1 inch equals 100 feet. The
3	when required by WSSC;	32	following information shall be shown:
4	<b>(xxi)</b> Such information as may be needed to support	33	<b>(i)</b> Subdivision name and proposed street names;
5	any requested vacation, variation, and/or	34	<b>(ii)</b> Names and addresses of record owner(s),
6	variance requests which may be needed to	35	subdivider, and surveyor;
7	support the proposed preliminary plan of	36	<b>(iii)</b> Locations, names, and present right-of-way
8	subdivision; and	37	widths of adjacent streets, alleys, or public ways;
9	<b>(xxii)</b> Ownership description from October 1, 2012 to	38	<b>(iv)</b> Location and names of adjacent subdivisions and
10	present in Sustainable Growth Tier IV, if	39	names of owners of adjacent acreage;
11	necessary.	40	<b>(v)</b> Width and locations of all existing or proposed
12	<b>(B) Final Plat of Minor Subdivision</b>	41	easements;
13	The subdivider shall file the final plat documents in	42	<b>(vi)</b> Lot lines with approximate dimensions;
14	accordance with the requirements for preliminary	43	<b>(vii)</b> Method of sewage disposal proposed, and
15	plans of major subdivision in Section 24-3402(c)(2),	44	systems area designations in the Ten Year Water
16	Documents Required for Major Subdivision and Major	45	and Sewerage Plan and designation within the
17	Final Plat, except that the signature box shall be	46	Sustainable Growth Tier;
18	prepared for the Planning Director.	47	<b>(viii)</b> An approved stormwater management concept
19	<b>(2) Documents Required for Major Subdivision and</b>	48	plan or indication that an application for such
20	<b>Major Final Plat</b>	49	approval has been filed with the appropriate
21	<b>(A) Preliminary Plan of Minor Subdivision</b>	50	agency or the municipality having approval
22	The subdivider shall present to the Planning	51	authority;
23	Department a reproducible preliminary plan prepared	52	<b>(ix)</b> Proposed uses of property;
24	by a registered surveyor or a Professional Landscape	53	<b>(x)</b> Public area; including any proposed parkland;
25	Architect. If the preliminary plan has been prepared by	54	<b>(xi)</b> Existing topography, indicating areas of steep
26	a Property Line Surveyor, the horizontal location of all	55	slopes (greater or equal to 15 percent).
27	right-of-way lines, as shown on the plan, shall be	56	<b>(xii)</b> Street grading concept plan;
28	certified by either a Professional Land Surveyor or a	57	<b>(xiii)</b> Regulated streams and associated buffers,
29	Professional Engineer. Preferably, the plan shall be	58	wetlands and associated buffers, and the 100-
			year floodplain as depicted on the approved NRI;

1	<b>(xiv)</b> Delineation of the Primary Management Area, as	28	<b>(xxix)</b> Such additional information as may be needed to
2	depicted on the approved NRI;	29	show compliance with this Subtitle, Subtitle 27,
3	<b>(xv)</b> Date, north arrow, and scale;	30	and Section 9-206 of the Environment Article,
4	<b>(xvi)</b> Deed description or survey of the property	31	Annotated Code of Maryland;
5	boundary;	32	<b>(xxx)</b> Such information as may be needed to support
6	<b>(xvii)</b> Title information pertaining to the most recent	33	any requested vacation, variation, and/or
7	conveyance of the property;	34	variance requests which may be needed to
8	<b>(xviii)</b> Vicinity map showing location of property	35	support the proposed preliminary plan of
9	and nearest road intersections;	36	subdivision; and
10	<b>(xix)</b> Vicinity map showing location of property and	37	<b>(xxxix)</b> Condominium townhouse dwelling units shall
11	existing police and fire and rescue facilities	38	include a reasonable and achievable lotting
12	within the area;	39	pattern exhibit.
13	<b>(xx)</b> Tax map number and grid;	40	<b>(B) Final Plat of Major Subdivision</b>
14	<b>(xxi)</b> Location of entrance feature or gateway sign, if	41	<b>(i) In General</b>
15	proposed;	42	<b>(aa)</b> The final plat shall be legible, drawn
16	<b>(xxii)</b> An approved Natural Resource Inventory;	43	accurately and to scale, and shall be
17	<b>(xxiii)</b> An Environmental Review Package;	44	submitted for recordation using black ink on
18	<b>(xxiv)</b> A traffic impact study prepared pursuant to the	45	transparent mylar or linen, or other black
19	Transportation Review Guidelines, if needed;	46	line process on transparent mylar or linen
20	<b>(xxv)</b> Any required pedestrian and bicycle facility	47	comparable to original quality that will
21	analysis pursuant to Section 24-4506, Pedestrian	48	conform to archival standards. Diazo,
22	and Bikeway Adequacy;	49	ozalid, or other similar dry print
23	<b>(xxvi)</b> Historic resources within or adjacent to the	50	reproduction shall not be acceptable. The
24	proposed preliminary plan of subdivision;	51	size of the sheets shall be 18 inches by 24
25	<b>(xxvii)</b> Cemeteries;	52	inches, including a margin of one-half inch
26	<b>(xxviii)</b> A hydraulic planning analysis, submitted to	53	outside ruled border lines.
27	the Washington Suburban Sanitary Commission;	54	<b>(bb)</b> If required, the final street profiles shall be
		55	submitted as a part of the final plat. The
		56	street profiles shall be approved by the
		57	Department of Permitting, Inspections, and

1	Enforcement, or the municipality, as	32	<b>(iii) Final Plat Contents</b>
2	appropriate.	33	The final plat shall show:
3	<b>(cc)</b> Where a recreational facilities agreement is	34	<b>(aa)</b> The street and alley lines and widths, lots,
4	required by the Planning Board as part of,	35	reservations, easements, and other areas to
5	or in lieu of, mandatory dedication or where	36	be dedicated to public use;
6	a recreational facility and/or other public	37	<b>(bb)</b> Sufficient data to readily determine the
7	facility is proposed by the applicant as an	38	location, bearing, and length of every street
8	integral part of the subdivision, such	39	line, lot line, block line, and boundary line,
9	agreement shall be filed among the County	40	and to locate same on the ground;
10	land records and the Liber and Folio citation	41	<b>(cc)</b> Radii, arcs, tangents, chords, chord
11	shall be shown on the final plat.	42	bearings, and central angles of street curves
12	<b>(dd)</b> Final plats for resubdivisions shall indicate	43	shall be referenced in a curve table;
13	the original lot lines and numbers by dotted	44	<b>(dd)</b> A properly executed dedication form,
14	lines and reference to the previously	45	approval form, and surveyor's certificate in
15	recorded plat, and the last recorded	46	accordance with the forms provided by the
16	conveyance shall be made in the engineer's	47	Planning Department;
17	certificate.		<b>(ee)</b> Lots numbered in sequence. In tracts
18	<b>(ii) Restrictions and Covenants.</b>	48	containing more than 1 block, the blocks
19	<b>(aa)</b> No final plat shall be approved until a copy	49	shall be lettered in alphabetical order. In
20	of all restrictions and covenants that are	50	case there is a resubdivision of lots in any
21	required by the Planning Board have been	51	block, such resubdivided lots shall be
22	filed with the Planning Board, and such	52	numbered in sequence, beginning with the
23	restrictions and covenants have been found	53	number following the highest lot number in
24	to be adequate for the protection of the	54	the original block;
25	public health, safety, and welfare.	55	<b>(ff)</b> The location of property line markers or
26	<b>(bb)</b> Restrictions and covenants shall be so	56	monuments. Such monuments and metal
27	written that they may be amended to meet	57	property line markers shall be three-
28	changed conditions, after approval by a	58	quarters of an inch in diameter and 24
29	two-thirds majority of the lot ownership	59	inches in length, and shall be placed in the
30	within the portion of the subdivision	60	ground at all lot corners, intersections of
31	affected.	61	streets, intersection of streets and alleys
		62	

1	with property boundary lines, and at all	33	<b>(gg)</b> All bearings referred to true meridian, as
2	points on street, alley, and lot boundary	34	established by the Washington Suburban
3	lines where there is a change in direction or	35	Sanitary Commission, where available;
4	curvature;	36	<b>(hh)</b> Names and location of adjoining
5	<b>(I)</b> All monuments and metal property line	37	subdivisions and location and ownership of
6	markers at streets and alleys shall be	38	unsubdivided property;
7	properly set in the ground before the	39	<b>(ii)</b> Name of subdivision (which shall be subject
8	streets and alleys are accepted for	40	to the approval of the Planning Board),
9	public maintenance. All such	41	location, north point, and scale;
10	monuments and markers at lot corners	42	<b>(jj)</b> Vicinity map showing location of platted
11	and lot boundary lines shall be properly	43	property when it is in an outlying area not
12	set in the ground before issuance of a	44	adjoining a recorded subdivision;
13	use and occupancy permit for any use	45	<b>(kk)</b> All conservation easements with metes and
14	of the lot.	46	bounds and the associated plat note(s);
15	<b>(II)</b> After completion of road, street, and	47	<b>(ll)</b> Cemeteries, delineated by metes and
16	alley grading and paving in the	48	bounds, if appropriate;
17	subdivision, and the grading and	49	<b>(mm)</b> Restriction on the further
18	landscaping of lots, it shall become the	50	subdivision of land and land use, in
19	duty of the property owner to	51	conformance with the Sustainable Growth
20	commission a registered land surveyor	52	Act Section 9-206 of the Environment
21	to place the markers and monuments in	53	Article, Annotated Code of Maryland, if
22	the ground as required by this Subtitle,	54	applicable.
23	and as certified by the land owner on	55	<b>(iv) Certification of Taxation</b>
24	the record plat, or to certify that such	56	No final plat shall be approved until the subdivider has
25	markers are in place. Certification that	57	filed with the Planning Board a certification from the
26	such markers are in place shall be made	58	Director of Finance indicating that all taxes on the
27	to the Department of Permitting,	59	subject property, including the current fiscal year,
28	Inspections, and Enforcement in the	60	have been paid.
29	case of markers and monuments		
30	required for streets and alleys, and for		
31	those required to designate lot corners		
32	and boundaries.		

**(v) Signing of Final Plat.**

The Chairman of the Planning Board and the Secretary-Treasurer or his official designee, shall signify approval by signing the final plat after all conditions pertaining to the final plat have been satisfied.

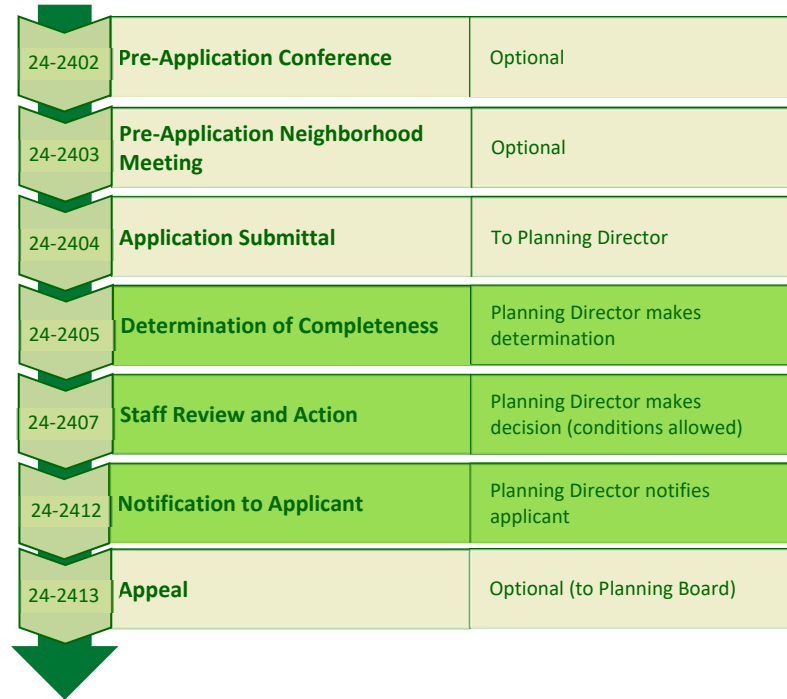
**(d) Minor Subdivision**

**(1) Preliminary Plan of Minor Subdivision**

**(A) Procedure**

Figure 24-3402(d)(1): Preliminary Plan of Minor Subdivision Procedure, identifies key steps in the preliminary plan of minor subdivision procedure.

**Figure 24-3402(d)(1): Preliminary Plan of Minor Subdivision Procedure**



**(i) Pre-application Conference**

Optional (See Section 24-3302, Pre-Application Conference).

**(ii) Pre-Application Neighborhood Meeting**

Optional (See Section 24-3303, Pre-Application Neighborhood Meeting).

**(iii) Application Submittal**

Required (See Section 24-3304, Application Submittal).

1	<b>(iv) Determination of Completeness</b>	31	period between, and inclusive of, December 20
2	Required (See Section 24-3305, Determination	32	and January 3 shall not be included in calculating
3	of Completeness).	33	either 70-day period.
4	<b>(v) Staff Review and Action</b>	34	<b>(vi) Scheduling Public Hearing and Public Notice</b>
5	Required (See Section 24-3307, Staff Review and	35	N/A. Instead, the applicant shall ensure notice is
6	Action). After staff review and evaluation of the	36	posted on the site subject to the application at
7	application, the Planning Director shall review	37	least ten days prior to the Planning Director's
8	and make a decision on the application in	38	decision in accordance with the requirements of
9	accordance with Section 24-3402(d)(1)(B),	39	Section 24-3308(b)(6), Posted Notice. The notice
10	Preliminary Plan of Minor Subdivision Decision	40	shall include a description of any requested
11	Standards. The decision shall be one of the	41	variation or variance being reviewed in
12	following:	42	conjunction with the preliminary plan of
13	<b>(aa)</b> Approve the application;	43	subdivision.
14	<b>(bb)</b> Approve the application subject to	44	<b>(vii) Conditions of Approval</b>
15	conditions; or	45	Allowed (See Section 24-3311, Conditions of
16	<b>(cc)</b> Deny the application. If the application is	46	Approval).
17	denied, a written statement shall be	47	<b>(viii) Notification to Applicant</b>
18	included with the application stating the	48	Required (See Section 24-3312, Notification to
19	reasons why the application does not	49	Applicant).
20	comply with the decision standards.		<b>(ix) Appeal</b>
21	The Planning Director shall take final action	50	Optional (See Section 24-3313, Appeal). An
22	within 70 calendar days of the date the	51	applicant may appeal the decision of the
23	application is determined complete. This time	52	Planning Director on a preliminary plan of minor
24	period may be extended for up to 70 additional	53	subdivision to the Planning Board within 20 days
25	calendar days with the written consent of the	54	of the Planning Director's decision.
26	applicant. If final action is not taken by the	55	<b>(x) Post-Decision Actions</b>
27	Planning Director within the specified time		An approved preliminary plan of minor
28	periods of this Subsection, the preliminary plan	56	subdivision is valid for three years from the date
29	of minor subdivision shall be deemed to have	57	
30	been approved. The month of August and the	58	

1	of its approval, unless the time of validity is	31	<b>(i)</b>	Complies with all applicable standards of these
2	extended at the time of approval, at the	32		Regulations;
3	discretion of the Planning Director, for an	33	<b>(ii)</b>	Establishes in its layout a good and strong
4	appropriate amount of additional time that does	34		relationship between lots, the street(s), and
5	not exceed a six-year total validity period. One	35		open space set-asides that is consistent with the
6	extension of the validity period of an approved	36		purposes of these Regulations and Subtitle 27:
7	preliminary plan of minor subdivision may be	37		Zoning Ordinance, of the County Code;
8	granted by the Planning Director for up to three	38	<b>(iii)</b>	Complies with all applicable requirements in
9	years if:	39		Subtitle 27: Zoning Ordinance;
10	<b>(aa)</b> The request is filed prior to the expiration of	40	<b>(iv)</b>	Conforms with all applicable area master plans,
11	the preliminary plan approval;	41		sector plans, and functional master plans, and
12	<b>(bb)</b> The preliminary plan remains in	42	<b>(v)</b>	Complies with all applicable requirements of the
13	conformance with all the requirements of	43		County Code.
14	these Regulations applicable to the land	44	<b>(2) Final Plat of Minor Subdivision</b>	
15	subject to the preliminary plan;		<b>(A) Procedure</b>	
16	<b>(cc)</b> The time of validity originally approved in	45		Figure 24-3402(d)(2): Final Plat of Minor Subdivision
17	the preliminary plan of minor subdivision is	46		Procedure, identifies key steps in the final plat of
18	not sufficient time to prepare the final	47		minor subdivision procedure.
19	plat(s); and	48		
20	<b>(dd)</b> The applicant is proceeding in good faith in			
21	preparing and filing the final plat(s).			
22	<b>(xi) Amendment</b>			
23	An amendment of an approved preliminary plan			
24	of minor subdivision may only be reviewed in			
25	accordance with the procedures and standards			
26	established for its original approval.			
27	<b>(B) Preliminary Plan of Minor Subdivision Decision</b>			
28	<b>Standards</b>			
29	A preliminary plan of minor subdivision may only be			
30	approved upon finding that it:			



1 **Figure 24-3402(d)(2): Final Plat of Minor Subdivision Procedure**



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**(i) Application Submittal**

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Required (See Section 24-3304, Application Submittal).

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**(aa)** The subdivider may proceed to prepare the final plat(s) upon approval of the minor subdivision preliminary plan in accordance with Section 24-3402(d)(1), Preliminary Plan of Minor Subdivision; and

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**(bb)** The final plat(s) shall be prepared in accordance with the approved preliminary plan.

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**(ii) Determination of Completeness**

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Required (See Section 24-3305, Determination of Completeness).

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**(iii) Staff Review and Action**

Required (See Section 24-3307, Staff Review and Action).

**(aa)** The Planning Director may refer the application to the Planning Board who may comment at their discretion, consider the application and make a decision on the application in accordance with Section 24-3402(d)(2)(B), Decision Standards for Final Plat of Minor Subdivision. The decision shall be one of the following:

**(I)** Approve the application;

**(II)** Approve the application subject to conditions; or

**(III)** Deny the application.

**(bb)** The Planning Director shall make the decision within 45 calendar days of receiving a complete application. This time period may be extended for up to 30 additional days with the written consent of the applicant.

**(cc)** If a site plan is required in accordance with Section 27-3508, Detailed Site Plan (Minor and Major), in Subtitle 27: Zoning Ordinance, the site plan must be approved before approval of the final plat.



1	<b>(iv) Conditions of Approval</b>	27	<b>(B) Decision Standards for Final Plat of Minor Subdivision</b>
2	This standard review procedure is not applicable	28	A final plat of minor subdivision shall be approved
3	to final plats of minor subdivision but may be	29	upon finding that it:
4	allowed for resubdivision.	30	<b>(i)</b> Is in substantial conformity with the approved
5	<b>(v) Notification to Applicant</b>	31	preliminary plan of minor subdivision, unless a
6	Required (See Section 24-3312, Notification to	32	preliminary plat is not required in accordance
7	Applicant).	33	with Section 24-3402(b)(3), Exemptions from
8	<b>(vi) Post-Decision Actions</b>	34	Filing Preliminary Plans;
9	An approved final plat of minor subdivision not	35	<b>(ii)</b> Complies with all applicable standards of these
10	recorded within 180 days in accordance with	36	Regulations;
11	Section 24-3402(d)(3), Minor Subdivision Record	37	<b>(iii)</b> Complies with all applicable requirements in
12	Plat, is automatically invalidated, and shall	38	Subtitle 27: Zoning Ordinance;
13	become null and void.	39	<b>(iv)</b> Conforms with the applicable area master plan
14	<b>(vii) Sectionalized Plats</b>	40	or sector plan, and current functional master
15	The Planning Director may approve a final plat	41	plans; and
16	for part of an approved preliminary plan when it	42	<b>(v)</b> Complies with all applicable requirements of the
17	is determined it is impractical to require the final	43	County Code.
18	plat for the entire subdivision at one time.	44	<b>(C) Resubdivision Decision Standards</b>
19	Approval of a portion in no way precludes final	45	A resubdivision shall be approved only if it complies
20	platting of the entire subdivision in accordance	46	with the following standards:
21	with the approved preliminary plan, as long as	47	<b>(i)</b> The resubdivided lots comply with all the
22	each final plat is submitted in a logical and	48	standards and requirements of these
23	orderly sequence that ensures coordination of	49	Regulations and Subtitle 27: Zoning Ordinance;
24	infrastructure, protection of natural features,	50	<b>(ii)</b> No greater number of lots shall be created;
25	and provision of open space for the subdivision,	51	<b>(iii)</b> The proposed resubdivision is better than the
26	and the preliminary plan is still valid	52	recorded subdivision in terms of design
		53	amenities, environmental conservation, or
		54	energy conservation; and
		55	

1 (iv) The subdivision is not located within Sustainable  
 2 Growth Tier IV.

3 (D) **Signing of Plats**

4 The Chairman of the Planning Board and the  
 5 Secretary-Treasurer of the Commission or the  
 6 Secretary-Treasurer’s official designee, shall signify  
 7 approval by signing the final plat after all conditions  
 8 pertaining to the final plat are satisfied.

9 (3) **Minor Subdivision Record Plat**

10 (A) The final plat of minor subdivision shall be signed and  
 11 sealed by a Licensed Professional Land Surveyor or a  
 12 Licensed Professional Line Surveyor and recorded  
 13 among the Land Records of Prince George’s County,  
 14 Maryland, within 180 days of:

- 15 (i) The Planning Director’s notice of approval; or
- 16 (ii) Dismissal or withdrawal of an appeal from the  
 17 Planning Director’s approval.

18 (B) If the plat is signed by a property line surveyor, the  
 19 horizontal location of all right-of-way lines, as shown  
 20 on the plat, shall be certified by either a professional  
 21 land surveyor or a professional engineer.

22 (e) **Major Subdivision**

23 (1) **Preliminary Plan of Major Subdivision**

24 (A) **Procedure**

25 Figure 24-3402(e)(1): Preliminary Plan of Major  
 26 Subdivision Procedure, identifies key steps in the  
 27 preliminary plan of major subdivision procedure.

28 **Figure 24-3402(e)(1): Preliminary Plan of Major Subdivision**  
 29 **Procedure**



30

31 (i) **Pre-application Conference**

32 Required (See Section 24-3302, Pre-Application  
 33 Conference).

34 (aa) Subdivision applicants are encouraged to  
 35 submit informal sketch plans as part of the  
 36 pre-application conference, in order to seek  
 37 advice from the Planning Director on the

1	concept of the proposed subdivision. In	28	<b>(v) Staff Review and Action</b>
2	addition, the Planning Director may require	29	Required (See Section 24-3307, Staff Review and Action). After staff review and evaluation of the application, the Planning Director shall prepare a staff report on the application with a recommendation to the Planning Board.
3	an applicant to prepare a sketch plan if the	30	
4	Director determines that the proposed	31	
5	subdivision is of a size and complexity that	32	
6	a sketch plan would result in more efficient	33	
7	review of the application.		
8	<b>(bb)</b> Submittal of a sketch plan in accordance	34	
9	with Section 24-4703(b), Sketch Plan, at or	35	A quasi-judicial public hearing is required (See Section 24-3308, Scheduling Public Hearing and Public Notice).
10	prior to the pre-application conference, is	36	
11	required for a conservation subdivision. The	37	
12	sketch plan for the conservation subdivision	38	<b>(vii) Review and Decision by Decision-Making Body</b>
13	shall be reviewed and decided by the	39	Required (See Section 24-3310, Review and Decision by Decision-Making Body). At the public hearing, the Planning Board, shall consider the application, relevant support materials, applicant comments, and any public comments. After the conclusion of the public hearing the Planning Board shall make a decision on the application in accordance with Section 24-3402(e)(1)(D), Preliminary Plan of Major Subdivision Decision Standards. The decision shall be one of the following:
14	Planning Director in accordance with	40	
15	Section 24-4703(c), Sketch Plan Review and	41	
16	Decision.	42	
17	<b>(ii) Pre-Application Neighborhood Meeting</b>	43	
18	Required (See Section 24-3303, Pre-Application	44	
19	Neighborhood Meeting).	45	
20	<b>(iii) Application Submittal</b>	46	
21	Required (See Section 24-3304, Application	47	<b>(aa)</b> Approve the application;
22	Submittal). The application shall include the	48	
23	name and address of a person that may be sent	49	
24	notice of a hearing.	50	<b>(bb)</b> Approve the application subject to conditions; or
25	<b>(iv) Determination of Completeness</b>	51	<b>(cc)</b> Deny the application.
26	Required (See Section 24-3305, Determination	52	
27	of Completeness).	53	The Planning Board shall take final action within 70 calendar days of the date the application is determined complete. This time period may be extended for up to 70 additional calendar days
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1	with the written consent of the applicant. If final	28	<b>(xi) Extensions</b>
2	action is not taken by the Planning Board within		
3	the specified time periods of this Subsection, the	29	<b>(aa) Generally</b>
4	preliminary plan of major subdivision shall be	30	Extensions of the validity of an approved
5	deemed to have been approved. The month of	31	preliminary plan of major subdivision may
6	August and the period between, and inclusive of,	32	be granted by the Planning Board if:
7	December 20 and January 3 shall not be included		
8	in calculating either 70-day period.	33	<b>(I)</b> The request is filed prior to the
		34	expiration of the preliminary plan
9	<b>(viii) Conditions of Approval</b>	35	approval;
10	Allowed (See Section 24-3311, Conditions of	36	<b>(II)</b> The preliminary plan remains in
11	Approval).	37	conformance with all the requirements
		38	of these Regulations applicable to the
12	<b>(ix) Notification to Applicant</b>	39	land subject to the preliminary plan;
13	Required (See Section 24-3312, Notification to	40	<b>(III)</b> The time of validity originally approved
14	Applicant).	41	is not sufficient time to prepare the final
		42	plat(s); and
15	<b>(x) Post-Decision Actions</b>		<b>(IV)</b> The applicant is proceeding in good
16	An approved preliminary plan of major	43	faith in preparing and filing the final
17	subdivision is valid for six years from the date of	44	plat(s).
18	its approval, unless the time of validity is	45	
19	extended at the time of approval, at the	46	<b>(B) Minor Amendments to Approved Preliminary Plans</b>
20	discretion of the Planning Board, for an	47	<b>of Major Subdivision</b>
21	appropriate amount of additional time that does		
22	not exceed a 12 year total validity period. Two	48	<b>(i)</b> The Planning Director may approve minor
23	extensions of the validity period for up to three	49	amendments to approved preliminary plans of
24	years each may be granted by the Planning	50	major subdivision in accordance with this
25	Board in accordance with Section 24-	51	Subsection.
26	3402(e)(1)(A)(xi), Extensions, prior to the end of	52	<b>(aa)</b> Minor amendments to approved
27	a validity period.	53	preliminary plans of major subdivision shall
		54	only consist of modifications to the
		55	approved preliminary plan that results in no
		56	greater than a 5 percent increase in the

1	number of lots to the approved subdivision;	30	<b>(ii)</b>	Establishes in its layout a good and strong
2	or	31		relationship between lots, the street(s), and
3	<b>(bb)</b> Any alteration which does not impact or	32		open space set-asides that is consistent with the
4	change conditions of approval imposed by	33		purposes of these Regulations and Subtitle 27:
5	the Planning Board, or which does not	34		Zoning Ordinance, of the County Code;
6	impact or change any certificates of	35	<b>(iii)</b>	Complies with all other applicable requirements
7	adequacy; and	36		in Subtitle 27: Zoning Ordinance;
8	<b>(cc)</b> Minor amendments to approved	37	<b>(iv)</b>	Conforms with the applicable area master plan
9	preliminary plans of major subdivision shall	38		or sector plan, and current functional master
10	comply with all other applicable standards	39		plans; and
11	in Subtitle 24: Subdivision Regulations, and	40	<b>(v)</b>	Complies with all applicable requirements of the
12	Subtitle 27: Zoning Ordinance.	41		County Code of Ordinances.
13	<b>(ii)</b> Planning Director approval of minor	42	<b>(2) Final Plat of Major Subdivision</b>	
14	amendments to approved preliminary plans of	43	<b>(A) Procedure</b>	
15	major subdivision shall have no effect on the	44		Figure 24-3402(e)(2): Final Plat of Major Subdivision
16	validity period of the approved preliminary plan	45		Procedure, identifies key steps in the final plat of
17	of major subdivision.	46		major subdivision procedure.
18	<b>(C) Other Amendments to Approved Preliminary Plans</b>			
19	<b>of Major Subdivision</b>			
20	Other amendments of an approved preliminary plan of			
21	major subdivision may only be reviewed in accordance			
22	with the procedures and standards established for its			
23	original approval.			
24	<b>(D) Preliminary Plan of Major Subdivision Decision</b>			
25	<b>Standards</b>			
26	A preliminary plan of major subdivision may only be			
27	approved upon finding that it:			
28	<b>(i)</b> Complies with all applicable standards of these			
29	Regulations;			

1 **Figure 24-3402(e)(2): Final Plat of Major Subdivision Procedure**



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**(i) Application Submittal**

Required (See Section 24-3304, Application Submittal).

**(aa)** The subdivider may proceed to prepare the final plat(s) upon approval of the preliminary plan of major subdivision in accordance with Section 24-3402(e)(1), Preliminary Plan of Major Subdivision.

**(bb)** The final plat(s) shall be prepared in accordance with the approved preliminary plan.

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**(ii) Determination of Completeness**

Required (See Section 24-3305, Determination of Completeness).

**(iii) Scheduling Public Hearing and Public Notice**

A quasi-judicial public hearing is required (See Section 24-3308, Scheduling Public Hearing and Public Notice).

**(iv) Review and Decision by Decision-Making Body**

Required (See Section 24-3310, Review and Decision by Decision-Making Body).

**(aa)** The Planning Board shall either:

- (I)** Approve the application; or
- (II)** Deny the application.

**(bb)** The Planning Board shall make the decision within 45 calendar days of the submittal of a complete application. This time period may be extended for up to 30 additional days with written consent of the applicant. If final action is not taken by the Planning Board within the specified time periods in this Subsection, the final plat(s) shall be deemed to have been approved.

**(v) Conditions of Approval**

This standard review procedure is not applicable to final plats of major subdivision but may be allowed for resubdivision.

1	<b>(vi) Notification to Applicant</b>	29	<b>(iii)</b> Complies with all applicable requirements in Subtitle 27: Zoning Ordinance; and
2	Required (See Section 24-3312, Notification to Applicant).	30	
3		31	<b>(iv)</b> Complies with all applicable requirements of the County Code of Ordinances.
4	<b>(vii) Post-Decision Actions</b>	32	
5	An approved final plat of major subdivision not recorded within 180 days in accordance with	33	<b>(C) Resubdivision Decision Standards</b>
6	Section 24-3402(e)(3), Major Subdivision Record	34	A resubdivision shall be approved only if it complies with the following standards:
7	Plat, is invalidated, and shall become null and void.	35	
8		36	<b>(i)</b> The resubdivided lots comply with all the standards and requirements of these Regulations and Subtitle 27: Zoning Ordinance;
9		37	
10	<b>(viii) Sectionalized Plats</b>	38	<b>(ii)</b> No greater number of lots shall be created;
11	The Planning Board may approve a final plat for part of an approved preliminary plan when it is determined it is impractical to require the final plat for the entire subdivision at one time.	39	<b>(iii)</b> A petition to vacate the previously recorded plat has been filed;
12		40	
13		41	<b>(iv)</b> The proposed resubdivision is better than the recorded subdivision in terms of design amenities, environmental conservation, or energy conservation; and
14		42	
15	Approval of a portion in no way precludes final platting of the entire subdivision in accordance with the approved preliminary plan, as long as each final plat is submitted in logical and orderly sequence that ensures coordination of infrastructure, protection of natural features, and provision of open space for the subdivision.	43	<b>(v)</b> The subdivision is not located within Sustainable Growth Tier IV.
16		44	
17		45	
18		46	
19		47	
20		48	<b>(D) Signing of Plats</b>
21	<b>(B) Final Plat of Major Subdivision Decision Standards</b>	49	The Chairman of the Planning Board and the Secretary-Treasurer of the Commission or the Secretary-Treasurer's official designee, shall signify approval by signing the final plat after all conditions pertaining to the final plat are satisfied.
22	A final plat of major subdivision may only be approved upon finding that it:	50	
23		51	
24	<b>(i)</b> Conforms with the approved preliminary plan of major subdivision;	52	
25		53	
26	<b>(ii)</b> Complies with all applicable standards of these Regulations;	54	<b>(3) Major Subdivision Record Plat</b>
27		55	<b>(A)</b> The final plat shall be signed and sealed by a Licensed Professional Land Surveyor or a Licensed Professional
28		56	



- 1 Line Surveyor and recorded in the Land Records of 30  
2 Prince George's County within 180 days of: 31
- 3 (i) The Planning Board's notice of approval; or 32  
4 (ii) Dismissal or withdrawal of an appeal from the 33  
5 Planning Board's approval. 34  
35
- 6 (B) If the plat is signed by a property line surveyor, the 36  
7 horizontal location of all right-of-way lines, as shown 37  
8 on the plat, shall be certified by either a professional 38  
9 land surveyor or a professional engineer. 39  
40
- 10 **24-3403. Variation** 41
- 11 (a) Purpose 42
- 12 Where the Planning Board finds that extraordinary hardship or 43  
13 practical difficulties may result from strict compliance with this 44  
14 Subtitle and/or that the purposes of this Subtitle may be served 45  
15 to a greater extent by an alternative proposal, it may approve 46  
16 variations from these Subdivision Regulations so that substantial 47  
17 justice may be done and the public interest secured, provided 48  
18 that such variation shall not have the effect of nullifying the 49  
19 intent and purpose of this Subtitle and Section 9-206 of the 50  
20 Environment Article, Annotated Code of Maryland; and further 51  
21 provided that the Planning Board shall not approve variations 52  
22 unless it shall make findings based upon the evidence presented 53  
23 to it in each specific case that:
- 24 (1) The granting of the variation will not be detrimental to the 54  
25 public safety, health, or welfare, or injurious to other 55  
26 property; 56
- 27 (2) The conditions on which the variation is based are unique to 57  
28 the property for which the variation is sought and are not 58  
29 applicable generally to other properties;
- (3) The variation does not constitute a violation of any other applicable law, ordinance, or regulation;
- (4) Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; and
- (5) In the RMF-12, RMF-20, and RMF-48 zones, where multifamily dwellings are proposed, the Planning Board may approve a variation if the applicant proposes and demonstrates that, in addition to the criteria in above, the percentage of dwelling units accessible to the physically handicapped and aged will be increased above the minimum number of units required by Subtitle 4 of the Prince George's County Code.
- (6) A petition for any such variation shall be submitted in writing by the subdivider prior to the meeting of the Subdivision and Development Review Committee and at least thirty (30) calendar days prior to hearing by the Planning Board. The petition shall state fully the grounds for the application and all the facts relied upon by the petitioner. The variation application shall be reviewed concurrently with the preliminary plan or minor or major subdivision application
- (b) Applicability
- (1) A variation may be requested in accordance with the procedures and standards of this Section for:
- (A) Variations to the standards in Section 24-4102(c), Minimum Lot Depth;



- 1 (B) Variations to the standards in Section 24-4106, Cemeteries;
- 2
- 3 (C) Variations to Section 24-4204(b), Exemptions (Private Streets and easements); or
- 4
- 5 (D) Variations to the standards for public utility easements.
- 6

7 **(c) Minor and Major Variation Distinguished**

8 There are two types of variations: a minor variation and a major variation. A minor variation is reviewed and decided by the Planning Director. The Planning Director’s decision may be appealed to the Planning Board. A major variation is decided by the Planning Board.

13 **(1) Minor Variation**

14 A minor variation may only be considered in conjunction with a preliminary plan for minor subdivision or final plat.

16 **(2) Major Variation**

17 A major variation may only be considered in conjunction with a preliminary plan for major subdivision or final plat.

19 **(d) Minor Variation Procedure**

20 Figure 24-3403(d): Minor Variation Procedure, identifies key steps in the variation procedure.

22 **Figure 24-3403(d): Minor Variation Procedure**



23

24 **(1) Pre-Application Conference**

25 Optional (See Section 24-3302, Pre-Application Conference).

27 **(2) Application Submittal**

28 Required (See Section 24-3304, Application Submittal). The application shall be submitted in conjunction with an application for a preliminary plan for minor subdivision or final plat.

32 **(3) Determination of Completeness**

33 Required (See Section 24-3305, Determination of Completeness).

34

- 1       **(4) Staff Review and Action**  
 2       N/A. Instead the Planning Director shall consider the  
 3       application in conjunction with an application for a  
 4       preliminary plan for minor subdivision and make a decision  
 5       on the application in accordance with Section 24-3403(f),  
 6       Variation Decision Standards. The decision shall be made  
 7       prior to making a decision on the preliminary plan for minor  
 8       subdivision application.
- 9       **(5) Conditions of Approval**  
 10       Allowed (See Section 24-3311, Conditions of Approval).
- 11       **(6) Notification to Applicant**  
 12       Required (See Section 24-3312, Notification to Applicant).
- 13       **(7) Appeal**  
 14       Optional (See Section 24-3313, Appeal). An appeal may be  
 15       initiated within 20 days of the date of the decision, to the  
 16       Planning Board, by filing an application for appeal with the  
 17       Planning Director.
- 18       **(8) Post-Decision Actions**  
 19       No requirement.

20       **(e) Major Variation Procedure**

21       Figure 24-3403(e): Major Variation Procedure, identifies key  
 22       steps in the variation procedure.

23       **Figure 24-3403(e): Major Variation Procedure**



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- 25       **(1) Pre-Application Conference**  
 26       Optional (See Section 24-3302, Pre-Application  
 27       Conference).
- 28       **(2) Pre-Application Neighborhood Meeting**  
 29       Optional (See Section 24-3303, Pre-Application  
 30       Neighborhood Meeting).

1	<b>(3) Application Submittal</b>	29	24-3403(f), Variation Decision Standards. The decision shall be one of the following:
2	Required (See Section 24-3304, Application Submittal). The	30	
3	application shall be submitted only in conjunction with an	31	(i) Approve the proposed variation;
4	application for a preliminary plan for major subdivision or	32	(ii) Approve the proposed variation subject to
5	final plat.	33	conditions; or
6	<b>(4) Determination of Completeness</b>	34	(iii) Deny the proposed variation.
7	Required (See Section 24-3305, Determination of	35	(B) The decision shall be made prior to making a decision
8	Completeness).	36	on the preliminary plan for major subdivision
9	<b>(5) Staff Review and Action</b>	37	application.
10	N/A. Instead, the Planning Director shall consider the	38	<b>(8) Conditions of Approval</b>
11	application in conjunction with the application for a	39	Allowed (See Section 24-3311, Conditions of Approval).
12	preliminary plan for subdivision, and make a	40	<b>(9) Notification to Applicant</b>
13	recommendation in accordance with Section 24-3403(f),	41	Required (See Section 24-3312, Notification to Applicant).
14	Variation Decision Standards.	41	
15	<b>(6) Scheduling Public Hearing and Public Notice</b>	42	<b>(f) Variation Decision Standards</b>
16	A quasi-judicial public hearing is required (See Section 24-	43	A variation may only be approved when the decision-making
17	3308, Scheduling Public Hearing and Public Notice).	44	body finds that:
18	<b>(7) Review and Decision by Decision-Making Body</b>	45	(1) The granting of the variation will not be detrimental to the
19	Required (See Section 24-3310, Review and Decision by	46	public safety, health, or welfare, or injurious to other
20	Decision-Making Body).	47	property;
21	<b>(A)</b> At the public hearing, the Planning Board shall	48	(2) The conditions on which the variation is based are unique to
22	consider the application in conjunction with an	49	the property for which the variation is sought and are not
23	application for preliminary plan for major subdivision.	50	applicable generally to other properties;
24	At the hearing, the Planning Board shall consider	51	(3) The variation does not constitute a violation of any other
25	relevant support materials, applicant comments, and	52	applicable law, ordinance, or regulation;
26	any public comments. After the conclusion of the	53	(4) Because of the particular physical surroundings, shape, or
27	public hearing the Planning Board shall make a	54	topographical conditions of the specific property involved, a
28	decision on the application in accordance with Section	55	particular hardship to the owner would result, as

1	distinguished from a mere inconvenience, if the strict letter	28
2	of these regulations is carried out; and	29
3	(5) In the RMF-12, RMF-20, and RMF-48 zones, where	30
4	multifamily dwellings are proposed, the Planning Board may	31
5	approve a variation if the applicant proposes and	32
6	demonstrates that, in addition to the criteria in above, the	33
7	percentage of dwelling units accessible to the physically	34
8	handicapped and aged will be increased above the	35
9	minimum number of units required by Subtitle 4 of the	36
10	Prince George's County Code.	37
11	<b>24-3404. Zero Lot Line Development</b>	38
12	<b>(a) Purpose</b>	39
13	The purpose of this Section is to provide maximum flexibility in	40
14	subdivision design to take advantage of natural features, and to	41
15	create energy efficiency and environmentally-sensitive,	42
16	attractively designed communities. This Section allows	43
17	minimum setbacks, yards, and street frontages for zero lot line	44
18	development, if the Planning Board finds that those alternatives	45
19	will function safely and efficiently and will yield a better design	46
20	than conventional approaches.	47
21	<b>(b) Applicability</b>	48
22	This Section applies to any proposed application for zero lot line	49
23	development.	50
24	<b>(c) Zero Lot Line Development Procedure</b>	51
25	(1) The procedure for zero lot line development is the same as	52
26	the procedure for preliminary plans for major subdivision as	53
27	set forth in Section 24-3402(e), Major Subdivision, except:	54
		55

- (A)** The following shall be submitted with the preliminary plan application:
- (i)** A proposed site plan which includes a statement that explains and provides the reasons for any waivers that the applicant is seeking, along with any calculations needed to support these reasons. The statement may include, but is not limited to, the following:
    - (aa)** Reasons for minimizing grading (such as tree preservation);
    - (bb)** Reasons for not providing sidewalks (such as providing a separate pedestrian trail), or scaling down the paving widths (due to the limited number of units proposed);
    - (cc)** Rough calculations to show that retention of natural drainage systems will suffice to handle stormwater safely; or
    - (dd)** Proposals for open space retention and recreational facilities that equal or exceed what would have been achieved through mandatory dedication;
  - (ii)** The proposed site plan shall show all building envelopes and maintenance easements; and
  - (iii)** Proposed covenants, or other appropriate documents, providing for privacy walls, sound proofing of common walls, and restrictions on the use of walls on a lot line, where appropriate.
- (B)** The final plat shall indicate the following:

1	(i)	That the plat is approved as a zero lot line development;	30	<b>24-3405. Reservations</b>
2				
3	(ii)	That any waivers required have been agreed to by applicable departments and agencies;	31	<b>(a) Purpose</b>
4			32	The purpose of reservations is to set-aside land identified for public use in the General Plan, functional master plans, area master plans, or sector plans.
5	(iii)	That all conditions of approval for the preliminary plan have been satisfied; and	33	
6			34	
7	(iv)	That the subdivision is subject to covenants or other restrictions, as appropriate.	35	<b>(b) Applicability</b>
8			36	Reservations may be required for:
9	(C)	Decisions on applications shall be in accordance with Section 24-3404(c)(2), Zero Lot Line Development Decision Standards.	37	(1) Highway, transit, or street rights-of-way;
10			38	(2) Public building sites;
11			39	(3) Parks (except park lands to be acquired under the provisions of the Act of Congress of the United States known as Public Law 284 of the 71st Congress, approved May 29, 1930, 46 Stat. 482, popularly known as the "Capper-Crampton Act," as amended by Public Law 699, 79th Congress, approved August 8, 1946); playgrounds, or other recreational areas;
12	<b>(2) Zero Lot Line Development Decision Standards</b>		40	
13		Zero lot line development shall only be approved upon finding that:	41	
14			42	
15	(A)	The design is clearly superior to what would have been achieved under conventional subdivision techniques by orienting units to the street or accommodating appropriate densities as established in Subtitle 27: Zoning Ordinance, the General Plan, or the applicable area master plan or sector plan;	43	
16			44	
17			45	(4) Land for utilities; or
18	(B)	The transportation system will function safely and efficiently;	46	(5) Land reserved for other public purposes.
19			47	<b>(c) Procedure for Reservations</b>
20	(C)	There will be no adverse impact on natural features, drainage, and stormwater;	48	<b>(1) General</b>
21			49	(A) Reservations shall be reviewed and decided concurrent with:
22			50	
23	(D)	Easements and covenants adequately provide for the maintenance needs and privacy of individual lot owners; and	51	(i) Major subdivisions (Section 24-3402(e)); and
24			52	(ii) Minor subdivisions (Section 24-3402(c)).
25	(E)	There will be no adverse impact on adjacent properties.	53	(B) An applicant may propose for the Planning Board's consideration, a length of time for which the reservation should be provided.
26			54	
27			55	
28				
29				

1	<b>(2) Referral to Applicable Agencies</b>	33	Section 24-3405(c)(4), Declaration of Reservation by
2		34	Resolution.
3	<b>(A)</b> If, during the review of an application identified in	35	<b>(3) Required Public Hearing if Reservation not Provided</b>
4	Section 24-3405(c)(1) above, reservation appears	36	<b>(A)</b> If the location of the proposed reservation is not
5	desirable, the proposed application shall be referred	37	reflected, or differs substantially from that shown, on
6	to agencies in accordance with this Section.	38	the General Plan, functional master plan, area master
7	<b>(B)</b> The Planning Board shall refer the plat to (1) the public	39	plan, or sector plan, the Planning Board shall hold a
8	agency concerned with acquisition, (2) any	40	quasi-judicial public hearing before making a decision
9	municipality within which the land subject to the	41	on the reservation.
10	reservation is located, and (3) any municipality with	42	<b>(B)</b> Notice of public hearing shall be given to the land
11	authority for street rights-of-way or which is outside	43	owners, County Executive, and District Council, and
12	the Metropolitan District and has independent	44	shall be advertised in the County newspaper of record
13	authority over parks and recreation facilities, as	45	at least 15 days prior to the hearing date.
14	appropriate, for its consideration and report. In	46	<b>(4) Declaration of Reservation by Resolution</b>
15	addition, the Planning Board shall also refer the plat to	47	A Declaration of Public Reservation shall be made by
16	the County Executive and District Council for their	48	resolution of the Planning Board. Notice of the reservation
17	comments. The Planning Board may propose alternate	49	shall be carried once in the County newspaper of record.
18	areas for the Reservation and shall allow 30 days for a	50	Certified copies of the resolution shall be sent to the land
19	response from the agency or municipality. The	51	owner(s), the County Executive, the District Council, and
20	recommendation of the public agency or municipality	52	any municipality within which the land is located, and to the
21	concerned with acquisition, if affirmative, shall include	53	agency concerned with acquisition.
22	a map showing the boundaries and area of the parcel	54	<b>(5) Final Plat of Reservation</b>
23	to be reserved, and an estimate of the time required	55	<b>(A)</b> Final plats for the land subject to the reservation shall
24	to complete the acquisition.	56	be in strict conformity with the approved preliminary
25	<b>(C)</b> Upon receipt of an affirmative report from a public	57	plan of subdivision (minor or major) as to public
26	agency or municipality concerned with acquisition, the	58	reservation and shall be approved concurrent with
27	Planning Board shall notify the land owner, the County	59	final plats for preliminary plans of subdivision (minor
28	Executive, and the District Council, and, shall establish	60	or major).
29	the reservation by resolution, with or without	61	<b>(B)</b> The applicant shall prepare a plat of any land reserved
30	modifications, concurrent with the approval of the	62	for public use under the provisions of this Section,
31	plat if the reservation supports the plans for a		
32	highway, streets, transit routes, public building site,		
	parks, or other public purposes in accordance with		



1	showing the survey location of the land, names and	31	<b>(B)</b> Land reserved may be used for agricultural purposes
2	addresses of the owners, and any other information	32	and other uses permitted by Subtitle 27: Zoning
3	required for its proper indexing and for filing among	33	Ordinance, upon written approval of the Planning
4	the Land Records of Prince George's County. The plat	34	Board. The Planning Board may allow any permitted
5	shall comply with all requirements for recording of	35	use which it finds will not impair the efficient and
6	plats among the Land Records of Prince George's	36	economic use for which the land was reserved.
7	County, and shall be duly recorded.	37	
8	<b>(d) Reservation Duration, Tax Exemptions, Restrictions on</b>	38	<b>(C)</b> All land reserved shall be maintained by the land
9	<b>Use of Reservation Area, and Violations</b>	39	owner as required by the reservation and all applicable
10	<b>(1) Duration of Reservation</b>	40	provisions of the County Code. The Planning Board
11	No reservation shall continue for longer than three years	41	shall be notified immediately upon the sale of any land
12	following the approval of the final plat of reservation	42	reserved in accordance with this Section, and shall be
13	without the written approval of all persons holding or	43	provided with documents from the public land records
14	otherwise owning any legal or equitable interest in the	44	attesting to the sale.
15	land.	45	
16	<b>(2) Exemption from Local Taxes</b>	46	<b>(4) Violations</b>
17	Public reservations are exempt from all State, County, and	47	Any violation of this Section is subject to the enforcement
18	local taxes during the reservation period. Certified copies	48	provisions of Division 24-5, Enforcement.
19	of the resolution shall be sent to the affected taxing and	49	
20	assessing entities.	50	<b>(e) Termination and Renewal of Reservation</b>
21	<b>(3) Restrictions on Development Activity and</b>	51	<b>(1) Termination</b>
22	<b>Maintenance of Reservation Area</b>	52	<b>(A)</b> The expiration of a preliminary plan shall not affect a
23	<b>(A)</b> During the reservation review period, no building or	53	reservation if, before the expiration date, a
24	structure shall be erected on the land reserved, except	54	reservation plat has been recorded by the Planning
25	as provided in Section 24-3405(d)(3)(B) below. No	55	Board. If this has not occurred, the reservation shall be
26	trees, topsoil, or cover shall be removed or destroyed,	56	cancelled.
27	no grading shall be done, and no drainage structures	57	
28	shall be built so as to discharge water on the reserved	58	<b>(B)</b> At the end of the reservation period, if the reservation
29	land, except as provided in Section 24-3405(d)(3)(B)	59	has not been renewed in accordance with Section 24-
30	below.	60	3405(e)(2), Renewal, or if the land reserved has not



1 (C) If, prior to the expiration of the reservation review 31  
2 period, the Planning Board determines that the 32  
3 reservation no longer appears necessary, the Planning 33  
4 Board, by resolution, may cancel the reservation with  
5 the written consent of the land owner. Certified copies  
6 of the resolution cancelling the reservation shall be  
7 sent to the land owner, the agency originally  
8 concerned with the acquisition, the affected taxing  
9 and assessing entities, the County Executive, the  
10 District Council, and the Clerk of the Court for filing in  
11 the Land Records of Prince George's County.

12 (2) **Renewal**

13 Prior to the expiration of the reservation review period, and  
14 with the written consent of all land owners, the Planning  
15 Board may renew the reservation for additional periods of  
16 time, provided the time period of the renewal shall be  
17 mutually agreed upon by the land owners and the Planning  
18 Board. The following shall govern the renewal of the  
19 reservation of land for public use.

20 (A) Prior to the expiration date, the Planning Board shall  
21 determine whether the reservation should be  
22 renewed, and shall provide an opportunity for the  
23 County Executive, the District Council, and any  
24 municipality within which the reservation is located to  
25 comment on the renewal.

26 (B) If the Planning Board determines that the reservation  
27 should be renewed, the land owner shall be notified of  
28 the determination, and, if the land owner agrees to  
29 renew the reservation, the required authorization for  
30 consent to the renewal shall be completed.

(C) Renewal of reservations shall be by resolution of the  
Planning Board, in accordance with Section 24-  
3405(c), Procedure for Reservations.

34 **24-3406. Vacation (Minor and Major)**

35 (a) **Purpose**

36 The purpose of this Section is to establish a uniform mechanism  
37 for vacating recorded plats.

38 (b) **Applicability**

39 (1) This Section applies to the vacation of any recorded plat of  
40 subdivision, or part thereof. The plat, or part of the plat,  
41 may be vacated in the manner provided in this Section upon  
42 petition of the owner(s) of the lot(s) to be vacated.

43 (2) There are two types of vacation procedures: a minor  
44 vacation and a major vacation.

45 (A) A minor vacation consists of the vacation of an  
46 unimproved street or alley if the vacation is  
47 unopposed by adjoining landowners. A minor vacation  
48 is decided by the Planning Director.

49 (B) All other vacations are major vacations, which are  
50 decided by the Planning Board.

51 (c) **Minor Vacation Procedure**

52 Figure 24-3406(c): Minor Vacation Procedure, identifies key  
53 steps in the minor vacation procedure.

1 **Figure 24-3406(c): Minor Vacation Procedure**



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**(1) Application Submittal**

4

Required (See Section 24-3304, Application Submittal).

5

**(2) Determination of Completeness**

6

Required (See Section 24-3305, Determination of Completeness).

7

8

**(3) Staff Review and Action**

9

Required (See Section 24-3307, Staff Review and Action).

10

**(A)** The Planning Director shall consider the application and make a decision on the application in accordance with Section 24-3406(e), Vacation Decision Standards.

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**(B)** When approved, the vacation petition shall be executed and a final plat for minor subdivision shall be recorded which incorporates the area being vacated as reflected on the plat of computation; being duly recorded or filed, the final plat shall operate to destroy

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the force and effect of the recording of the plat so vacated, and divests all public rights in the street(s) or alley.

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**(C)** When the vacation petition is a condition of an approved preliminary plan of subdivision (minor or major), the final plat for the subdivision shall incorporate the area vacated as reflected on the approved preliminary plan and the plat of computation.

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**(D)** Such an instrument shall be executed, acknowledged or approved, and recorded or filed, in like manner as record plats; and, being duly recorded or filed, shall operate to destroy the force and effect of the recording of the plat so vacated, and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.

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**(4) Scheduling Public Hearing and Public Notice**

N/A. Instead, the applicant shall ensure notice is posted on the site subject to the application a minimum of ten days prior to the date of the Planning Director's decision.

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**(5) Conditions of Approval**

Allowed (See Section 24-3311, Conditions of Approval).

39

40

**(6) Notification to Applicant**

Required (See Section 24-3312, Notification to Applicant).

41

42

**(7) Appeal**

Optional (See Section 24-3313, Appeal). An applicant may appeal the decision of the Planning Director on a minor vacation to the Planning Board within 20 days of the Planning Director's decision.

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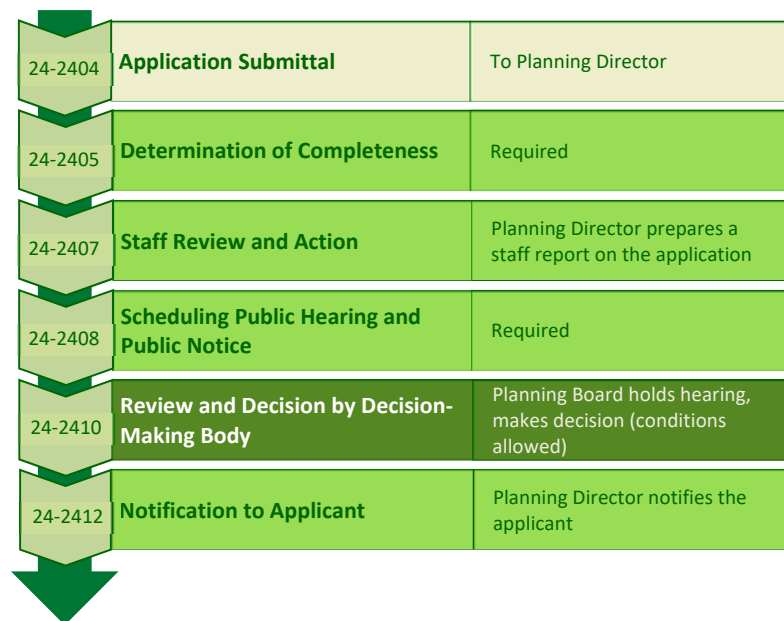
46

- 1           **(A)** An applicant may appeal the decision of the Planning  
 2           Director on a minor vacation to the Planning Board  
 3           within 20 days of the Planning Director's decision.
- 4           **(B)** The Planning Board shall hold a quasi-judicial public  
 5           hearing prior to making a decision on the appeal.  
 6           Scheduling of the public hearing and public notice shall  
 7           be in accordance with Section 24-3308, Scheduling  
 8           Public Hearing and Public Notice.
- 9           **(C)** After the conclusion of the public hearing the Planning  
 10          Board shall make a decision on the application in  
 11          accordance with Section 24-3406(e), Vacation  
 12          Decision Standards.
- 13          **(D)** When approved, the vacation petition shall be  
 14          executed and a final plat for minor subdivision shall be  
 15          recorded which incorporates the area being vacated as  
 16          reflected on the plat of computation; and, being duly  
 17          recorded or filed, shall operate to destroy the force  
 18          and effect of the recording of the plat so vacated, and  
 19          to divest all public rights in the street(s) or alley.

20 **(d) Major Vacation Procedure**

21          Figure 24-3406(d): Major Vacation Procedure, identifies key  
 22          steps in the major vacation procedure.

23 **Figure 24-3406(d): Major Vacation Procedure**



24

- 25           **(1) Application Submittal**  
 26           Required (See Section 24-3304, Application Submittal).
- 27           **(2) Determination of Completeness**  
 28           Required (See Section 24-3305, Determination of  
 29           Completeness).
- 30           **(3) Staff Review and Action**  
 31           Required (See Section 24-3307, Staff Review and Action).  
 32           After staff review and evaluation of the application, the  
 33           Planning Director shall prepare a staff report on the  
 34           application.

1 **(4) Scheduling Public Hearing and Public Notice** 30  
2 A quasi-judicial public hearing is required (See Section 24-3308, Scheduling Public Hearing and Public Notice). 31  
3

4 **(5) Review and Decision by Decision-Making Body** 34  
5 Required (See Section 24-3310, Review and Decision by Decision-Making Body). 35  
6

7 **(A)** At the public hearing, the Planning Board, following its 37  
8 Rules of Procedure, shall consider the application, 38  
9 relevant support materials, applicant comments, and 39  
10 any public comments. After the conclusion of the 40  
11 public hearing the Planning Board shall make a 41  
12 decision on the application in accordance with Section 42  
13 24-3406(e), Vacation Decision Standards. 43

14 **(B)** When approved, the vacation shall be executed, and a 44  
15 plat incorporating the vacated area recorded in the 45  
16 Land Records of Prince George’s County, and shall 46  
17 operate to destroy the force and effect of the 47  
18 recording of the plat so vacated, and to divest all 48  
19 public rights in the streets, alleys, and public grounds, 49  
20 and all dedications laid out or described in the plat.

21 **(6) Conditions of Approval** 50  
22 Allowed (See Section 24-3311, Conditions of Approval). 51

23 **(7) Notification to Applicant** 52  
24 Required (See Section 24-3312, Notification to Applicant). 53  
54

25 **(e) Vacation Decision Standards** 55  
26 A subdivision that has dedicated rights-of-way to public use or 56  
27 dedicated rights-of-way or easements for any public utility, 57  
28 storm drainage course, floodplain, public access or roadway, or 58  
29 dedicated public facility, shall not be vacated until:

(1) Consents have been provided by the Washington Suburban Sanitary Commission, the County Department of Public Works and Transportation, and the elected officials of any incorporated municipality within which the subdivision is located;

(2) Each public utility, which is franchised to provide services within the area of the subdivision, is notified in writing of the proposed vacation, and has 30 calendar days to comment (failure by the public utility to respond within 30 calendar days shall be deemed consent);

(3) Conditions of consent from any public agencies or utilities having rights in any area proposed to be vacated shall be incorporated into the vacation;

(4) In the case of a right-of-way which is in use by the general public at the time of the request or within the preceding year, the proposed vacation complies with Subtitle 23, Division 5, Road Closings; and

(5) If any agency or utility having rights in any area proposed to be vacated objects, a finding is made that a specific public benefit will not be annulled if the vacation is granted.

## 24-3407. Interpretation

### (a) Purpose

The purpose of this Subsection is to establish a uniform mechanism for rendering formal written interpretations of any provision of these Regulations.

### (b) Applicability

The Planning Director is responsible for making interpretations of all provisions of these Regulations, including but not limited to interpretations of the text, interpretations of the subdivision

1 standards, and interpretations of compliance with a condition of 14  
 2 approval. 15

3 **(c) Interpretation Procedure** 16

4 This Subsection identifies additions or modifications to the 17  
 5 standard review procedures in Sec. 24-3300, Standard 18  
 6 Subdivision Review Procedures, that apply to applications for an 19  
 7 interpretation. Figure 24-3407(c) identifies key steps in the 20  
 8 interpretation procedure. 21

9 **Figure 24-3407(c): Interpretation Procedure** 22



10  
 11 **(1) Pre-Application Conference** 23  
 12 Optional (see Section 24-3302, Pre-Application 24  
 13 Conference). 25

**(2) Application Submittal** 26

Required (see Section 24-3304, Application Submittal). In 27  
 addition, an application for a formal written interpretation 28  
 may be initiated by the District Council, the Planning Board, 29  
 or any person having a contractual interest in land in the 30  
 County. 31

**(3) Determination of Completeness** 32

Required (see Section 24-3305, Determination of 33  
 Completeness). 34

**(4) Staff Review and Action** 35

Required (see Section 24-3307, Staff Review and Action). 36

**(A)** The Planning Director shall review the request, consult 37  
 with the M-NCPPC Attorney and other 38  
 M-NCPPC and County staff, and render a formal 39  
 written interpretation in accordance with Section 24- 40  
 3407(d), Interpretation Decision Standards. The 41  
 interpretation shall be in a form approved by the M- 42  
 NCPPC Attorney and shall constitute the formal 43  
 written interpretation. 44

**(B)** A formal written interpretation shall be binding on 45  
 subsequent decisions by the Planning Director and 46  
 M-NCPPC and County staff in applying the same 47  
 provision(s) of these Regulations. 48

**(5) Notification** 49

Required (see Section 24-3312, Notification to Applicant). 50  
 In addition, notification and a copy of the interpretation 51  
 shall be sent to the Clerk of the Council. 52

1       **(6) Appeal**  
2           The applicant may appeal the Planning Director's decision  
3           on an interpretation to the Planning Board.

30       (1) The plain meaning of the provision's wording, considering  
31           any terms specifically defined in **Error! Reference source**  
32           **not found., Error! Reference source not found.,** and the  
33           common and accepted usage of terms; and

4       **(7) Effect of Approval**  
5           A written interpretation is binding on subsequent decisions  
6           by the Planning Director or other M-NCPPC or County  
7           administrative officials in applying the same provision of  
8           these Regulations in the same circumstance, unless the  
9           interpretation is modified in accordance with this  
10          Subsection, or the text of these Regulations is amended.

34       (2) The purpose of the provision, as indicated by:  
35           **(A)** Any purpose statement in the section(s) where the  
36           text is located;  
37           **(B)** The provision's context and consistency with  
38           surrounding and related provisions;

11       **(8) Tracking Interpretations**  
12          The Planning Director shall maintain a copy of all written  
13          interpretations in one document, which shall be available  
14          in the offices of the Planning Director for public inspection,  
15          during normal business hours, and place the written  
16          interpretation on the M-NCPPC's website.

39           **(C)** Any legislative history related to the provision's  
40           adoption; and  
41           **(D)** The general purposes served by these Regulations, as  
42           set forth in Sec. 24-1300, Purpose and Intent.

17       **(9) Amendment of Formal Written Interpretations**  
18          The Planning Director may amend or repeal a formal  
19          written interpretation on the Director's own initiative, or  
20          upon a request for interpretation submitted in accordance  
21          with this Subsection, based upon new evidence or  
22          discovery of a mistake in the original interpretation, a  
23          change in State or Federal law, an amendment to these  
24          Regulations, or any other provision of the County Code that  
25          relates to the original formal written interpretation.

26       **(d) Interpretation Decision Standards**  
27          Interpretation of a provision, and its application shall be based  
28          on Sec. 24-1600, Relationship to Other Laws, and considerations  
29          including, but not limited to, the following:

