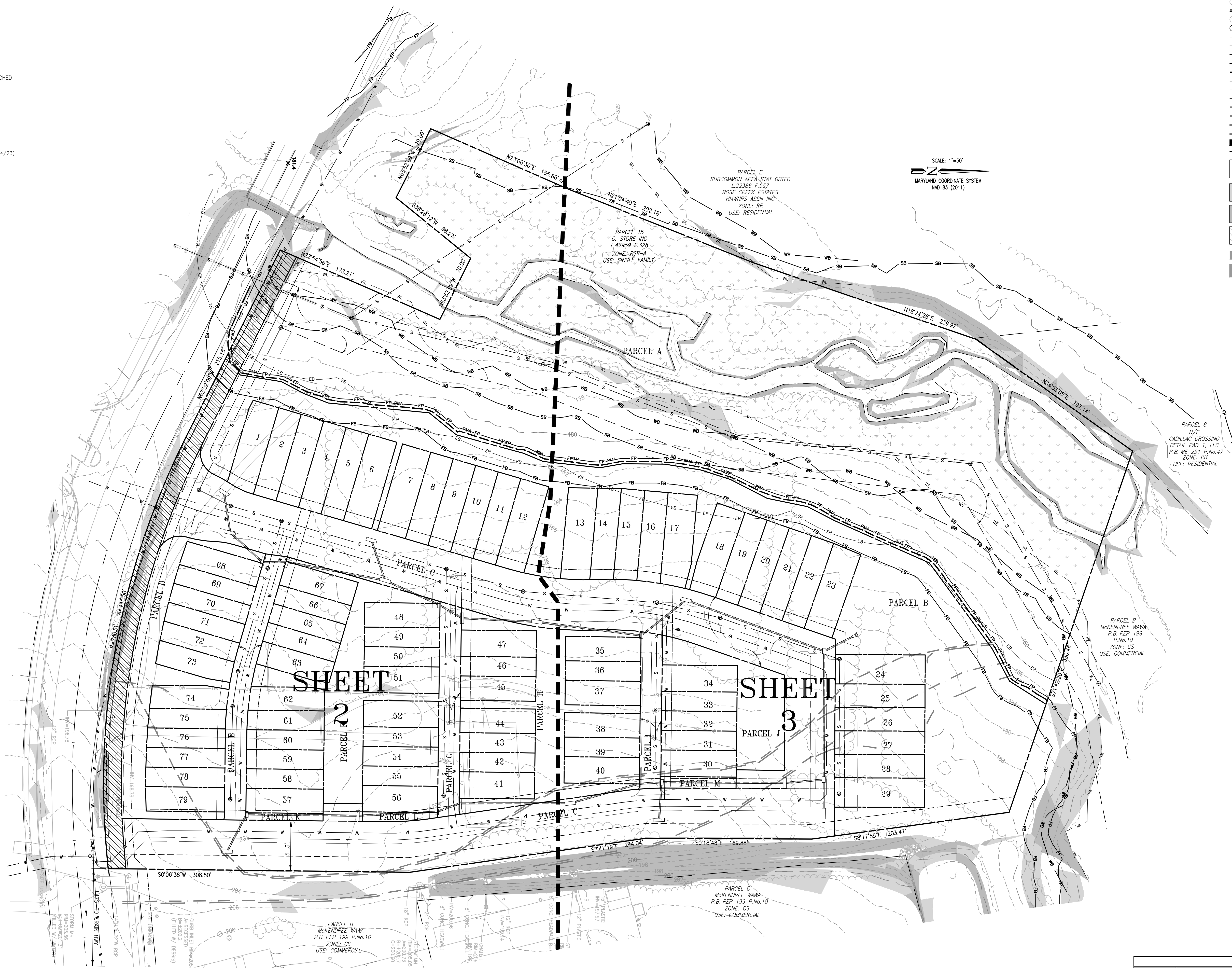


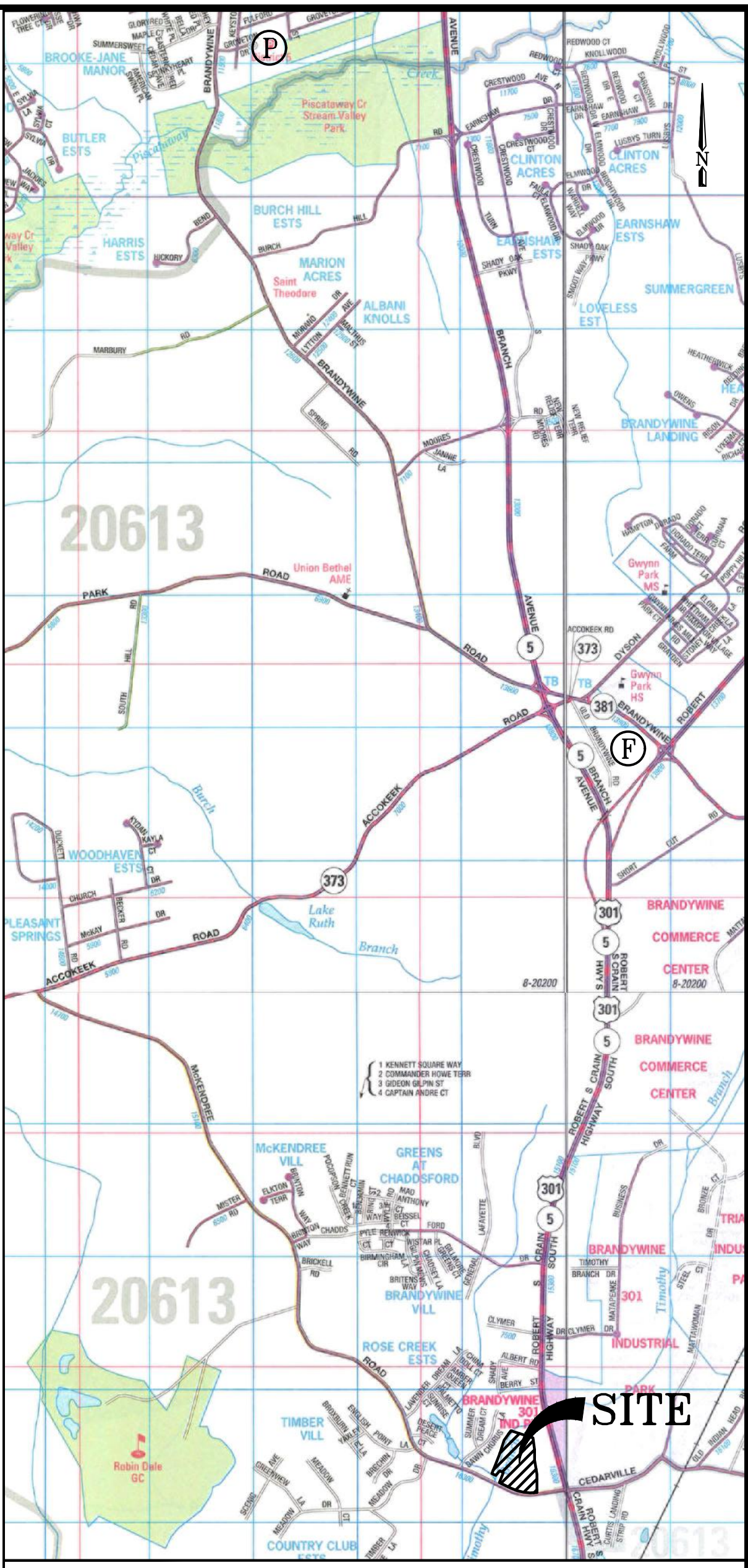
GENERAL NOTES

- PROJECT NAME: MCKENDREE ROAD
- APPLICANT: CHRISTOPHER LAND LLC
10461 WHITE GRANITE DRIVE SUITE 250
OAKTON, VA 22124
- PROPERTY OWNER: C STORE INC
1464 INGLESIDE AVE
MCLEAN, VA 22101
- EXISTING PARCEL/LOTS AND DEED REFERENCES: PARCEL 15, L.42959 F.328
 - TAX MAP & GRID: 164-F1
 - WSSC 200-FOOT MAP REFERENCE: 221SE07
 - THE PURPOSE OF THIS SUBDIVISION IS TO CONSTRUCT 79 TOWNHOMES AND 15 PARCELS
 - PRIOR APPROVALS: - NR-082-05-02
- 4-07040
 - GROSS ACREAGE: 12.86 AC.
NET ACREAGE: 8.32 AC.
 - NET DEVELOPMENT AREA OUTSIDE OF PMA: 8.32 AC.
 - ACREAGE OF ENVIRONMENTAL REGULATED FEATURES: 4.54 AC.
 - ACREAGE OF 100-YEAR FLOODPLAIN: 4.54 AC.
 - ACREAGE OF ROAD DEDICATION: 0.275 AC.
 - EXISTING ZONING: RSF-A
 - EXISTING USE: SINGLE FAMILY RESIDENCE
 - PROPOSED USE OF PROPERTY: RESIDENTIAL
 - BREAKDOWN OF PROPOSED DWELLING UNIT BY TYPE: (79) SINGLE-FAMILY ATTACHED
 - DENSITY CALCULATION: ALLOWED: 16.33 DU/AC
PROPOSED: 9.50 DU/AC
 - MINIMUM LOT SIZE: REQUIRED: N/A
PROPOSED: 1500 SF
 - MINIMUM LOT WIDTH AT BUILDING RESTRICTION LINE: 20 FT.
 - MINIMUM WIDTH AT FRONT STREET: 16 FT.
 - SUSTAINABLE GROWTH TIER: TIER 1
 - MILITARY INSTALLATION OVERLAY ZONE: NO
 - CENTER OR CORRIDOR LOCATION: NO
 - SWM CONCEPT NUMBER AND APPROVAL DATE: 47842-2022-0 (APPROVED 10/04/23)
 - WATER/SEWER CATEGORY: EXISTING W-4/S-4
PROPOSED W-3/S-3
 - METHOD OF SEWAGE DISPOSAL: PUBLIC SEWER
 - AVIATION POLICY AREA: NONE
 - MANDATORY PARK DEDICATION REQUIREMENT: FEE-IN-LIEU
 - CEMETERIES ON OR CONTIGUOUS TO THE PROPERTY: NO
 - HISTORIC SITES ON OR IN VICINITY OF THE PROPERTY: NO
 - TYPE ONE CONSERVATION PLAN: TOP1-XIX-2023
 - WITHIN CHESAPEAKE BAY CRITICAL AREA: NO
 - WETLANDS: YES
 - STREAMS: YES
 - SOILS BY SOIL TYPE AND SOURCE OF SOIL INFORMATION: SEE NR-082-05-02
 - IN OR ADJACENT TO ANY LAND TRUST EASEMENT: NO



LEGEND

- BOUNDARY LINE
- 100' LIMIT OF DISTURBANCE
- EXISTING CONTOUR
- 100' PROPOSED CONTOUR
- EXISTING TREELINE
- PROPOSED TREELINE
- EXISTING STREAM
- EXISTING OVERHEAD LINES
- EXISTING TELEPHONE LINE
- EXISTING GAS LINE
- EXISTING CHAIN LINK FENCE
- EXISTING STORMDRAIN
- PROPOSED STORMDRAIN
- EXISTING SEWER
- PROPOSED SEWER
- EXISTING WATER
- PROPOSED WATER
- EXISTING FLOODPLAIN
- 25' FLOODPLAIN BUFFER
- PRIMARY MANAGEMENT AREA
- STREAM BUFFER
- TIER II EXPANDED STREAM BUFFER
- PUBLIC UTILITY EASEMENT
- 65 dBA UNMITIGATED NOISE CONTOUR
- 65 dBA MITIGATED NOISE CONTOUR
- 55 dBA UNMITIGATED NOISE CONTOUR
- 55 dBA MITIGATED NOISE CONTOUR
- SHEET MATCHLINE
- WETLAND BUFFER
- EXISTING WETLANDS
- EXISTING SLOPES 15%-25%
- EXISTING SLOPES 25% OR MORE
- PROPOSED ROAD DEDICATION
- PROPOSED 5' WIDE SIDEWALK
- PROPOSED 8' MASTER PLAN TRAIL



VICINITY MAP

PRINCE GEORGE'S CO. MAP PAGE 5998 GRID K-4
SCALE: 1" = 2000'

- PG FIRE/EMS DEPARTMENT, BRANDYWINE STATION - 840 CLINTON POLICE STATION

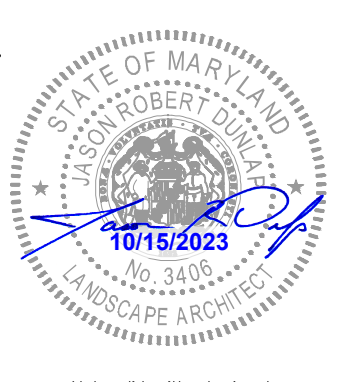
SHEET INDEX	
SHEET NUMBER	SHEET TITLE
1	COVER SHEET
2	PPS SHEET 2
3	PPS SHEET 3
4	CONNECTIVITY INDEX
5	CIRCULATION PLAN

PARCEL INFO			
PARCELS	PARCEL ACREAGE	INTENDED OWNERSHIP	USE
PARCEL A	4.49 AC	TO BE DEDICATED TO HOA	WOODLAND CONSERVATION
PARCEL B	1.25 AC	TO BE DEDICATED TO HOA	SWM & OPEN SPACE
PARCEL C	1.95 AC	TO BE DEDICATED TO HOA	PRIVATE ROAD
PARCEL D	9,587 SF	TO BE DEDICATED TO HOA	OPEN SPACE
PARCEL E	6,073 SF	TO BE DEDICATED TO HOA	PRIVATE ALLEY A
PARCEL F	10,180 SF	TO BE DEDICATED TO HOA	OPEN SPACE
PARCEL G	4,759 SF	TO BE DEDICATED TO HOA	PRIVATE ALLEY B
PARCEL H	9,676 SF	TO BE DEDICATED TO HOA	OPEN SPACE
PARCEL I	3,494 SF	TO BE DEDICATED TO HOA	PRIVATE ALLEY C
PARCEL J	6,661 SF	TO BE DEDICATED TO HOA	OPEN SPACE
PARCEL K	593 SF	TO BE DEDICATED TO HOA	OPEN SPACE
PARCEL L	671 SF	TO BE DEDICATED TO HOA	OPEN SPACE
PARCEL M	904 SF	TO BE DEDICATED TO HOA	OPEN SPACE

PROFESSIONAL CERTIFICATION

I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MARYLAND.

LICENSE NUMBER : 3406
EXPIRATION DATE : 05/10/2025



JASON DUNLAP - 1751 ELTON ROAD SUITE 300, SILVER SPRING, MD 20903
JDUNLAP@CPJA.COM

UPDATES/REVISIONS :

PPS-2022-025
PRELIMINARY PLAN OF SUBDIVISION

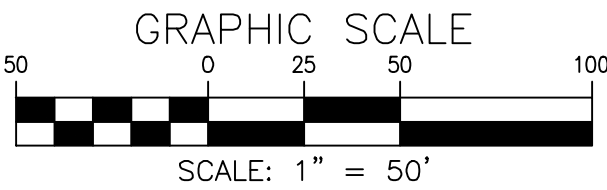
McKENDREE ROAD
BRANDYWINE (11th) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394
www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA

CLIENT : Christopher Land LLC 10461 White Granite Drive, Suite 250 Oakton, VA 22124	WSSC GRID : 221SE07 DESIGN : JRD DRAFT : GRM	TAX MAP : 164 F1 SHEET : 1 OF 5 DATE : SEPT. 2023 SCALE : 1" = 50'	FILE NO : 2022-1226-11-01
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MISS UTILITY
Call "Miss Utility" at 1-800-257-7777, 48 hours prior to the start of work.
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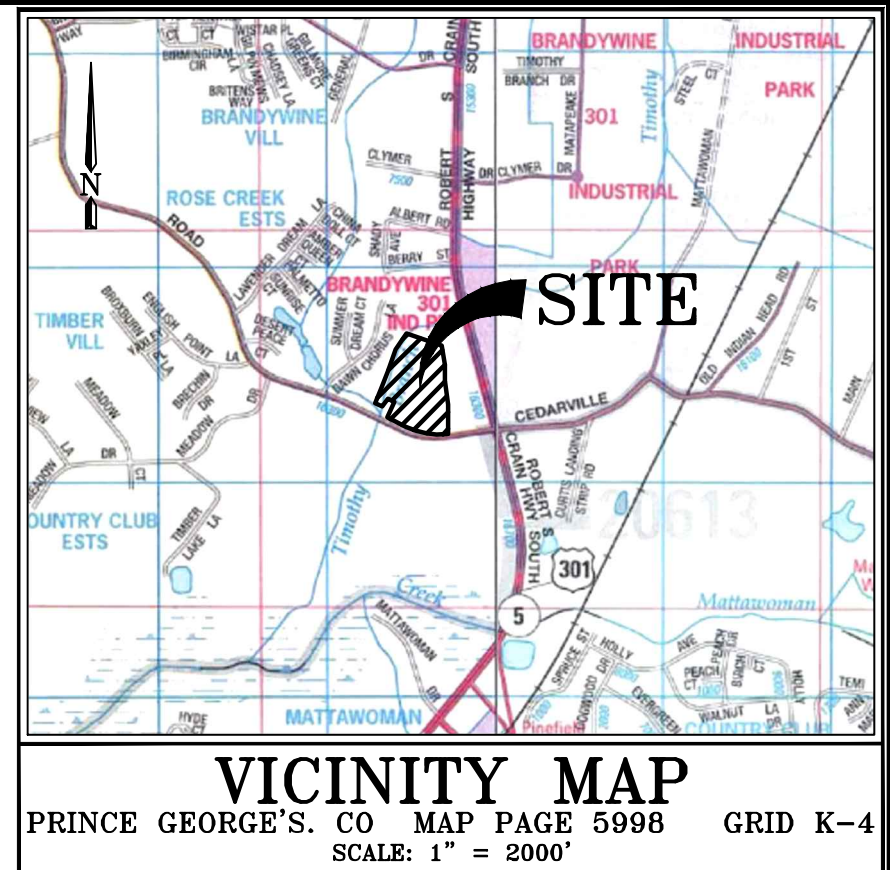




SCALE: 1"=50'
MARYLAND COORDINATE SYSTEM
NAD 83 (2011)

LEGEND

- BOUNDARY LINE
- 100' LIMIT OF DISTURBANCE
- 100' EXISTING CONTOUR
- 100' PROPOSED CONTOUR
- PROPOSED TREELINE
- EXISTING TREELINE
- EXISTING STREAM
- EXISTING OVERHEAD LINES
- EXISTING TELEPHONE LINE
- EXISTING GAS LINE
- EXISTING CHAIN LINK FENCE
- EXISTING STORMDRAIN
- PROPOSED STORMDRAIN
- EXISTING SEWER
- PROPOSED SEWER
- EXISTING WATER
- PROPOSED WATER
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- 65 dBA UNMITIGATED NOISE CONTOUR
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- 55 dBA MITIGATED NOISE CONTOUR
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- EXISTING SLOPES 25% OR MORE
- PROPOSED ROAD DEDICATION
- PROPOSED 5' WIDE SIDEWALK
- PROPOSED 8' MASTER PLAN TRAIL



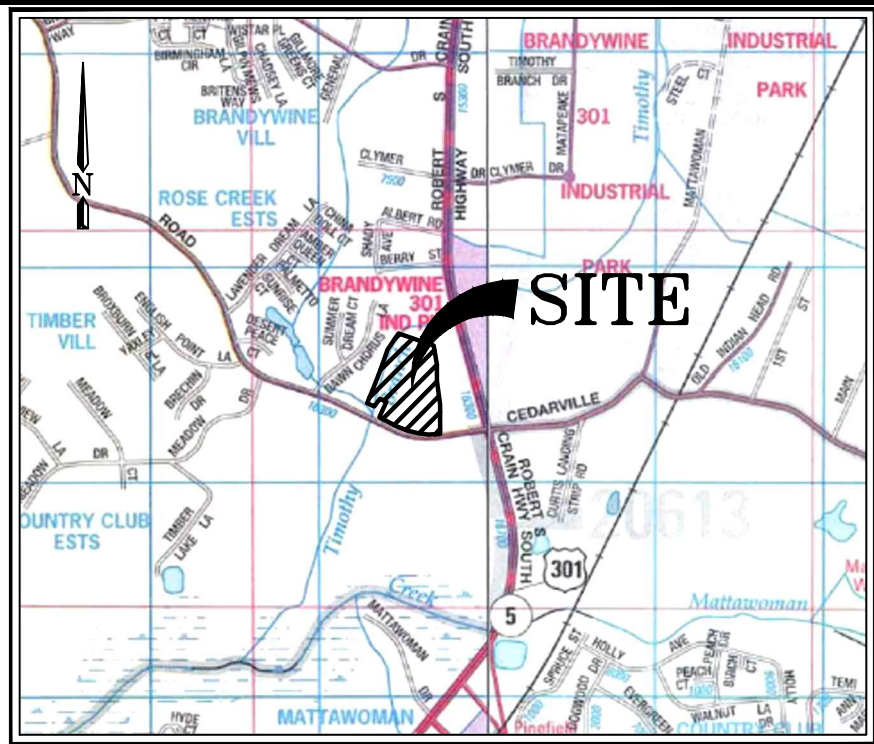
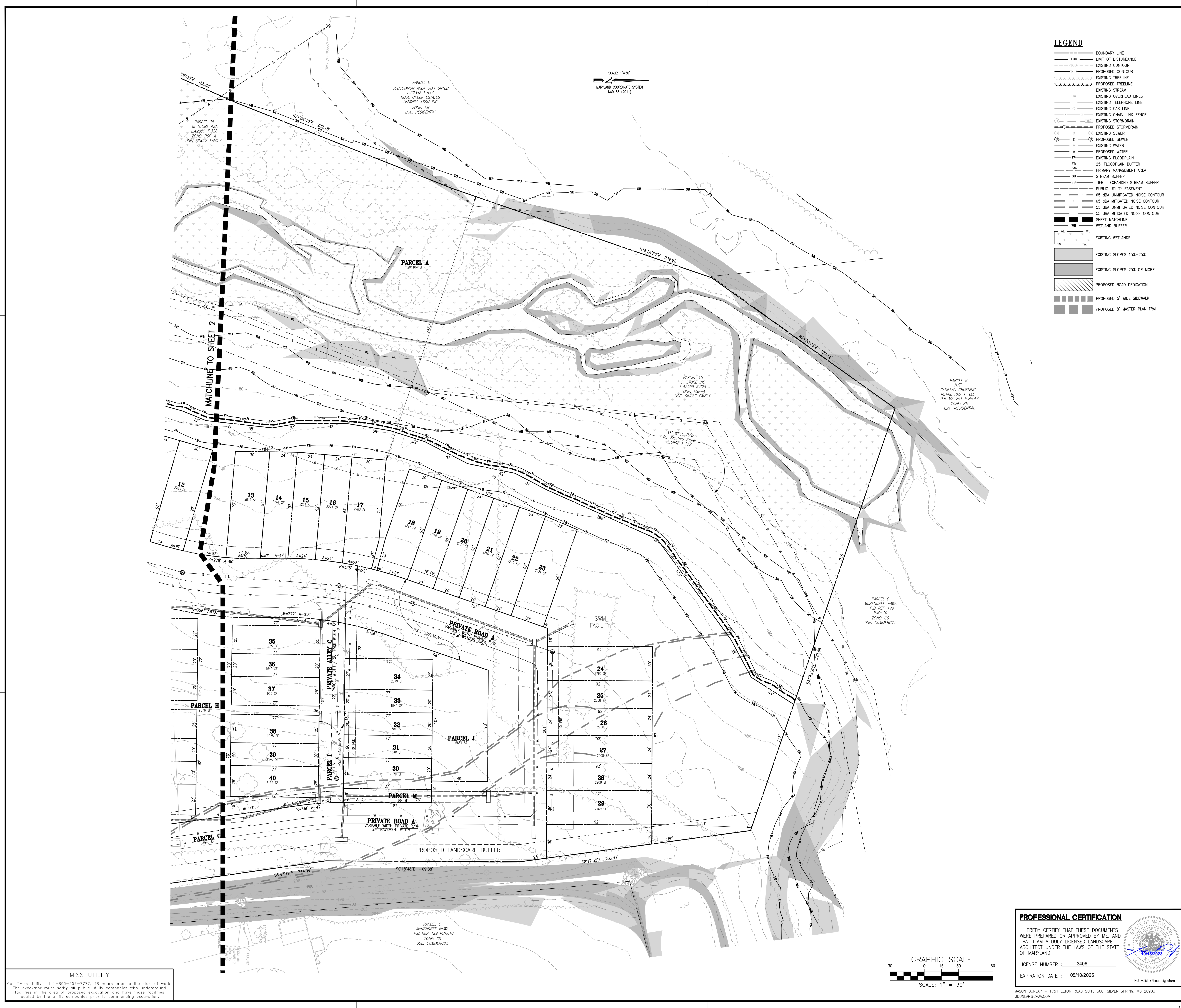
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LICENSE NUMBER : 3406
EXPIRATION DATE : 05/10/2025
Not valid without signature

Jason Dunlap
1751 Elton Road Suite 300, Silver Spring, MD 20903
JDUNLAP@CPJA.COM

UPDATES/REVISIONS :

PPS-2022-025 PRELIMINARY PLAN OF SUBDIVISION			
McKENDREE ROAD BRANDYWINE (11th) ELECTION DISTRICT PRINCE GEORGE'S COUNTY, MARYLAND			
CPJ Charles P. Johnson & Associates, Inc. Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors 1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394 www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA			
CLIENT : Christopher Land LLC 1846 White Granite Drive, Suite 250 Oakton, VA 22124	WSSC GRID : 22SE207 DESIGN : JRD DRAFT : GRM	TAX MAP : 854 P1 SHEET : 2 OF 5	DATE : SEPT. 2023 SCALE : 1" = 30'
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VICINITY MAP
PRINCE GEORGE'S CO. MAP PAGE 5998 GRID K-4
SCALE: 1" = 2000'

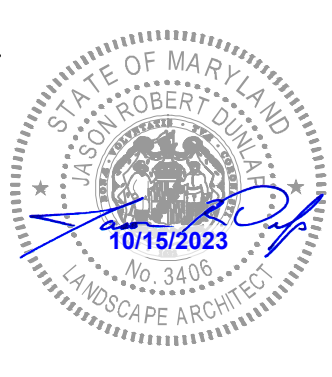
LEGEND

- BOUNDARY LINE
- LOD
- EXISTING CONTOUR
- PROPOSED CONTOUR
- EXISTING TREELINE
- PROPOSED TREELINE
- EXISTING STREAM
- EXISTING OVERHEAD LINES
- EXISTING TELEPHONE LINE
- EXISTING GAS LINE
- EXISTING CHAIN LINK FENCE
- EXISTING STORMDRAIN
- PROPOSED STORMDRAIN
- EXISTING SEWER
- PROPOSED SEWER
- EXISTING WATER
- PROPOSED WATER
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LICENSE NUMBER : 3406
EXPIRATION DATE : 05/10/2025



UPDATES/REVISIONS :

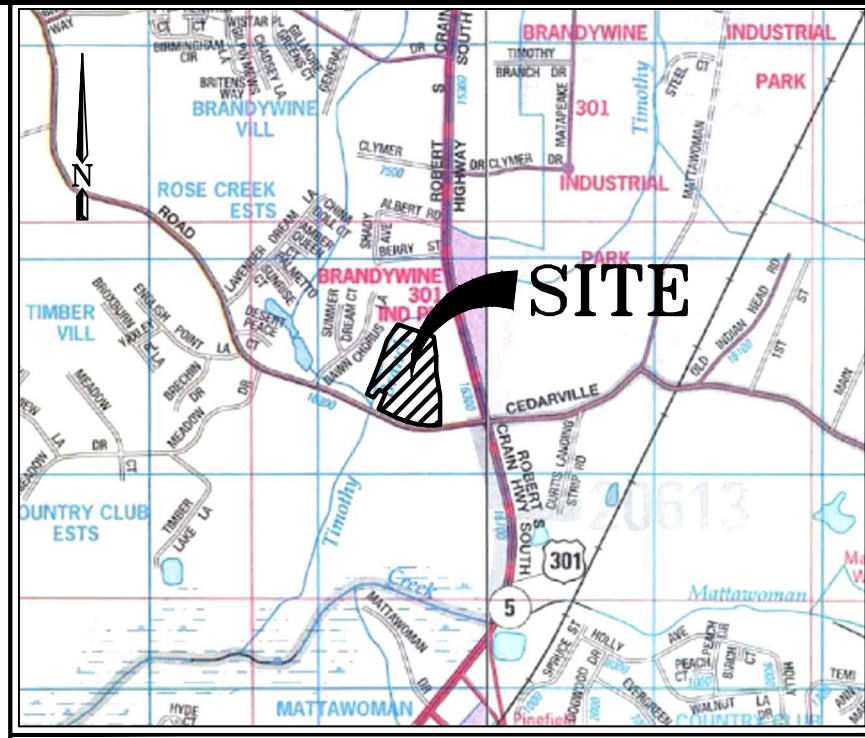
PPS-2022-025
PRELIMINARY PLAN OF SUBDIVISION

McKENDREE ROAD
BRANDYWINE (11th) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND

CPJ Charles P. Johnson & Associates, Inc.
Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors
1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394
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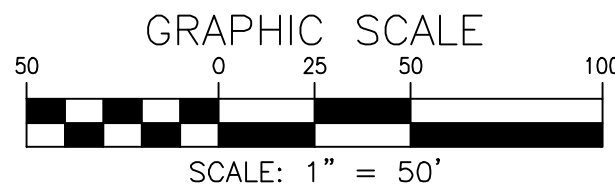
CLIENT : Christopher Land LLC 1846 White Granite Drive, Suite 250 Oakton, VA 22124	WSSC GRID : 22SE207 DESIGN : JRD DATE : SEPT. 2023	TAX MAP : 854 P1 SHEET : 3 OF 5 FILE NO : 2022-1236-11
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VICINITY MAP
PRINCE GEORGE'S CO. MAP PAGE 5998 GRID K-4
SCALE: 1" = 2000'

SCALE: 1"=50'
MARYLAND COORDINATE SYSTEM
NAD 83 (2011)



LEGEND

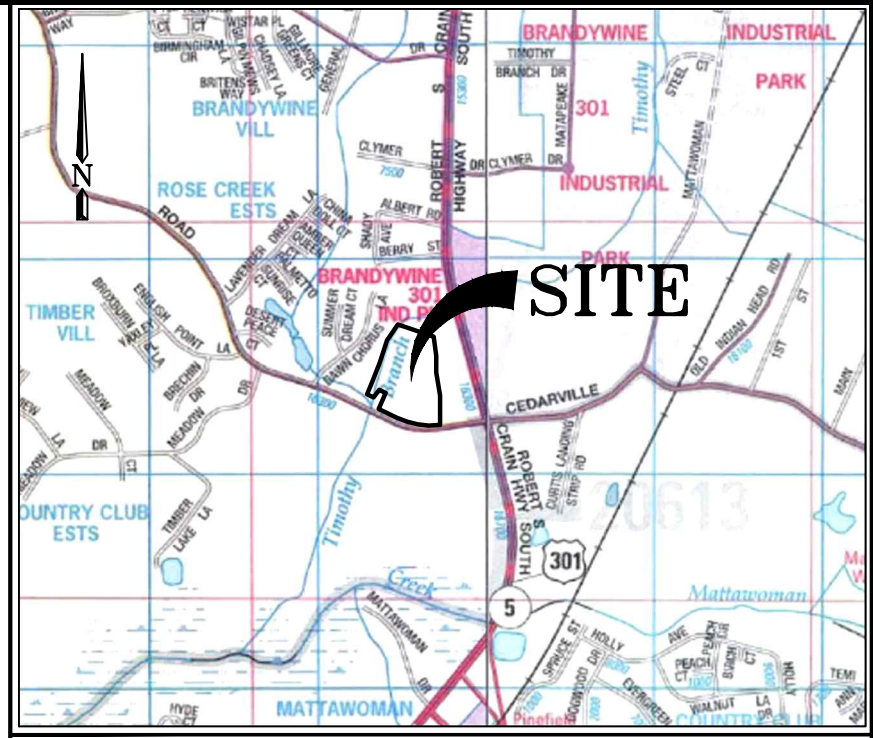
MINIMUM CONNECTIVITY SCORE = 1.50
CONNECTIVITY SCORE = 1.75 (14 LINKS/8 NODES)

 NODE  LINK

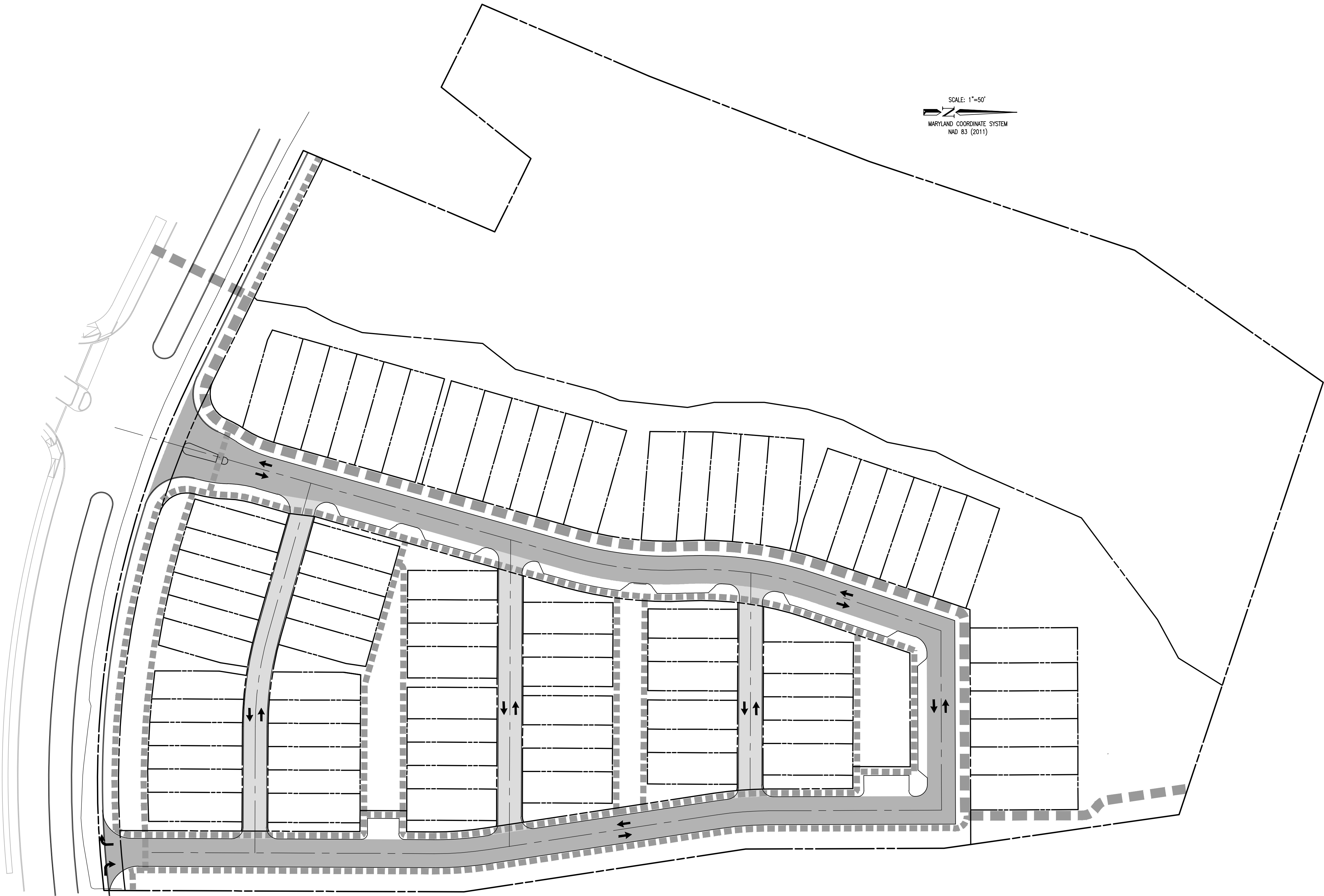
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UPDATES/REVISIONS :		

PPS-2022-025 CONNECTIVITY INDEX EXHIBIT		
McKENDREE ROAD BRANDYWINE (11th) ELECTION DISTRICT PRINCE GEORGE'S COUNTY, MARYLAND		
CPJ Associates Charles P. Johnson & Associates, Inc. Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors 1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394 www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA		
CLIENT : Christopher Land LLC 1846 White Granite Drive, Suite 250 Oakton, VA 22124	WASS GRID: 22SE07 DESIGN: JRD DRAFT: GRM	TAX MAP: 854 P1 SHEET 4 OF 5 DATE: SEPT. 2023 SCALE: 1" = 50'
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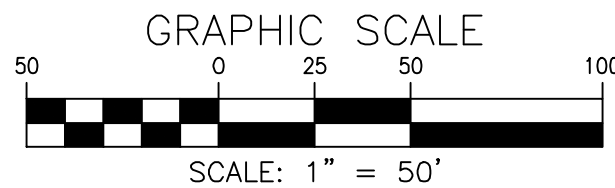
VICINITY MAP
PRINCE GEORGE'S, CO MAP PAGE 5998 GRID K-4
SCALE: 1" = 2000'



SCALE: 1"=50'
MARYLAND COORDINATE SYSTEM
MD 83 (2011)

LEGEND

- ROAD CENTERLINE
- PROPOSED 5' WIDE SIDEWALK
- PROPOSED 8' WIDE MASTER PLAN TRAIL
- PRIMARY VEHICULAR CIRCULATION
- SECONDARY VEHICULAR CIRCULATION
- TWO-WAY VEHICULAR CIRCULATION



MISS UTILITY

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PROFESSIONAL CERTIFICATION

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LICENSE NUMBER : 3406

EXPIRATION DATE : 05/10/2025

Not valid without signature

UPDATES/REVISIONS :

PPS-2022-025 CIRCULATION PLAN			
McKENDREE ROAD BRANDYWINE (11th) ELECTION DISTRICT PRINCE GEORGE'S COUNTY, MARYLAND			
CPJ Charles P. Johnson & Associates, Inc. Civil and Environmental Engineers • Planners • Landscape Architects • Surveyors 1751 Elton Rd., Ste. 300 Silver Spring, MD 20903 301-434-7000 Fax: 301-434-9394 www.cpja.com • Silver Spring, MD • Gaithersburg, MD • Annapolis, MD • Greenbelt, MD • Frederick, MD • Fairfax, VA			
CLIENT : Christopher Land LLC 1846 White Granite Drive, Suite 250 Oakton, VA 22124	WASC GRID : 22SE07	TAX MAP : 854 P1	
DESIGN : JRD	DESIGN : JRD	SHEET : 5	OF : 5
DRAFT : GRM	DATE : SEPT. 2023	FILE NO. :	
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STATEMENT OF JUSTIFICATION

McKENDREE ROAD PPS-2022-025

APPLICANT: Christopher Land LLC
10461 White Granite Drive, Suite 250
Oakton, Virginia 22124

OWNER: C Store Inc.
1464 Ingleside Avenue
McLean, Virginia 22101

ATTORNEY/
CORRESPONDENT: Matthew C. Tedesco, Esq.
MCNAMEE HOSEA, P.A.
6404 Ivy Lane, Suite 820
Greenbelt, Maryland 20770
(301) 441-2420 Voice
(301) 982-9450 Fax
mtedesco@mhlawyers.com

CIVIL ENGINEER: Charles P. Johnson Associates, Inc.
Philip Hughes
Jason Dunlap
1751 Elton Road, Suite 300
Silver Spring, Maryland 20903
(301) 434-70000
PHughes@cpja.com
JDunlap@cpja.com

TRAFFIC ENGINEER: Lenhart Traffic Consulting, Inc.
Michael Lenhart, P.E., PTOE
645 Baltimore Annapolis Boulevard, Ste. 214
Severna Park, Maryland 21146
(410) 216-3333 Voice
mlenhart@lenharttraffic.com

REQUEST: Preliminary Plan of Subdivision (PPS) for the development of approximately 79 lots and 15 parcels for the development of approximately 79 single-family attached (townhouse) residential units in the RSF-A Zone.

Waiver, pursuant to Sections 27-6207(b)(2) and 27-6208(b)(2) of the requirements in Sections 27-6207(b) and

27-6208(b), respectively, for pedestrian and bicycle circulation systems, respectively.

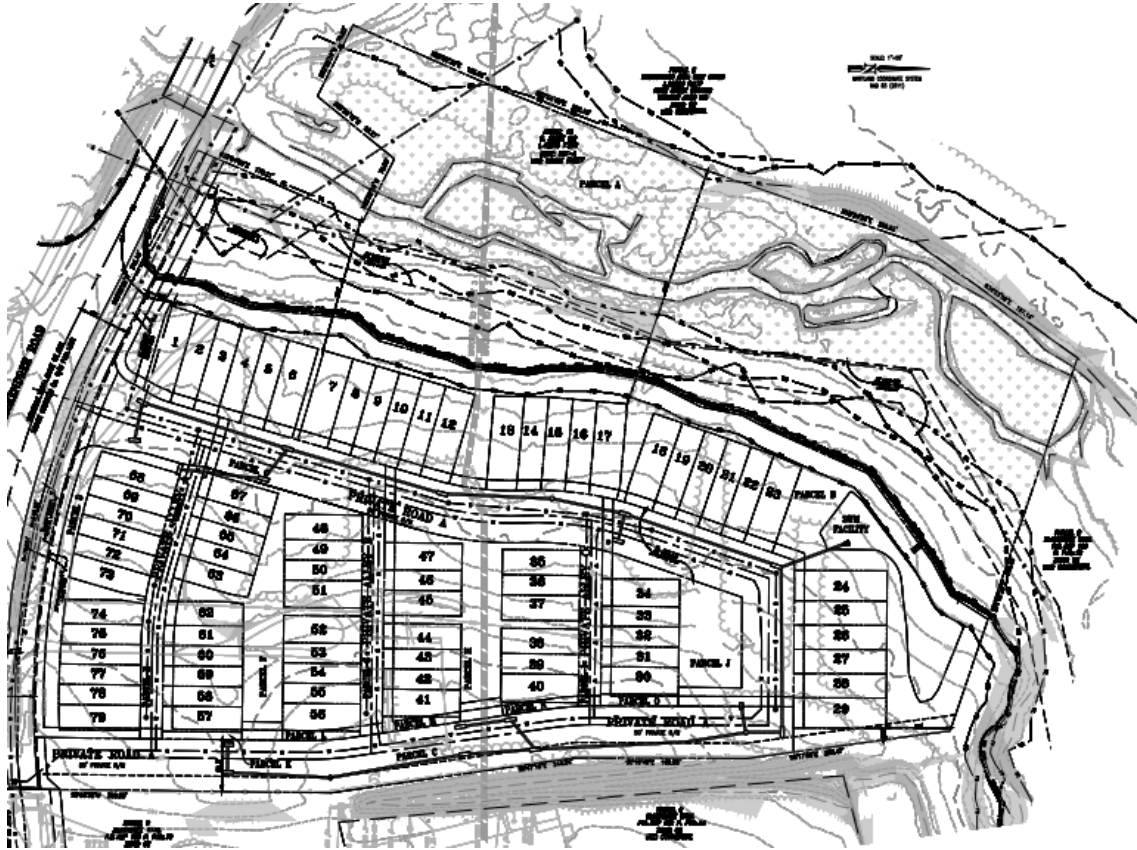
I. DESCRIPTION OF PROPERTY

1. Addresses – 16400 McKendree Road, Brandywine, Maryland 20613.
2. Proposed Use – Development of approximately 79 lots and 15 parcels for the development of approximately 79 single-family attached residential units in the RSF-A Zone.
3. Election District – 11.
4. Councilmanic District – 9.
5. Lots – Parcel 15.
6. Total Gross Acreage – 12.6 Acres.
7. Total Net Acreage – 8.32 Acres (the net acreage excludes the 4.54 acres within the 100-Year Floodplain)
8. Total Net Developable Area Outside of PMA – 8.32 acres (net developable area excludes the 4.54 acres of existing PMA).
9. Tax Map & Grid – 164-F1.
10. Location – North side of McKendree Road, approximately 400 feet west of its intersection with US 301 (Crain Highway).
11. Zone – RSF-A
12. Density Calculation – 9.50 DU/Acre (16.33 DU/acre allowed)
13. Zoning Map – 221SE07
14. General Plan Growth Policy – Established Communities.

II. NATURE OF REQUEST

Christopher Land, LLC (hereinafter the “Applicant”) is requesting the approval of a Preliminary Plan of Subdivision (PPS) for the development of approximately 79 lots and 15 parcels for the development of approximately 79 single-family attached (townhouse) residential units in the RSF-A Zone. The applicant is also requesting a Waiver, pursuant to Sections 27-6207(b)(2)

and 27-6208(b)(2) of the requirements in Sections 27-6207(b) and 27-6208(b), respectively, regarding pedestrian and bicycle circulation systems, respectively.

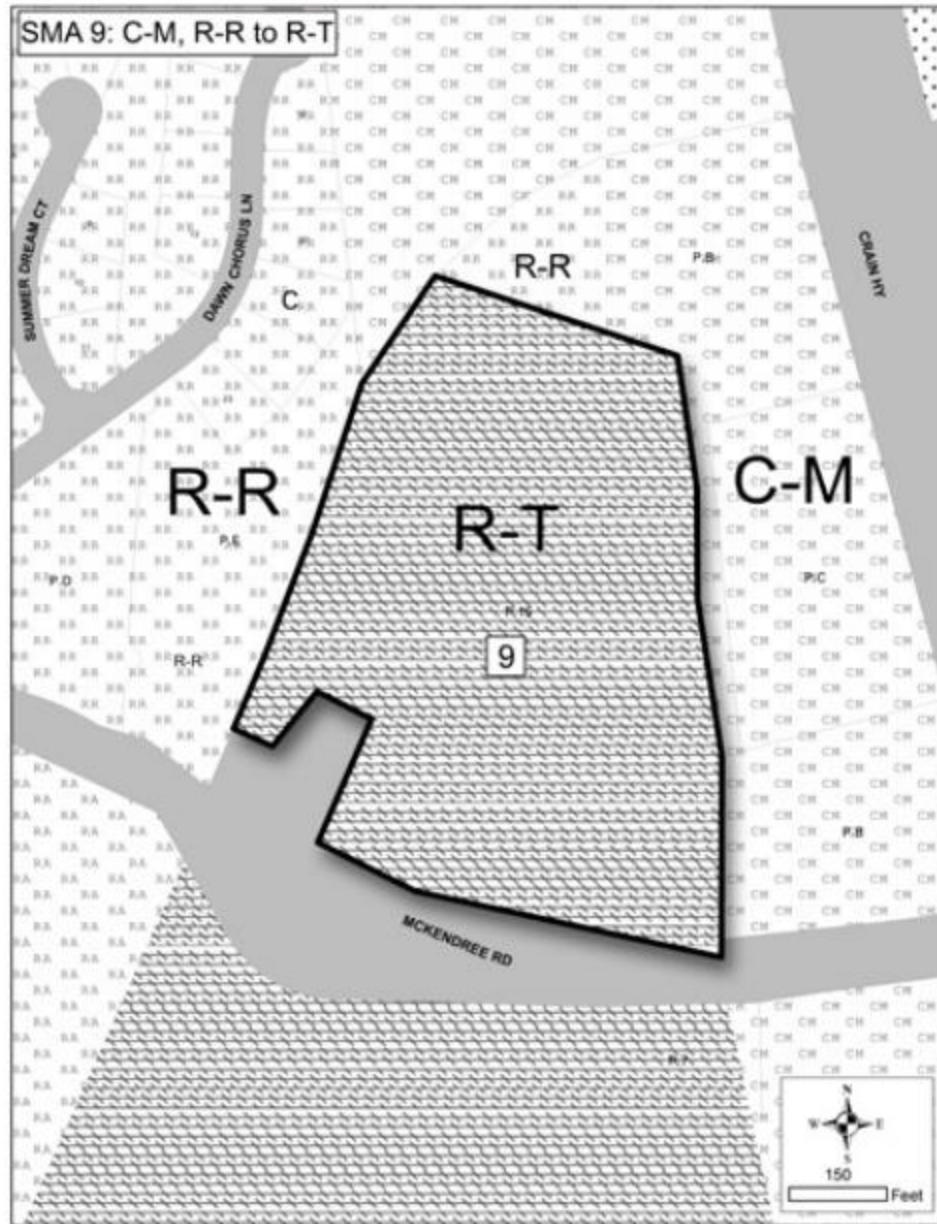


III. APPLICANT'S PROPOSAL

The applicant presents in this Preliminary Plan of Subdivision (PPS-2022-025) application and future Detailed Site Plan (DET-2022-020) application a proposed new development for property located at 16400 McKendree Road, Brandywine, Maryland 20613 (the "Subject Property") consisting of approximately 79 single-family attached (townhouse) residential units in the RSF-A Zone.

The Subject Property lies within the 2013 *Approved Subregion 5 Master Plan and Sectional Map Amendment* ("Master Plan" and "SMA"), which rezoned the subject property from the C-M (Commercial Miscellaneous) Zone and R-R (Rural Residential) Zone to the R-T (Residential Townhouse) Zone. (*See* SMA Change No. 9 at p. 178). Specifically, the basis for the comprehensive rezoning of the Subject Property to the R-T Zone was because "[t]he plan strives to concentrate commercial uses in planned centers, the area that was previously zoned commercial was too small to develop commercially, and the site should be unified under a single zoning category. Townhouse development at this location will enable residents' non-vehicular access to the Brandywine Community Center along the planned spine road, accessed from this property." (*Id.*)

Change Number	Zoning Change	Area of Change	Planning Area	Tax Map and Grid	Tax Account	Prior Zoning Approval(s)
9	C-M, R-R to R-T	12.57 acres	85A	164-F1	1147958, 3046042	SMA, 9/14/1993
Location and Use	16400 McKendree Road, north side of McKendree Road, west of its intersection with US 301/MD 5.					
Discussion	The plan strives to concentrate commercial uses in planned centers, the area that was previously zoned commercial was too small to develop commercially, and the site should be unified under a single zoning category. Townhouse development at this location will enable residents' non-vehicular access to the Brandywine Community Center along the planned spine road, accessed from this property.					



178 | X: Sectional Map Amendment

2013 Approved Subregion 5 Master Plan and Sectional Map Amendment

The Master Plan establishes development policies, objectives and strategies that are consistent with the recommendations of the 2002 *Prince George's County Approved General Plan*. It was approved with three distinct areas, each with their own personality: the Accokeek,

Brandywine and Clinton/Tippett areas. Economic development and growth are primarily directed to the MD 5 corridor and Brandywine. Brandywine is the subregion's most diverse community, including rural, residential, large-scale industrial, and highway-oriented commercial uses. The Master Plan envisions the center of the Brandywine community along MD 5, south of the MD 5/US 301 intersection. This center implements the 2002 General Plan policy to direct growth into designated areas, creating in Brandywine a core within an approximately 120-acre transit-oriented, mixed-use area on the east side of MD 5/US 301. It would be focused on a transit station, with high-density, mixed residential, commercial, and employment uses abutting existing and planned major commercial land uses to the south, and mixed residential uses to the north. Since the adoption of the Master Plan, in 2014, the County updated a new General Plan, known as "Plan Prince George's 2035" (Plan 2035), which placed the subject property in the Established Communities Growth Policy Area. Plan 2035:

Classifies existing residential neighborhoods and commercial areas served by public water and sewer outside of the Regional Transit Districts and Local Centers, as Established Communities. Established Communities are most appropriate for context-sensitive infill and low-to medium-density development. Plan 2035 recommends maintaining and enhancing existing public services (police and fire/EMS), facilities (such as libraries, schools, parks, and open space), and infrastructure in these areas (such as sidewalks) to ensure that the needs of existing residents are met.

(Plan 2035 at p. 20). Plan 2035 also specifically provides that "[a]ll planning documents which were duly adopted and approved prior to the date of adoption of Plan 2035 shall remain in full force and effect, except for the designation of tiers, corridors, and centers, until those plans are revised or superseded by subsequently adopted and approved plans." (Plan 2035 at p. 270). Thus, the Master Plan is still applicable.

Pursuant to County Council Bill CB-013-2018, the Prince George's County Council adopted a new Zoning Ordinance (Subtitle 27 of the County Code), which was to become effective upon the approval of the Countywide Sectional Map Amendment ("CMA"). Pursuant to Council Resolution CR-136-2021, the new Zoning Ordinance became effective on April 1, 2022. As a result, the subject property was rezoned from the R-T Zone to the RSF-A (Residential Single Family – Attached) Zone.

IV. COMMUNITY

The subject property is in Planning Area 85A, and Councilmanic District 9. More specifically, the site is located on the north side of McKendree Road, approximately 420 feet west of its intersection with Robert Crain Highway (US 301) in Brandywine, Maryland. The property is located in the RSF-A Zone. The property is also located in the 2013 Approved Subregion 5 Master Plan and Sectional Map Amendment area.

The subject property is surrounded by the following uses:

North: Vacant land in the RR Zone, and vacant land and existing commercial use in the CS Zone.

South: McKendree Road and beyond the Dobson Ridge development with Single-family attached residential in the RSF-A Zone.

East: Existing commercial use in the C-M Zone, and beyond Robert Crain Highway (US 301).

West: Vacant land and single-family homes in the RR Zone.

The Master Plan also designates Brandywine as a commercial growth area as the “Brandywine Community Center,” an area to focus development and growth. Major Subregion Master Plan recommendations include focusing residential and commercial development near the interchange of US 301 and a master planned arterial road (A-55), a portion of which will be constructed east of the subject property – on the other side of the Timothy Branch stream. Further, as provided in the SMA for the Subject Property, “townhouse development at this location will enable residents’ non-vehicular access to the Brandywine Community Center along the planned spine road, accessed from this property.” The implementation of the zoning and the proposed development that is consistent with the plan’s vision is to move towards the plan’s goal of implementing transit-oriented development within the designated Brandywine Community Center.

Plan 2035 designates Brandywine as a Local Town Center, which is a focal point for development and infrastructure improvements. The subject property is located in close proximity to the Brandywine Town Center and was comprehensively rezoned due to the access this property has to the said Town Center. Local Centers are those areas “recommended for medium to medium-high residential development, along with limited commercial uses” (Plan 2035 at p. 19).

Seven growth corridors were identified in the 2002 General Plan, including the MD 5 / Branch Avenue Corridor. The Master Plan recognized this 2002 corridor and reaffirmed the General Plan’s vision “for corridor development that is of moderate density and compatible with the surrounding community.” (p. 51). The Master Plan also notes that Branch Avenue is a transit corridor. The 2014 update to the General Plan, Plan 2035, reduces emphasis on corridors; rather, it recommends development be concentrated within Centers. The Property is in the Established Communities Growth Policy Area established in Plan 2035.

The Vision for the Brandywine area is:

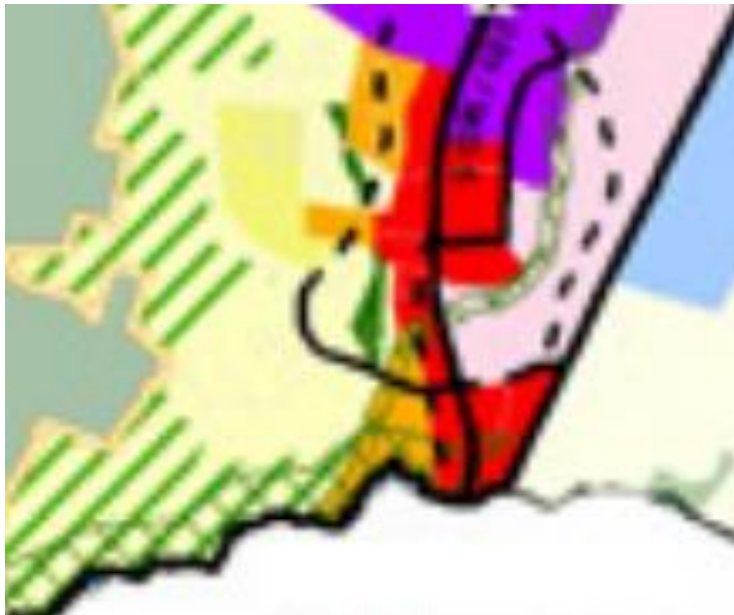
Brandywine develops into the center envisioned in the 2002 Prince George’s County Approved General Plan. It is a large, mixed-use community within the MD 5/US 301 corridor with transit-oriented neighborhoods designed so residents and employees can walk to nearby bus or light rail commuter stations. A variety of housing choices are available to residents, from apartments to single-family dwellings, and there are many opportunities to shop, dine, and be entertained. A well-planned road network allows local traffic to

circulate throughout the community without relying, on the regional highway network. A key feature in Brandywine is the network of pedestrian trails and bike paths that connect living areas to schools, shops, and parks. East of Brandywine is the original village of Brandywine, is a vital part of the larger community and includes one-of-a-kind restaurants and small shops along a traditional main street, MD 381. West of Brandywine, the land uses transition to rural, low density residential development.

(Master Plan at p. 28).

A residential medium-high density development of townhouses fits the Brandywine Vision and the goals and policies of the Master Plan. Key ingredients of the proposed development include townhouses, open spaces with pedestrian paths and sidewalks, bike paths and lanes connecting residents with a series of public recreational facilities throughout the community. It also provides easy access to the emerging Brandywine Center, an auto-reliant Local Town Center along US 301/MD 5 just to the north.

The Future Land Use Map (Map VI-1; p. 32), recommends the Subject Property for Residential Medium High. The Master Plan, on page 33, discusses this area:



Residential medium high and residential high areas can be developed as single-family or *townhouse development* and are limited to several small areas in Clinton east of Clinton Park Shopping Center, and west of MD 5 near the Southern Maryland Hospital Center. Other residential medium high and residential high areas are designated *in or near the future Brandywine Community Center*.

(Master Plan at p. 33) (emphasis added).

The Subject Property is in the Sewer Envelope and currently in Water Category 4 and Sewer Category 4 (Community System Adequate for Development Planning). This category includes all properties inside the Sewer Envelope for which the subdivision process is required, and facilitates the filing of this application. Administrative advancement to Water and Sewer Category 3 will be necessary prior to record plat.

Fulfilling the planning goals and policies of the Master Plan, SMA, and Plan 2035, the project consists of approximately 79 single-family attached (townhouse) units. The proposed development presents development in keeping with the Master Plan's recommendations in an area where public facilities are available to meet the needs of residents, is context sensitive, and provides an aesthetically pleasing neo-traditional grid pattern layout of streets and alleys.

V. GENERAL CRITERIA FOR PPS APPROVAL

Pursuant to County Council Bills CB-13-2018 and CB-15-2018, the Prince George's County Council adopted a new Zoning Ordinance (Subtitle 27 of the County Code) and new Subdivision Regulations, which was to become effective upon the approval of the Countywide Sectional Map Amendment (CMA). Pursuant to Council Resolution CR-136-2021, the new Zoning Ordinance became effective on April 1, 2022. As a result, the subject property was rezoned from the R-T Zone to the RSF-A Zone.

Section 24-3402. Minor and Major Subdivision, or Resubdivision.

(e) Major Subdivision.

(1) Preliminary Plan of Major Subdivision;

(D) Preliminary Plan of Major Subdivision Decision Standards

A preliminary plan of major subdivision may only be approved upon finding that it:

(i) Complies with all applicable standards of these Regulations;

COMMENT: Pursuant to all of the documents and plans submitted in support of PPS-2022-025, all applicable standards in the Subdivision Regulations are met.

(ii) Establishes in its layout a good and strong relationship between lots, the street(s), and open space set-asides that is consistent with the purposes of these Regulations and Subtitle 27: Zoning Ordinance, of the County Code;

COMMENT: As provided and depicted on the PPS submitted herewith, the development provides a layout that establishes a good and strong relationship between lots, the streets, and open space set-asides that is consistent with the purposes of the Subdivision Regulations and Zoning

Ordinance.

(iii) Complies with all other applicable requirements in Subtitle 27: Zoning Ordinance;

COMMENT: With the exception of the requested Waiver to the requirements in Sections 27-6207(b) and 27-6208(b), respectively, regarding pedestrian and bicycle circulation systems, PPS-2022-025 complies with all other applicable requirements of the Zoning Ordinance.

(iv) Conforms with the applicable Area Master Plan or Sector Plan, and current Functional Master Plans; and

COMMENT: As provided *supra* (and incorporated by reference in this response), PPS-2022-025 conforms with the 2013 *Approved Subregion 5 Master Plan and SMA* and current Functional Master Plans. Specifically, and as outline *supra*, the SMA purposefully rezoned the Subject Property to the R-T Zone (now the RSF-A Zone) to implement the goals, policies, and future land use recommendations of the Master Plan and General Plan. Development consistent with said zoning conforms with this requirement.

(v) Complies with all applicable requirements of the County Code of Ordinances.

COMMENT: PPS-2022-025 complies with all other applicable requirements of the County Code.

VI. SUBTITLE 24-4. SUBDIVISION REGULATIONS

SECTION 24-4100 – PLANNING AND DESIGN

24-4101. General Standards.

(a) Zoning Ordinance Standards

All preliminary plans of subdivision and final plats shall comply with all applicable standards in Subtitle 27: Zoning Ordinance, Part 6: Development Standards, of the County Code. All information and support materials needed to demonstrate compliance with this Section shall be provided by the subdivider.

COMMENT: As provided in greater detail herein, with the exception of the requested Waiver to the requirements in Sections 27-6207(b) and 27-6208(b), respectively, regarding pedestrian and bicycle circulation systems, PPS-2022-025 complies with all other applicable requirements of Part 27-6 of the Zoning Ordinance.

(b) Conform to Comprehensive Master Plan

- (1) Preliminary plans of subdivision (minor and major) and final plats shall be consistent with the General Plan and shall conform to all applicable Area**

Master Plans, Sector Plans, or Functional Master Plans, and as referenced in Sections 24-3402(d) and 24-3402(e) of this Subtitle.

COMMENT: No conflict exists between the underlying zoning of the Subject Property and the applicable planning documents' goals, vision, and recommendations. That is, Change Number 9 of the SMA comprehensively rezoned the Subject Property from the C-M and R-R Zones to the R-T Zone (now the RSF-A Zone) in order to accommodate townhouse development on the property. The future land use recommendation for the Subject Property is Residential Medium High, which is consistent with the proposed development. As provided *supra* (and incorporated by reference in this response), PPS-2022-025 conforms with the 2013 *Approved Subregion 5 Master Plan and SMA*, Plan 2035, and any applicable Functional Master Plans. Development consistent with said zoning conforms with this requirement.

- (2) **Should a new Area Master Plan, Sector Plan, and/or Functional Master Plan be approved, affecting a property with an approved preliminary plan of subdivision (major or minor), but prior to approval of a final plat, the approved preliminary plan application shall control in the event of any conflict between the newly approved Area Master Plan, Sector Plan, and/or Functional Master Plan.**

COMMENT: Acknowledged.

- (3) **Should an Area Master Plan, Sector Plan, and/or Functional Master Plan affecting the subject property be in direct conflict with any provision of the County Zoning Ordinance that is applicable to said property – such that the current comprehensive plan and requirements of the Ordinance cannot be reconciled, and/or the District Council has not imposed the respectively corresponding zoning proposal for the area of the subject property – then the provisions of the County Zoning Ordinance shall supersede the recommendations set forth in any applicable Area Master Plan, Sector Plan, and/or Functional Master Plan for the subject property. Notwithstanding any other requirement of this Subtitle, the Planning Board may approve a subdivision application that conforms with land use policy recommendations for centers in the current General Plan for the physical development of land in the County. In such cases, however, the Planning Board shall make specific findings as to the irreconcilable conflict(s).**

COMMENT: As provided *supra* (and incorporated by reference in this response), the SMA purposefully rezoned the Subject Property to the R-T Zone (now the RSF-A Zone) to implement the goals, policies, and future land use recommendations of the Master Plan and General Plan. Development consistent with said zoning conforms with this requirement.

(c) Unsafe Land

- (1) **The Planning Director or Planning Board, as appropriate, shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to a) natural conditions, including but**

not limited to flooding, erosive stream action, high water table, unstable soils, severe slopes or soils that are unstable either because they are highly erodible or prone to significant movement or deformation (Factor of Safety < 1.5), or b) man-made conditions on the land, including but not limited to unstable fills or slopes.

COMMENT: The applicant has conducted soil boring tests across the property and has consulted with geotechnical engineers. Based on these studies/investigations, no unsafe soils or unsafe conditions exist on the Subject Property.

(2) All subdivisions shall conform to the following:

(A) When a preliminary assessment of a site, PGAtlas.com, the USDA Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov>), a geotechnical engineering report, or past activity of a nearby permit indicates that a portion of the land may be unsafe, a detailed geotechnical engineering evaluation of the land shall be prepared by a registered professional geotechnical engineer and submitted for review during the subdivision process. The limits of unsafe land shall be delineated by the registered professional geotechnical engineer and reviewed by M-NCPPC and DPIE. If the land is determined unsafe, it may be platted as part of a lot or parcel in which there is sufficient land to erect a building within the building lines established by the zone in which the land is located. There shall be an additional 25-foot setback between that building and the unsafe area, which shall be identified on the final plat with a building restriction line. These shall also be present on all site plans.

COMMENT: Not applicable. No portion of the land is unsafe for development.

(B) If the unsafe land has become safe for building construction, upon appropriate findings or proposed mitigations that are acceptable to the County, the building restriction line may be removed by the recording of a new final plat approved by the Planning Board.

COMMENT: Not applicable. No portion of the land is unsafe for development.

(C) When the applicant proposes mitigations or remedial actions to correct or alleviate unsafe soil conditions, the proposal shall be referred to DPIE for a determination of whether such measures are sufficient to protect the safety of its future use. The proposal may be approved along with the platting of such land, upon recommendation of a registered professional geotechnical engineer and DPIE, provided that covenants are attached to incorporate the remedial actions and ensure safe soil conditions.

COMMENT: Not applicable. No portion of the land is unsafe for development.

(D) The owner of any land on which unsafe conditions have been found to exist is generally required to notify any potential purchaser of such conditions.

COMMENT: Not applicable. No portion of the land is unsafe for development.

(d) Land in Reservation

When indicated by an applicable Area Master Plan, Sector Plan, Functional Master Plan, or the General Plan, or when requested by a public agency, land may be placed in reservation, in accordance with Section 24-3405, Reservations.

COMMENT: Not applicable. No portion of the land is proposed or will be required to be placed in reservation.

24-4102. Lot Standards.

(a) Conformance with Zoning Ordinance.

All lots in a subdivision shall be in conformance with all of the lot standards and requirements of Subtitle 27: Zoning Ordinance, applicable to the land subject to the subdivision. (See PART 27-4: Zones and Zone Regulations, of Subtitle 27: Zoning Ordinance).

COMMENT: All lots within PPS-2022-025 are in conformance with all of the applicable lot standards and requirement of the Zoning Ordinance.

	Allowed	Proposed
Density, max	16.33 du/ac	9.50 du/ac
Net Lot Area, min	No min Requirement	8.32 Ac
Lot width, min	20' ⁵	20'
Lot frontage at front street line, min	16'	20'
Lot coverage, max (% of net lot area)	45' ²	20.9% (75,760 SF / 8.32 ac)
Front Yard Depth, min	15'	15'
Side Yard Depth, min	8' ⁴	5' (17.6' bldg. to bldg.) *
Rear Yard Depth, min	20' ⁷	20'
Principal Structure Height, max	50'	TBD (at the time of DET)
Accessory Structure Height, max ⁶	25'	N/A

² Applicable to the development as a whole.

⁴ Applicable to the buildings on the edges of the development lot as a whole. Within the development lot as a whole, a minimum separation of 8' is required between buildings.

⁵ 20' per townhouse, 100' for the development lot as a whole

⁶ May be increased for certain purposes by approval of a special exception pursuant to Section 27-3604. Height may not exceed 2 stories ⁷ May be reduced to 0 feet when a 20 foot wide or wider alley is provided, or to a range between 5 and 10 feet when an alley less than 20 in width is provided

* No side yards on the edges of the development are proposed, all lots are separated from the edge by an HOA parcel.

(b) Minimum Lot Area Standards for Individual Systems

If a proposed subdivision is situated in a portion of the County not planned to be served by public water and/or sewer facilities, lots shall be designed to comply with the minimum lot area standards for individual systems in Subtitle 22: On-Site Sewage Disposal Systems, of the County Code, and the Ten Year Water and Sewerage Plan.

COMMENT: The Subject Property is located within the Sewer Envelope and currently within Water Category 4 and Sewer Category 4 (Community System Adequate for Development Planning—includes properties inside the envelope eligible for public water and sewer for which the subdivision process is required).

(c) Minimum Lot Depth

- (1) Lots or parcels used for residential purposes adjacent to existing or planned streets classified as arterials shall be platted with a minimum depth of 150 feet.**

COMMENT: Not applicable. No proposed lots are adjacent to an existing or planned right of way classified as an arterial.

- (2) Lots or parcels used for residential purposes adjacent to existing or planned streets classified as expressways or freeways shall be platted with a minimum depth of 300 feet.**

COMMENT: Not applicable. No proposed lots are adjacent to an existing or planned right of way classified as an expressway or freeway.

- (3) Adequate protection and screening from traffic nuisances shall be provided in accordance with the requirements of the Landscape Manual.**

COMMENT: At the time of Detailed Site Plan (DET-2022-020), adequate buffering and screening will be provided in accordance with the applicable requirements of the 2018 Landscape Manual.

(d) Lot Design Standards

- (1) Buildings and driveways shall be sited to maintain the existing grade as much as possible.**

COMMENT: Buildings and driveways have been sited to maintain the existing grade as much as possible; final design to be determined at the time of Detailed Site Plan.

- (2) A variety of lot sizes and lot widths are encouraged within groupings of dwellings in order to prevent visual monotony, when appropriate.**

COMMENT: Not applicable for development pursuant to the RSF-A Zone and townhouse development.

(e) Condominium Development

Condominium townhouses shall be designed to conform to the lot standards of these Regulations and Subtitle 27: Zoning Ordinance, for possible future conversion to fee simple lots.

COMMENT: Although condominium townhouses are not currently proposed, since the lot standards of the RSF-A Zone are being met, should the development ever convert to a build-to-rent (or condominium townhouse) product, this criterion will be met regardless.

(f) Outlots and Outparcels

Provision shall be made for the eventual ownership of outlots and outparcels by incorporating them into platted lots or into adjacent parcels, or by other appropriate means.

COMMENT: Not applicable. PPS-2022-025 does not propose any outlots or outparcels.

(g) Located Wholly Within County

All lots shall be designed to be located wholly within the County.

COMMENT: All lots are located wholly within Prince George's County.

24-4103. Layout Design Guidelines.

To the maximum extent practicable, subdivisions shall be designed to:

(a) Site internal streets to maintain the existing grade.

COMMENT: Internal roadways have been sited to maintain the existing grade to the maximum extent possible and meet all necessary road design requirements; final design to be determined at the time of Detailed Site Plan.

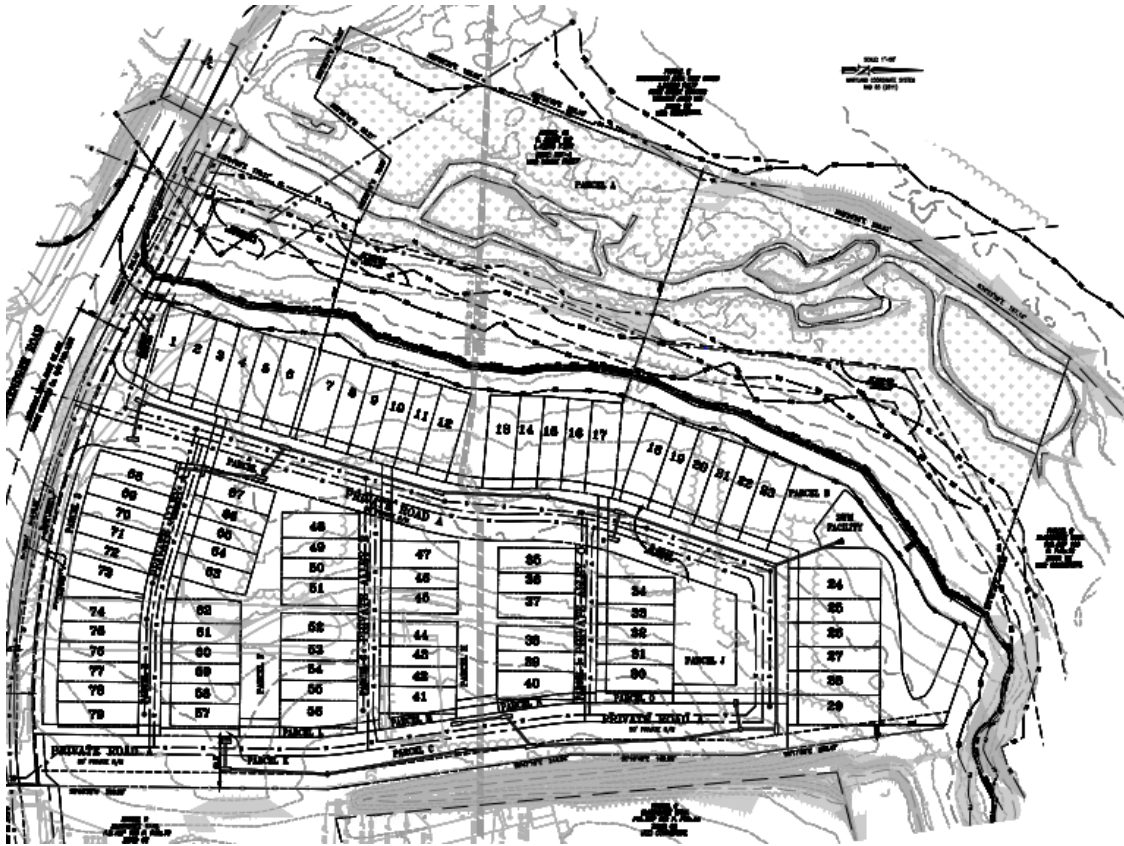
(b) Ensure the spatial relationships, including between the lots and the street, recreation areas, alleys, and development on abutting lots, create the most beneficial relationship for the residents and occupants of the subdivision and abutting properties.

COMMENT: As depicted on PPS-2022-025, the spatial relationships, including between the lots and the street, recreation areas, alleys, and development on abutting lots, create the most beneficial relationship for the residents and occupants of the subdivision and abutting properties. The design of the layout accommodates safe internal circulation between vehicular and pedestrian traffic,

while also provided convenience and accessibility to open spaces, recreational amenities, and the adjoining master plan trail network.

- (c) Arrange lotting patterns to avoid the stacking of dwelling units, one behind the other, creating a flag lot relationship.**

COMMENT: The proposed lotting pattern avoids the stacking of dwelling units, one behind the other, and does not create any flag lots. Where sticks of townhouse units back up to other sticks of townhouse units, the applicant has included an HOA open space parcel to add separation and passive recreation space.



- (d) Arrange lots to avoid the fronts of dwelling units facing the rear and sides of dwelling units on adjoining lots.**

COMMENT: The lot layout avoids the fronts of dwelling units facing the rear and sides of dwelling units on adjoining lots.

- (e) Arrange lotting patterns to avoid narrow unusable common ownership parcels.**

COMMENT: All of the proposed HOA parcels are useable for active or passive recreation, or SWM facilities.

- (f) Ensure infill lotting patterns are context-sensitive to the existing established neighborhood.**

COMMENT: The proposed development and lotting pattern is context-sensitive to the existing neighborhood, which consists of existing commercial development to the east and the Dobson Ridge townhouse development (PPS 4-20002 and DSP-20007), which is currently under construction, to the south.

- (g) Arrange and sufficiently set back lots and the siting of buildings to preserve views of the site characteristics from streets and abutting lands.**

COMMENT: The lot layout and internal road network are designed to provide a comfortable visual setback from McKendree Road, as well as offer views from the interior grass courtyards that extend through to the Timothy Branch waterway and environmental area that is being preserved along the western portion of the subject property.

- (h) Provide lot access from interior streets and easements.**

COMMENT: All lots have access from interior streets.

- (i) Terminate cul-de-sac at locations that will provide for a standard lotting pattern around the end of the cul-de-sac in relationship to the property line and abutting lots. Such cul-de-sac may also be permitted to provide a right-of-way for pedestrian and bicycle access pursuant to Section 27-6206(g), Pedestrian Connections, of Subtitle 27: Zoning Ordinance.**

COMMENT: Not applicable. No cul-de-sacs are proposed.

- (j) Avoid grading that would result in retaining walls on private lots. Retaining walls should be located within common areas, or where common areas are not proposed, adequate access for maintenance shall be provided.**

COMMENT: Site grading will be designed to minimize any use of retaining walls. Final grading will be determined at the time of Detailed Site Plan.

- (k) Preserve trees on steep slopes and meet the woodland conservation threshold on-site.**

COMMENT: Development of the subject property will remain outside of the Primary Management Area (PMA) to the maximum extent practicable, avoiding areas of steep slopes. Woodland Conservation threshold shall be achieved on-site due to the preservation/conservation area of the Timothy Branch.

- (l) Locate noise fencing or walls within common areas or within homeowners' association easements on private lots when homeowners' association land is not proposed. A 10-foot-wide clear zone for maintenance and inspection around the fence**

or wall shall be provided. The minimum net lot area shall be provided outside the easement area.

COMMENT: Final location and details of any required sound walls or fencing shall be determined at the time of Detailed Site Plan with the intent of providing all such walls and fences on HOA parcels with the appropriate clearance for maintenance and inspection.

(m) Lighting techniques shall comply with Section 27-6700, Exterior Lighting, of Subtitle 27: Zoning Ordinance. In addition, lighting should be designed to decrease adverse impacts on the adjoining and abutting lands.

COMMENT: Details for lighting will be provided with DET-2022-020 and will comply with the Zoning Ordinance.

(n) Avoid public use easements for infrastructure, including sidewalks.

COMMENT: All sidewalks along public rights-of-ways will be within the public right-of-way. Sidewalks along private streets will include public use easements as created within the HOA Declaration of Covenants, Restrictions, and Easements, as needed.

24-4104. Grading.

The submission of general grading plans and a Tree Conservation Plan Type 1 (TCP-1) is required for both minor and major subdivisions in order to efficiently plan the subdivision layout, which includes but is not limited to stormwater management, street grades, tree preservation, water and sewerage, and parkland. The submission of a general grading plan, at two-foot contours, shall be required with an application for a preliminary plan of major subdivision and may be required for a preliminary plan of minor subdivision, unless waived by the Planning Director.

COMMENT: The submittal documents filed in conjunction with PPS-2022-025 satisfy this requirement.

24-4105. Historic Resources and Sites

(a) Purpose.

The purpose of this Section is to preserve historic resources and sites to:

- (1) Protect the County's cultural heritage;**
- (2) Increase public awareness of the County's history; and**
- (3) Provide for the continued use of still-valuable historic resources and sites.**

COMMENT: In 2006, a Phase 1 Archaeological Survey was completed on the Subject Property. Pursuant to the Historic Preservation/Archeology Pre-Submittal Checklist for Development

Applications, signed by Dr. Jennifer Stabler on October 25, 2022, “no further investigations will be recommended.”

(b) General Standards.

- (1) Significant archeological sites identified in accordance with the Planning Board Guidelines for Archeological Review shall be preserved in place, to the extent practicable.**
- (2) The flexibility inherent in these Regulations shall be used to protect historic resources and sites, including optional methods of development where appropriate, to design subdivisions that minimize the impact of a subdivision on historic resources and sites and promote the restoration and continued use of such resources.**
- (3) The lotting pattern of a proposed subdivision containing historic resources and sites shall be laid out to promote the long-term maintenance and access to the historic resources.**
- (4) A proposed subdivision containing or adjacent to a historic resource or site shall comply with the following standards:**
 - (A) Lots shall be designed to minimize adverse impacts of new construction on the historic resource;**
 - (B) Natural features (such as trees and vegetation) which contribute to the preservation of a historic resource or provide a buffer between the historic resource and new development, shall be retained; and**
 - (C) Protective techniques (such as limits of disturbance, building restriction lines, and buffers) shall be used.**
- (5) A plan for development may be required to be submitted with an application for a subdivision for the purpose of evaluating the effect of the orientation, mass, height, materials, and design of the proposed development on the environmental setting to protect the integrity of the historic resource.**

COMMENT: In 2006, a Phase 1 Archaeological Survey was completed on the Subject Property. Pursuant to the Historic Preservation/Archeology Pre-Submittal Checklist for Development Applications, signed by Dr. Jennifer Stabler on October 25, 2022, “no further investigations will be recommended.”

24-4106. Cemeteries

- (a) A proposed preliminary plan for subdivision (minor or major) which includes a cemetery within the site, when there are no plans to relocate the human remains to an existing cemetery, shall comply with the following standards:**
 - (1) The placement of lot lines shall promote long-term maintenance of the cemetery and protection of existing elements.**
 - (2) The layout shall promote the long-term maintenance and access to the cemetery.**
 - (3) Fence or walls constructed of stone, brick, metal, or wood shall delineate the cemetery boundaries.**

- (4) If the cemetery is not conveyed and accepted into public ownership, it shall be protected by agreements sufficient to assure its future maintenance and protection. This shall include but not be limited to a fund in an amount sufficient to provide income for the perpetual maintenance of the cemetery. These arrangements shall ensure that stones or markers are in their original location. Covenants or other agreements shall include a determination of the following:

 - (A) Current and proposed land ownership;
 - (B) Responsibility for maintenance;
 - (C) A maintenance plan and schedule;
 - (D) Adequate access; and
 - (E) Any other specifications deemed necessary to assure its future maintenance by the Planning Director.
- (5) Appropriate measures shall be provided to protect the cemetery during the development process.
- (6) The Planning Director shall maintain a registry of cemeteries identified during the subdivision review process.
- (b) Any cemetery approved in accordance with this Section that does not comply with the use regulations in PART 27-5: Use Regulations, of the Zoning Ordinance shall be deemed to be a certified nonconforming use unless otherwise specified by the Planning Board.

COMMENT: No cemeteries exist on site or are impacted by this development application. In 2006, a Phase 1 Archaeological Survey was completed on the Subject Property. Pursuant to the Historic Preservation/Archeology Pre-Submittal Checklist for Development Applications, signed by Dr. Jennifer Stabler on October 25, 2022, “no further investigations will be recommended.”

SECTION 24-4200 – TRANSPORTATION, PEDESTRIAN, BIKEWAY, AND CIRCULATION STANDARDS

24-4201. General Street Design Standards

Preliminary plans of subdivision (minor or major) and final plats shall comply with the following standards:

- (a) A subdivision may be served by public and private streets, and in rural areas, access easements.

COMMENT: PPS-2022-025 is served by McKendree Road (MC-502), which is a public right of way. The interior lots will be served by private streets and alleys. The applicable section regarding the utilization of alleys to serve townhouses in the RSF-A Zone is either Section 24-4204(b)(1)(C) or in any zone (including RSF-A) where townhouses are permitted Section 24-4204(b)(1)(D). Regarding the former, private streets are permitted that do not conform to the standards in Subtitle 23 provided that sub-subpart (i-iv) are met. Regarding the latter, private streets and alleys may be approved provided sub-subparts (i-iii) are met. In this instance, the alleys comply with Section 24-4204(b)(1).

- (b) The rights-of-way of all highways, streets, trails, and transit facilities shown on the General Plan, Functional Master Plans, and the applicable Area Master Plan or Sector Plan shall be shown on the preliminary plan of subdivision and, when reserved or dedicated, shown on the final plat.**

COMMENT: PPS-2022-025 depicts all MPOT and Master Plan trails and rights-of-ways.

- (c) All streets proposed for dedication to public use shall comply with the standards in:**
- (1) Section 27-6200, Roadway Access, Mobility, and Circulation, and all other applicable standards in Subtitle 27: Zoning Ordinance;**
 - (2) Subtitle 23: Roads and Sidewalk, of the County Code;**
 - (3) These Regulations;**
 - (4) The Specifications and Standards for Roadways and Bridges;**
 - (5) The standards of the State Highway Administration for state facilities; and**
 - (6) Applicable regulations of municipalities having jurisdiction.**

COMMENT: The applicant is proposing approximately 0.2750 acres of dedication along the frontage of McKendree Road (MC-502) to accommodate the MPOT alignment of the same. It should be noted, however, that sufficient dedication for this alignment exists and was provided with Dobson Ridge (Plat Book ME 261 at Plat Page 25).

- (d) All proposed streets shall comply with the standards in Section 27-6206: Vehicular Access and Circulation, of the Zoning Ordinance, and be continuous and in alignment with existing or platted streets in adjoining subdivisions so as to create a street network that is functional and easily understandable. Generally, streets should cross other streets at right angles. The applicant may petition the Planning Director or review body deciding a parent application to waive or modify cross-access requirements between developments pursuant to Section 27-6206(e)(2)(C) of Subtitle 27: Zoning Ordinance of the Prince George's County Code.**

COMMENT: All proposed streets comply with Section 27-6206 and are in alignment with existing or platted streets in adjoining subdivisions that create a street network that is functional and easily understandable. The applicant is requesting a waiver, pursuant to Sections 27-6207(b)(2) and 27-6208(b)(2), of the requirements in Sections 27-6207(b) and 27-6208(b), respectively (regarding pedestrian and bicycle circulation systems, respectively).

- (e) The topography and drainage of land shall be considered in the design of streets. If necessary to demonstrate such consideration, rough street grading plans may be required.**

COMMENT: Topography and drainage have been considered in the design of the streets and layout of the proposed lots.

- (f) All internal subdivision streets shall be wholly within the County and shall not be designed to directly connect to an adjacent county unless the applicant has obtained**

the prior written approval of the District Council and the appropriate land use authority of the adjacent county.

- (1) An applicant shall file a written request for such approval with the Clerk of the District Council. The District Council shall either approve or disapprove the request within 45 days from the date of filing. Failure of the District Council to act within the 45-day period shall constitute an approval of the request. For purposes of this provision, an internal subdivision street shall be deemed to be a public street having a right-of-way width of 80 feet or less.
- (2) The District Council shall not allow the proposed street connection to an adjacent county unless it finds that delivery of public safety services, utility services, and tax collection will be timely and adequate for the lots in Prince George's County.

COMMENT: All internal subdivision streets are wholly within Prince George's County.

- (g) All private streets shall be of sufficient width to accommodate the requirements of the Landscape Manual.

COMMENT: All private streets are of sufficient width to accommodate the requirements of the 2018 Landscape Manual.

24-4202. Vehicular Access and Circulation

- (a) A preliminary plan of subdivision (minor or major) shall comply with the street connectivity, access, traffic calming, block design, and all other applicable standards in Section 27-6206, Vehicular Access and Circulation, of Subtitle 27: Zoning Ordinance.

COMMENT: PPS-2022-025 conforms to this requirement. The minimum connectivity score index for the project is 1.75 (14 links and 8 nodes) and the required score is 1.5.

- (b) As used in this Section, a planned street or transit right-of-way shall mean a street or right-of-way shown in a currently approved State Highway Plan, the General Plan, the County's Master Plan of Transportation, or the applicable Area Master Plan or Sector Plan. If a service road is used, it shall connect, where feasible, with a local interior collector street with the point of intersection located at least 200 feet away from the intersection of any street or collector or higher classification.

COMMENT: Not applicable.

24-4203. Pedestrian Access and Circulation

- (a) Preliminary plans for subdivision (minor or major) and final plats shall comply with the applicable pedestrian access and circulation standards in Section 27-6207, Pedestrian Access and Circulation, of Subtitle 27: Zoning Ordinance.

COMMENT: As provided below, this criterion is met. Notwithstanding, the applicant is requesting a waiver, pursuant to Sections 27-6207(b)(2) and 27-6208(b)(2), of the requirements in Sections 27-6207(b) and 27-6208(b), respectively (regarding pedestrian and bicycle circulation systems).

- (b) Sidewalks and crosswalks shall comply with the Prince George’s County Specifications and Standards for Roadways and Bridges, the standards of the State Highway Administration for state facilities, or applicable regulations of municipalities having jurisdiction.**

COMMENT: All sidewalks and crosswalks will comply with the Prince George’s County Specifications and Standards for Roadways and Bridges, and will be further analyzed with DET-2022-020.

24-4204. Private Streets and Easements

(a) General

Unless exempted in accordance with Section 24-4204(b) below, no subdivision shall be approved with a private street, right-of-way, or easement as the means of vehicular access to any lot, unless the private street, right-of-way, or easement is built to conform to the standards in Subtitle 23: Roads and Sidewalks, of the County Code.

(b) Exemptions

- (1) A preliminary plan of subdivision (minor or major) containing private streets, rights-of-way, alleys, and/or easements that do not conform to the standards of Subtitle 23: Roads and Sidewalks may be approved under the following conditions:**

(A) In the AG, AR, RE, and RR zones, a private right-of-way easement that does not conform to the standards in Subtitle 23: Roads and Sidewalks may connect up to seven lots and a remainder agricultural parcel to a public road in Sustainable Growth Tier IV, provided:

- (i) The lots are not served by public water and sewerage;**
- (ii) The right-of-way width shall be at least 22 feet;**
- (iii) The easement shall be adequate to serve the proposed uses in accordance with Section 24-4500, Public Facility Adequacy.**
- (iv) Each lot served by the easement shall have a net lot area of at least two acres; and**
- (v) The use of lots served by the easement shall be restricted to detached single-family dwellings or agricultural uses.**

COMMENT: Not applicable, the property is located in the RSF-A Zone.

- (B) In the AG, AR, and RE zones and in the R-PD Zone, a subdivision with private rights-of-way that do not conform to the standards in Subtitle 23: Roads and Sidewalks, may be approved, provided:**

- (i) Private streets shall be constructed in accordance with the Department of Public Works and Transportation specifications and standards;
- (ii) The right-of-way width shall be at least 22 feet;
- (iii) Covenants are recorded in the Land Records of Prince George's County stating that a property owners' or homeowners' association is responsible for maintenance of the private streets and for accessibility of the private streets to emergency equipment; and
- (iv) The Fire Chief determines the private streets provide adequate accessibility to emergency equipment.

COMMENT: Not applicable, the property is located in the RSF-A Zone.

(C) In the RSF-A, RMF-12, and RMF-20 zones in developments of three-family dwellings, private streets that do not conform to the standards in Subtitle 23: Roads and Sidewalks, may be approved, provided:

- (i) The land proposed to be subdivided shall have frontage on, and direct vehicular access to, a public street having a right-of-way width of at least 60 feet;
- (ii) Points of access to public streets shall be approved by the Planning Board, or the Planning Director for a minor subdivision, and by the DPIE Director, the State Highway Administration, the Department of Public Works and Transportation, the Public Works Department of the municipality in which the property is located, or other appropriate roadway authority, as applicable;
- (iii) Private streets which are interior to the subdivision (and are not dedicated to public use) shall be improved to not less than the current standards set forth in Subtitle 23: Road and Sidewalks, of the County Code; and
- (iv) Private streets shall be conveyed to a property owners' or homeowners' association that shall hold the land in common ownership, shall be responsible for maintaining the streets, and shall be created under recorded land agreements (covenants).

COMMENT: The proposed lots will be served by private streets and alleys. The applicable section regarding the utilization of alleys to serve townhouses in the RSF-A Zone is either Section 24-4204(b)(1)(C) or in any zone (including RSF-A) where townhouses are permitted Section 24-4204(b)(1)(D). Regarding the former, private streets are permitted that do not conform to the standards in Subtitle 23 provided that sub-subpart (i-iv) are met. Regarding the latter, private streets and alleys may be approved provided sub-subparts (i-iii) are met. In this instance, the alleys comply with Section 24-4204(b)(1)(D).

(D) In any zone where townhouse or two-family dwellings are permitted, except within the Transit-Oriented/Activity Center base and Transit-

Oriented/Activity Center Planned Development zones, the Planning Board may approve the use of private streets and alleys provided:

- (i) The pavement width of private streets shall not be less than twenty-two (22) feet in width;**
- (ii) The pavement width of private alleys shall not be less than eighteen (18) feet in width; and**
- (iii) Subsections (i) and (ii) above shall only be applicable provided that the accessibility of the private streets and alleys to emergency equipment is ensured by the County Fire Chief or the Chief's designee.**

COMMENT: The proposed lots will be served by private streets and alleys. The applicable section regarding the utilization of alleys to serve townhouses in the RSF-A Zone is either Section 24-4204(b)(1)(C) or in any zone (including RSF-A) where townhouses are permitted Section 24-4204(b)(1)(D). Regarding the former, private streets are permitted that do not conform to the standards in Subtitle 23 provided that sub-subpart (i-iv) are met. Regarding the latter, private streets and alleys may be approved provided sub-subparts (i-iii) are met. In this instance, the alleys comply with Section 24-4204(b)(1)(D).

(E) In the Transit-Oriented/Activity Center base and Transit-Oriented/Activity Center Planned Development zones, private alleys that do not conform to the standards in Subtitle 23: Roads and Sidewalks, may only be provided if:

- (i) They connect at each end to a street;**
- (ii) The pavement width of an alley provides safe vehicular access to individual lots; and**
- (iii) The alleys provide vehicular access only to lots with frontage on a public street.**

COMMENT: Not applicable, the property is in the RSF-A Zone.

(F) Within any nonresidential or mixed-use development located outside the Transit-Oriented/Activity Center base and Transit-Oriented/Activity Center Planned Development zones, a subdivision with private rights-of-way or easements that do not conform to the standards in Subtitle 23: Roads and Sidewalks, may be approved, provided:

- (i) The right-of-way or easement shall have a minimum right-of-way width of 22 feet connecting the lots to a public street;**
- (ii) The right-of-way or easement shall be:**
 - (aa) Adequate to serve the extent of the development proposed;**
 - (bb) Consistent with the requirements in Section 27-6206, Vehicular Access and Circulation, of Subtitle 27: Zoning Ordinance; and**
 - (cc) Not result in any adverse impact on the access and use of other lots or parcels within the subdivision.**
- (iii) The development shall comply with all other applicable requirements of these Regulations; and**

- (iv) **Approval of a right-of-way or easement in accordance with this Subsection shall be deemed the creation of a driveway, in accordance with Section 27-6206(b), Vehicular Accessway Classifications, in Subtitle 27: Zoning Ordinance.**

COMMENT: Not applicable, the property is in the RSF-A Zone.

- (G) Where direct vehicular access to an individual lot fronting on a public street should be denied due to a potentially hazardous or dangerous traffic situation, a private easement may be approved in accordance with the driveway standards in Section 27-6206(d) of Subtitle 27: Zoning Ordinance, in order to provide vehicular access, when deemed appropriate by the Planning Board.**

COMMENT: Not applicable.

- (2) Upon petition of the owner of an existing lot having its sole frontage on, or its only direct vehicular access to, a private right-of-way or easement that cannot be approved in accordance with Section 24-4204(b)(1) above, and upon the recommendation of the County Executive, the County Council, by resolution, may approve the issuance of a building permit for any building or other structure on such lot on finding that the private right-of-way or easement is adequate to serve the lot and its proposed development, provided:**
- (A) Any single-family detached dwelling and its accessory structures shall comply with all other applicable requirements of these Regulations, Subtitle 27: Zoning Ordinance, and all other applicable requirements of the County Code of Ordinances;**
- (B) For any other building or structure, the owner shall submit:**
- (i) Documentary evidence demonstrating the inability to obtain access for use of the parcel by any other means, including dedication to public use of the right-of-way; and**
- (ii) Detailed construction plans demonstrating that the private street shall be constructed in accordance with the provisions governing the standard paving sections and Fire Department access in Subtitle 11: Fire Safety, and Subtitle 23: Roads and Sidewalks, of the County Code.**
- (C) Detailed construction plans submitted in accordance with Section 24-4204(b)(2)(B) above shall be reviewed by DPIE for adequacy, and a performance bond shall be posted by the land owner in an amount determined by DPIE. If appropriate, DPIE shall inspect all work for conformance with the approved plans.**
- (D) No private right-of-way or easement across land in a Residential zone shall be deemed adequate access to serve any development other than a single-family detached dwelling and its accessory structures, including a detached garage, or a nonprofit group residential facility where the private right-of-way or easement is owned by a governmental entity.**

- (E) If the District Council approves the issuance of a building permit in accordance with this Subsection, the Planning Director may approve any applicable final plat or plan of development for such lot.**
- (F) Where the private right-of-way or easement that is the subject of a petition in accordance with this subsection lies within a municipality or connects to a street under the jurisdiction of a municipality, the municipality shall be given notice of the petition. The municipality shall have 30 calendar days from the date the notice is mailed to review and submit comments on the petition. If a municipality recommends denial of the petition, the petition may be granted only upon the affirmative vote of two-thirds of the full District Council.**

COMMENT: Not applicable.

24-4205. Public Utility Easements

All roads (public or private) shall have a public utility easement at least ten feet in width. For Redevelopment and Revitalization projects, the public utility easement may be reduced by the Planning Director for good cause, after due consideration of any adverse impacts. The public utility easement shall be located outside the sidewalk, where a sidewalk is constructed or these Regulations or Subtitle 27: Zoning Ordinance require a sidewalk, and shall be contiguous to the right-of-way.

COMMENT: PPS-2022-025 includes PUE's as required.

SECTION 24-4300 - ENVIRONMENTAL STANDARDS

24-4301. General.

Environmental features which are impossible or difficult to reproduce, such as floodplain, wetlands, streams, steep slopes, woodlands, and specimen trees, shall be protected.

COMMENT: The submittal package for PPS-2022-025 includes NRI-082-05, approved on March 16, 2021. The subject property includes 4.54 acres of Primary Management Area (PMA), which consist of floodplain, approximately 1,600 linear feet of stream, wetlands, and small pockets of steep slopes. The entire site contains approximately 5.7 acres of woodlands.

24-4302. 100-Year Floodplain.

- (a) To ensure land is platted in a manner that protects the public against loss of life or property due to the 100-year flood, while minimizing the public and private costs of flood control measures, all subdivisions shall comply with the following standards:**
 - (1) Except as provided in Sections 24-4302(a)(2) and 24-4302(a)(3) below, lots shall comply with the minimum net lot area required in PART 27-4: Zones and Zone Regulations, of Subtitle 27: Zoning Ordinance, exclusive of any land area within the 100-year floodplain.**

COMMENT: The minimum net lot area excludes the land area within the 100-year floodplain, as delineated on NRI-082-05.

- (2) Where any lot contains a 100-year floodplain area in the AR and AG zones, there shall be a minimum of 40,000 contiguous square feet of area within the lot exclusive of any land within the 100-year floodplain.**

COMMENT: Not applicable, the property is located in the RSF-A Zone.

- (3) In the RE and RR zones, any area of a lot in excess of 20,000 contiguous square feet may be in the 100-year floodplain for the purposes of compliance with Section 24-4204, Private Streets and Easements, provided that the lot is to be served by a public water and sewer system, and is in a water and sewer service area Category One, Two, Three, or Four at the time of its approval.**

COMMENT: Not applicable, the property is located in the RSF-A Zone.

- (4) The floodplain areas shall be delineated in accordance with Subtitle 32, Division 4, the Floodplain Ordinance, of the County Code.**

COMMENT: PPS-2022-025 delineated the floodplain as provided on NRI-082-05.

- (5) A 25-foot setback from the floodplain shall be established for dwelling units as a building restriction line.**

COMMENT: PPS-2022-025 complies with this requirement, as all lots and dwelling units are setback at least 25-feet from the floodplain.

- (6) In the event that the proposed subdivision is located partially or fully within an area covered by an officially adopted comprehensive watershed management plan, the proposed subdivision shall conform to such plan.**

COMMENT: Not applicable, the proposed subdivision is not located (partially or fully) within an area covered by an adopted comprehensive watershed management plan.

- (b) In the case of a proposed subdivision which includes a 100-year floodplain area along a stream, unless such area is to become a public park or recreation area maintained by a public entity, the area shall be denoted upon the final plat as a floodplain easement. Such easement shall include provisions for ingress and egress, where practicable. The floodplain easement area may be used, if necessary, for utility lines and/or stormwater drainage facilities, open-type fencing, or passive recreation, provided that no structures are built that would interfere with the flood conveyance capacity of such easement area.**

COMMENT: The property contains 100-year floodplain along with a Master Plan Trail alignment.

Based on prior applications and requests made therein, if DPR requests that the applicant dedicate the 100-year floodplain to the Commission, at a minimum, the applicant will require credit for any WCO as on-site forest conservation and such dedication would be required to satisfy mandatory parkland dedication. That said, the applicant is neither agreeing nor conceding to said dedication of this area at this time, as the applicant is currently proposing a combination of on-site recreational amenities and fee-in-lieu to satisfy mandatory park dedication.

- (c) The 100-year floodplain associated with a watercourse having less than 50 acres of watershed upstream may be excluded from the floodplain area computation, subject to approval in accordance with the requirements of Subtitle 32, Division 4, the Floodplain Ordinance, of the County Code.**

COMMENT: The property contains an existing 100-year floodplain with a drainage area greater than 50 acres and the delineation of this floodplain is approved under FPS 202047. Thus, this criteria is not applicable.

24-4303. Stream, Wetland, and Water Quality Protection and Stormwater Management.

- (a) Subdivisions shall be designed to minimize the effects of development on land, streams, and wetlands, to assist in the attainment and maintenance of water quality standards, and to preserve and enhance the environmental quality of stream valleys.**

COMMENT: The proposed development is consistent with MDE and DPIE's Environmental Site Design (ESD) requirements to provide the required water quality treatment for the site. Thus, minimizing the impact to the surrounding environmental features and maintaining natural flow patterns.

- (b) A preliminary plan of subdivision (minor or major) shall not be approved until evidence is submitted that a stormwater management concept has been approved by DPIE or the municipality having approval authority, if the municipality has approval authority. Submittal materials shall include evidence that the applicable site development concept has been approved.**

COMMENT: The Site Development Concept Plan has been submitted to DPIE under case number 47842-2022-0. The first review provided no major comments on the proposed design, and the applicant anticipates approval prior to formal acceptance of the PPS.

- (c) Regulated stream buffers in Environmental Strategy Areas shall comply with the requirements in Table 24-4303(c): Regulated Stream Buffers in Environmental Strategy Areas.**

Table 24-4303(c): Regulated Stream Buffers in Environmental Strategy Areas	
Environmental Strategy Area	Required Minimum Buffer Width
1	60 feet

Table 24-4303(c): Regulated Stream Buffers in Environmental Strategy Areas	
Environmental Strategy Area	Required Minimum Buffer Width
2	75 feet
3	100 feet

COMMENT: The property lies within ESA 2 and satisfies the 75-foot buffer width requirement.

(d) To ensure the purpose and intent of this Section is advanced, a proposed subdivision (minor or major) shall comply with the following:

(1) The preliminary plan of subdivision (minor or major) shall demonstrate adequate control of increased run-off.

COMMENT: The proposed development satisfies MDE and DPIE's Environmental Site Design (ESD) requirements to provide the required water quality treatment for the site. A Submerged Gravel Wetland is proposed within the property to control increased SWM runoff.

(2) Stormwater control shall be provided on-site unless, upon recommendation from the County, it is demonstrated equally effective stormwater controls can be provided off-site.

COMMENT: Stormwater management control is provided on-site by the use of Environmental Site Design (ESD) practices.

(3) Environmental site design (ESD) techniques are encouraged, where appropriate.

COMMENT: The proposed development satisfies MDE and DPIE's Environmental Site Design (ESD) requirements to provide the required water quality treatment for the site.

(4) Where land is partially or totally within an area subject to an adopted Watershed Plan, the subdivision conforms to such plan.

COMMENT: The subject property is not located within a Watershed Management Plan.

(5) Where land is located outside the Chesapeake Bay Critical Area Overlay (CBCAO) zones, the preliminary plan of subdivision (minor or major) and all plans associated with the application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state, to the fullest extent possible, consistent with the Environmental Technical Manual established in accordance with Subtitle 25: Trees and Vegetation, of the County Code. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required in accordance with Subtitle 27: Zoning Ordinance, of the County Code, for the reasonable development of the lot outside the regulated feature.

COMMENT: The proposed development is outside the CBCAO and satisfies MDE and DPIE's Environmental Site Design (ESD) requirements to provide the required water quality treatment for

the site. Thus, minimizing the impact to the surrounding environmental features and maintaining natural flow patterns.

- (6) All regulated environmental features shall be placed in a conservation easement and identified on the final plat.**

COMMENT: Acknowledged.

- (7) The approval of a Concept Grading, Erosion, and Sediment Control Plan (CS) by the Soil Conservation District, shall be required prior to final approval of the preliminary plan of subdivision (minor or major) if required by Subtitle 32: Water Resources Protection and Grading Code, of this Code.**

COMMENT: Acknowledged.

24-4304. Woodland and Wildlife Habitat Conservation, Tree Preservation, Clearing, and Replacement

- (a) Except for land located in the Chesapeake Bay Critical Area Overlay (CBCAO) zones, development shall comply with the provisions for woodland and wildlife habitat conservation and tree preservation established in Division 2 of Subtitle 25: Woodland and Wildlife Habitat Conservation Ordinance, of the County Code, and the tree canopy requirements of Division 3 of Subtitle 25: Tree Canopy Coverage Ordinance, of the County Code.**

COMMENT: Development of the subject property will comply with Divisions 2 and 3 of Subtitle 25 of the County Code.

- (b) For land located in the CBCAO zones, all provisions regarding vegetation shall comply with the requirements of Subtitles 5B: Chesapeake Bay Critical Area, and Subtitle 27: Zoning Ordinance, of the County Code.**

COMMENT: The subject property is not located within the Chesapeake Bay Critical Area; this section of the County Code is not applicable.

SECTION 24-4400 - PUBLIC FACILITY STANDARDS

24-4401.

Preliminary plans of subdivision (minor or major) and final plats of subdivision (minor or major) must be designed to show all utility easements necessary to serve anticipated development on the land being subdivided, consistent with the recommendations and standards relevant to public utility companies. When utility easements are required by a public utility company, the subdivider shall include the following statement in the dedication documents:

“Utility easements are granted pursuant to the declaration recorded among the County Land Records in Liber 3703 at Folio 748.”

COMMENT: This statement will be provided on the Final Plat and is referenced on the PPS in accordance with this requirement.

24-4402.

Land for public facilities shown on the General Plan, a Functional Master Plan, the applicable Area Master Plan or Sector Plan, or a watershed plan shall be reserved, dedicated, or otherwise provided for.

COMMENT: The applicant is proposing approximately 0.2750 acres of dedication along the frontage of McKendree Road (MC-502) to accommodate the MPOT alignment of the same. It should be noted, however, the sufficient dedication for this alignment was previously provided with Dobson Ridge (Plat Book ME 261 at Plat Page 25).

24-4403.

Stormwater management facilities, existing or proposed as part of the development, shall have sufficient capacity to convey surface water runoff.

COMMENT: The proposed stormwater management facilities associated with the development have sufficient capacity to convey surface water runoff.

24-4404.

In accordance with the Sustainable Growth and Agricultural Preservation Act (Map 3 of Plan 2035 Prince George’s County Sustainable Growth and Agricultural Preservation Act of 2012 (SB236) Map, Adopted November 20th, 2012, as may be amended from time to time), the water and sewer standard for residential subdivisions is:

- (a) A subdivision in the Sustainable Growth Tier I in the General Plan or applicable Functional Master Plan shall be served by public sewer.**
- (b) A subdivision in the Sustainable Growth Tier II in the General Plan or applicable Functional Master Plan shall be served by public sewer, except for a minor subdivision which may be served by on-site sewerage disposal systems.**
- (c) A subdivision in the Sustainable Growth Tier III in the General Plan or applicable Functional Master Plan shall be served by on-site sewerage disposal systems.**
- (d) A subdivision in the Sustainable Growth Tier IV in the General Plan or applicable Functional Master Plan shall be served by on-site sewerage disposal systems. A residential major subdivision served by on-site sewer disposal systems is not permitted.**

COMMENT: The Subject Property is located in the Sustainable Growth Tier 1, and will be served by public water and sewer. The property is within the Sewer Envelope and currently in Water Category 4 and Sewer Category 4. Administrative advancement to Category 3 prior to the approval of the Final Plat will be necessary.

24-4405.

For purposes of determining whether water and sewerage complies with the standards of this Section, the location of the property within the appropriate service area of the Ten Year Water and Sewerage Plan is deemed sufficient evidence of the immediate or planned availability of public water and sewerage and compliance with the standards for the provision of public sewer and water.

COMMENT: The property is within the Sewer Envelope and currently in Water Category 4 and Sewer Category 4. Administrative advancement to Category 3 prior to the approval of the Final Plat will be necessary.

24-4406.

If a water storage tank is proposed to be located on the site of a proposed development, the subdivision shall include reservation of land or an easement for the storage tank and an access easement so that emergency vehicles can adequately use the water storage tank in times of emergency.

COMMENT: Not applicable, the proposed development will be served by public water and sewer.

SECTION 24-4500 – PUBLIC FACILITY ADEQUACY

24-4501. Purpose

The purpose of this Section is to:

- (a) Ensure that infrastructure necessary to support proposed development is built at the same time as, or prior to, that proposed development;**
- (b) Establish level of service (LOS) standards for public facilities including transportation, pedestrian and bikeway adequacy, parks and recreation, police, fire and rescue, and schools that provide clear guidance to the County and applicants about when facilities are considered adequate, and create guidance for future infrastructure investments needed to accommodate existing residents and anticipated growth;**
- (c) Establish LOS standards that reflect policy guidance of the General Plan, applicable Area Master Plans or Sector Plans, and the applicable Functional Master Plan for each facility;**
- (d) Establish LOS standards that encourage development in the transit-oriented/activity center zones; and**

- (e) **Re-evaluate approved development that has received adequate public facilities approvals prior to April 1, 2022 for projects that have not been built in a timely manner.**

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2022-025. The proposed development has been assigned ADQ-2022-071.

24-4502. Applicability

(a) Applications / Approvals Subject to this Section This Section applies to:

- (1) **An application for a preliminary plan of subdivision (minor or major);**
- (2) **An application for a final plat for subdivision when specifically required in this Section; and**
- (3) **A conversion of use from residential to nonresidential, or nonresidential to residential, or the conversion of either a residential or nonresidential use to mixed-use.**

COMMENT: Acknowledged.

(b) Applicability of Public Facility Adequacy Standards

- (1) **This Section establishes public facility adequacy standards. They are summarized in Table 24-4502: Summary of Public Facility Adequacy Standards. The standards are established in Sections 24-4504, Public Facility Adequacy-Generally, through Section 24-4510, Schools Adequacy, below.**

Table 24-4502: Summary of Public Facility Adequacy Standards			
Facility	Area of Applicability	Level of Service	Impact Area
Transportation	RTO and LTO base and Planned <u>Development</u> (PD) zones	"Edge" areas of RTO and LTO base and PD Zones: LOS "Transit Edge" (Critical Lane Volume of 1601-1800) "Core" areas of RTO and LTO base and PD Zones: LOS "Transit Core" (Critical Lane Volume of 1801-2000) In instances where CLV exceeds 1800 in the RTO and LTO base and PD zone	See <u>Transportation Review Guidelines</u>

Table 24-4502: Summary of Public Facility Adequacy Standards

Facility	Area of Applicability	Level of Service	Impact Area
		“edge” or where CLV exceeds 2000 in the RTO and LTO base and PD zone “core,” refer to Section 24-4505(b)(4)	
	Transportation Service Area 1 (<i>Plan Prince George’s 2035 Approved General Plan</i> (Plan 2035, Map 14), excluding RTO and LTO base and PD zones; and NAC and TAC base and PD zones (regardless of location)	LOS “E” (Critical Lane Volume of 1451-1600)	See <i>Transportation Review Guidelines</i>
	Transportation Service Area 2 (Plan 2035, Map 14), excluding RTO, LTO, NAC, and TAC base and PD zones	LOS “D” (Critical Lane Volume of 1301-1450)	See <i>Transportation Review Guidelines</i>
	Transportation Service Area 3 (Plan 2035, Map 14)	LOS “C” (Critical Lane Volume of 1151-1300)	See <i>Transportation Review Guidelines</i>

Pedestrian and Bikeway Adequacy	RMF-20, RMF-48, NAC, TAC, LTO, RTO-L, RTO-H, CN, CGO, CS, NAC-PD, TAC-PD, LTO-PD, RTO-PD, LMXC, LMUTC, and LCD zones	Adequate pedestrian and bikeway facilities needed to serve the development exist or are constructed by the applicant	See <i>Transportation Review Guidelines</i>
Parks and Recreation	Transit-Oriented/Activity Center zones and Employment Areas	2.5 acres per 1,000 residents	See <i>Parks and Recreation Guidelines</i>
	All other zones	15 acres per 1,000 residents	
Police	Residential development	Response times for service are within twenty-five (25) minutes total for non-emergency calls, and ten (10) minutes total for emergency calls in each police district.	See <i>Public Safety Guidelines</i>
Fire and Rescue	All locations	Seven (7) minutes travel time for any residential uses; Five (5) minutes response time for any nonresidential uses	See <i>Public Safety Guidelines</i>
Schools	Residential development	Students will not exceed 105 percent of state rated <u>capacity</u> or demonstration of mitigation in accordance with Sec. 24-4510(c) .	School cluster

- (2) An application listed in Section 24-4502(a) above shall not be approved until a certificate of adequacy or conditional certificate of adequacy is approved in accordance with the procedures and standards of this Section. No certificate of adequacy or conditional certificate of adequacy shall be approved unless and until it is reviewed and approved in conjunction with one of the applications or subdivision reviews identified in Section 24-4502(a) above and Section 24-4503(a).**
- (3) The governing body of the County may, by Resolution, waive any public safety facilities mitigation requirement imposed pursuant to Sections 24-4508 and 24-4509.**

COMMENT: Acknowledged. All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2022-025. The proposed development has been assigned ADQ-2022-071.

24-4503. Certificate of Adequacy

(a) Applicability

- (1) Except for final plats of subdivision approved prior to October 27, 1970, all development approvals for which a determination of adequate public facilities was made prior to April 1, 2022 and which was still valid on that date shall automatically receive a certificate of adequacy or conditional certificate of adequacy in accordance with this Section, effective April 1, 2022, for a period of twelve (12) years. If all of the required public facilities have been constructed or permitted and bonded as of the effective date of this Subtitle, then adequacy shall remain throughout the development approved by the respective, prior-approved preliminary plan of subdivision. Development that has received a certificate in accordance with this Subsection shall be subject to the requirements of this Section.**
- (2) Preliminary plans of subdivision (minor or major) proposed after April 1, 2022 shall receive approval of a certificate of adequacy or conditional certificate of adequacy for each public facility subject to this Section.**
- (3) Pursuant to the requirement of final plats of subdivision approved prior to October 27, 1970, to obtain approval of a preliminary plan of subdivision (minor or major) prior to the issuance of a building permit under certain circumstances (see Section 24-3402(b)(1)(B)), such subdivisions shall also receive approval of a certificate of adequacy or conditional certificate of adequacy for each public facility subject to this Section.**
- (4) Preliminary plans of subdivision (minor or major) reviewed and approved under the regulations of the Subdivision Regulations in effect immediately prior to the effective date of these Regulations pursuant to the “grandfathering” provisions of Section 24-1704(b) shall be granted a certificate of adequacy in accordance with this Section, effective upon the approval date of the preliminary plan of subdivision (minor or major), for a period of twelve (12) years. Development that has received a certificate in accordance with this Subsection shall be subject to the requirements of this Section.**

(b) Review Procedure for Certificate of Adequacy or Conditional Certificate of Adequacy

- (1) An application for a certificate of adequacy or a conditional certificate of adequacy shall be initiated by submitting an application to the Planning Director, along with any draft documentation relating to the mitigation of inadequate public facilities, if applicable.**
- (2) After determining the application is complete (see Section 24-3305, Determination of Completeness), the Planning Director shall forward the application to the appropriate departments for review and comment, and after receipt of their comments prepare a written report that:**
 - (A) Identifies existing and planned capital improvements and any available capacity of the public facilities that serve the proposed development in accordance with the terms of this Section;**
 - (B) Identifies capital improvements funded and assumed to be in place to serve the proposed development;**
 - (C) Identifies any previously dedicated, constructed, or funded public facility that would mitigate the impacts of the proposed development;**
 - (D) Sets forth findings and conclusions related to the impact of the proposed development on available capacity; and**
 - (E) Determines whether there is available capacity for each public facility sufficient to accommodate the proposed development in accordance with the standards of this Section.**
- (3) Based on the evaluation and determination in Section 24-4503(b)(2) above, the Planning Director shall either:**
 - (A) Issue a certificate of adequacy if all public facilities are adequate;**
 - (B) Issue a conditional certificate of adequacy if:**
 - (i) All or some of the public facilities are inadequate at the time of application; and**
 - (ii) The applicant has agreed to provide mitigation, reduce project impact, or phase development so that the applicable public facilities will meet the adopted LOS standard for the appropriate public facility when the impacts of the development occur; or**
 - (C) Deny the certificate of adequacy if the public facilities are inadequate, and the applicant has not agreed to conditions that would mitigate or reduce their impacts.**
- (4) A conditional certificate of adequacy shall incorporate conditions consistent with Section 24-4503(b)(3)(B)(ii) above, along with the applicant's consent to those conditions.**
- (5) If the Planning Director denies a certificate, issues a conditional certificate, or requires mitigation, the applicant may:**
 - (A) Withdraw the application and seek a new certificate; or**
 - (B) Appeal the Planning Director's decision to the Planning Board.**
- (6) The period of validity for the certificate shall be twelve (12) years from the date of its approval.**

(c) Expiration of Certificate of Adequacy or Conditional Certificate of Adequacy

(1) An approved certificate automatically expires if:

- (A) The applicant fails to comply with the conditions of approval in the certificate; or**
- (B) The period of validity for the certificate expires and the certificate holder does not record a final plat or commence construction in accordance with all the requirements of Table 24-4503(c): Development Requirements Prior to Expiration of Period of Validity for Approved Certificate, below.**
- (C) The certificate of adequacy shall concurrently expire with any respectively approved preliminary plan of subdivision (minor or major) application.**

Table 24-4503(c): Development Requirements Prior to Expiration of Period of Validity for Approved Certificate	
The following has occurred with the preliminary plan for subdivision	Minimum Amount (Percent) of Development Activity Required
A final plat is recorded for at least the following percent of the lots or parcels, and	90%
Construction is completed for household living uses (except multifamily dwellings) on at least the following percent of the lots or parcels on the approved preliminary plan for subdivision, and	60%
Construction is completed on the following percent of gross floor area for all lots or parcels with nonresidential, multifamily, or group living uses.	75%

- (2) If a certificate expires in accordance with this Subsection, the development for which the certificate was approved shall no longer be determined to have adequate public facilities for the purposes of these Regulations and shall be required to gain re-approval for a certificate in accordance with the procedures and standards of this Section before proceeding with development.**

(d) Conformance

Conformance with an approved certificate of adequacy shall be demonstrated at the time a final plat is recorded and when a building permit is issued.

(e) Vested or Contractual Rights

Obligations associated with a certificate of adequacy may be deemed satisfied, and the development for which the certificate was approved may be determined to have adequate public facilities for the purposes of these Regulations, under the following circumstances:

- (1) The certificate holder has dedicated or deeded land for public purposes (such as dedication of land for public roads or parkland) or has otherwise met, in full, any required financial, infrastructure improvement, land transaction, or other**

conditions originally deemed necessary to provide adequate public facilities for the proposed development;

- (2) The Planning Director may determine the permittee has acquired vested or contractual rights that preclude a new adequacy determination in accordance with this Section and State law; or
- (3) In the case of an approval of a certificate of adequacy or conditional certificate of adequacy which includes phased deduction and/or phased required financial contributions for infrastructure improvements, construction of infrastructure improvements, land transactions, or other conditions originally deemed necessary to provide adequate public facilities for the proposed development, if the certificate holder remains in conformance with all requirements pursuant to the phasing schedule, the certificate of adequacy or conditional certificate of adequacy shall remain valid. Once all obligations have been satisfied, the certificate of adequacy shall be deemed satisfied per the conditions of approval.

(f) Extension of Expiration by Planning Board

One extension of the period of validity for a certificate may be granted by the Planning Board, for a period of up to six years, upon the certificate holder's submission of a written request for extension to the Planning Board before the expiration date (end of the period of validity), and demonstration that:

- (A) The certificate holder has reasonably pursued completion of the development;
- (B) The extension serves the public interest; and
- (C) There is otherwise good cause for granting the extension.

(g) Amendment

(1) Requirement

- (A) A change in use, an increase in dwelling units or nonresidential gross floor area, or a substantial change to the access and circulation design of a project that has received a certificate in accordance with this Section, requires an amendment to the certificate and an adequacy re-determination if the change of use, increase in development, or access and circulation change, increases the public facility capacity needed to accommodate the changed project based on the LOS standard established for the public facility, by more than five percent.
- (B) In re-evaluating the project in accordance with this Subsection, the project shall be credited with the capacity reserved under its original approval, unless the certificate has expired.

(2) General

An amendment of a certificate may only be reviewed in accordance with the procedures and standards of this Section.

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2022-025. The proposed development has been assigned ADQ-2022-071.

24-4504. Public Facility Adequacy-Generally

(a) Measuring LOS Standard

- (1) Development subject to this Section shall comply with the LOS standard for each type of public facility that applies to the development.**
- (2) The LOS standards for each public facility are summarized in Section 24-4502(b), and established in Sections 24-4504 through 24-4510 for each individual type of public facility.**
- (3) The LOS standard for each proposed development subject to this Section shall be measured within the Impact Area for each type of public facility. The Impact Area may vary based on where the proposed development or the public facilities are located.**
- (4) If the public facilities needed to meet the LOS standard are not in place and operational at the time of the proposed development, the Planning Director may include planned capacity in making the determination of adequacy (for each individual type of public facility).**

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2022-025. The proposed development has been assigned ADQ-2022-071.

(b) Determining Whether Public Facilities are Adequate

Each type of public facility within the Impact Area is adequate if the demand generated by the development proposed in the application is less than the available capacity. Available capacity is calculated as follows:

- (1) Add capacity within the Impact Area based on the LOS standard for the individual type of public facility; and**
- (2) Where allowed by Sections 24-4504 through 24-4510 below, as appropriate, and the applicable Guidelines, add planned capacity that will alleviate any inadequacy for the individual public facility; and**
- (3) Subtract used capacity and reserved capacity.**

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2022-025. The proposed development has been assigned ADQ-2022-071.

(c) Limitations on Building Permits Issued in Areas Where Public Facilities Do Not Meet the Adopted Level of Service Standards

- (1) In areas of the County where public facilities are inadequate or a need to finance public facilities exists, the District Council may, by Resolution, establish a building permit limit prescribing the number of building permits to be issued in that area over a period of time.**
- (2) In those areas, the Resolution shall:**

- (A) Determine the total number and type of building permits that may be issued each year and the number of building permits that may be allocated to each subdivision or development;**
- (B) Establish a time period, not to exceed six years, during which the building permit limitations will remain in place; and**
- (C) Initiate a planning process that identifies financing, efficiencies, or similar mechanisms to remedy or avoid the public facility inadequacy in the area.**

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2022-025. The proposed development has been assigned ADQ-2022-071.

24-4505. Transportation Adequacy

(a) Applicability

- (1) A certificate for transportation shall be reviewed and approved, approved with conditions, or denied in accordance with Section 24-4503, Certificate of Adequacy.**
- (2) To gain approval of the certificate, the applicant shall demonstrate the proposed development complies with the LOS standards of Section 24-4505(b) below, provides mitigation (if applicable), and complies with the other relevant requirements of this Section.**

(b) Adopted LOS Standard

Adequate transportation facilities shall be available to accommodate or offset (through alternative trip capture) the vehicular trips within the Transportation Impact Area surrounding the development subject to the requirements of this Section, as defined by the Transportation Review Guidelines. This standard is met if:

- (1) Major intersections and major roadways within the Transportation Impact Area have sufficient capacity to accommodate the vehicular trips generated by the proposed development at or below the minimum peak-hour LOS standard identified in Section 24-4502(b) and this Subsection;**
- (2) The applicant reduces project impacts to a level so that the adopted LOS standard is maintained by any combination of the following:**
 - (A) Reducing the number of dwelling units or floor area;**
 - (B) Incorporating alternative trip capture; or**
 - (C) Incorporating a mix of uses that reduces trips through internal capture, as defined in the Transportation Review Guidelines.**
- (3) Transportation improvements or trip reduction programs that are adequately funded by the applicant or an existing revenue source to alleviate any inadequacy in the adopted LOS standard within the Transportation Impact Area;**
- (4) Any development in the RTO or LTO base and PD zones may also provide a financial contribution to implement a Transportation Demand Management program in accordance with Subtitle 20A, Transportation Demand Management, of this Code. A Transportation Demand Management District shall be established by the Council following any development in an RTO or LTO base zone and PD**

Zone that exceeds the LOS standards set forth above, unless the Council determines specific, appropriate alternative methods for addressing infrastructure needs; or

- (5) Any combination of the requirements listed above will ensure that the adopted LOS standard is met.

(c) Availability

Any transportation improvements within the Transportation Impact Area that are counted as available capacity shall be:

- (1) Operational at the time the application for a certificate is submitted; or
- (2) Included on an adopted and approved Functional Master Plan, Area Master Plan, or Sector Plan, and construction scheduled with 100 percent of the construction funds allocated in the adopted County Capital Improvement Program (County CIP) or in the current State Consolidated Transportation Program (State CTP); or
- (3) Incorporated in a specific Public Facilities Financing and Implementation Program, including the County CIP or State CTP with construction scheduled with 100 percent of the construction funds allocated; or
- (4) Fully funded by the applicant, the County, and/or the State government (this includes transportation facilities that are part of the Surplus Capacity Reimbursement Procedure, as defined in the Transportation Review Guidelines); or
- (5) A proposal for a transportation facility on a plan being considered by the U.S. Department of Transportation and/or Federal Highway Administration or Federal Transit Administration, which is funded for construction within the next 10 years. (The Planning Director may condition the approval of the proposed development on a construction schedule that minimizes any inadequacy.); or
- (6) For property located wholly within the Brandywine Road Club, the applicant has entered into a Developer Participation Agreement with the County to share the costs of the improvements before construction of the improvements funded by the Brandywine Road Club; or
- (7) For property which had an approved subdivision application pursuant to the MD 202 Road Club, if the applicant either contributed all funds required as its computed Road Club share or made transportation improvements equal to its computed Road Club share; or
- (8) For property zoned M-X-C prior to the effective date of these Subdivision Regulations, if a negotiated fee-in-lieu of required improvements was paid in full.

(d) Mitigation

Mitigation shall be based on projected traffic service at the following levels:

Table 24-4505(d) Mitigation Standards	
Projected Traffic Above the Adopted LOS (1)	Mitigation

Table 24-4505(d) Mitigation Standards	
Projected Traffic Above the Adopted LOS (1)	Mitigation
1.	
≥ 25 percent	<p>Shall require that any physical improvement or trip reduction programs participated in, or funded by the applicant shall fully abate the impact of all traffic generated by the proposed development in the Transportation Impact Area.</p> <p>Following the development authorized by the approved application and implementation of the approved mitigation action, the total traffic service will be reduced to no higher than 25 percent above the acceptable peak-hour service level threshold as defined in the <i>Transportation Guidelines</i>.</p>
< 25 percent	<p>Shall require that any physical improvements or trip reduction programs fully funded by the applicant shall fully abate the impact of 150 percent of all vehicular trips generated by the proposed development in the Transportation Impact Area.</p> <p>Following the development of the proposed development and implementation of the mitigation action, the total traffic service within the Transportation Impact Area will be reduced to no lower than the acceptable peak-hour service level threshold defined in the <i>Transportation Guidelines</i>.</p>
0-10 percent above the LOS + and proposed development generates less than 25 A.M. or P.M. peak-hour trips	<p>Shall require the applicant to provide the pro rata cost of the physical improvements necessary to alleviate the Inadequacy.</p>
NOTES:	
(1) The adopted LOS is the acceptable peak-hour service level threshold as defined in the <i>Transportation Review Guidelines</i> .	

(e) Offsets for Transit, Bike, and Pedestrian Facilities

(1) Generally

The applicant may reduce the number of vehicular trips generated by a proposed development in a traffic impact study by including alternative trip capture. Such features include integrated sidewalk, trail, and bikeway networks to divert as many trips as possible from automobile travel and increase the multimodal accessibility and attractiveness of trips to transit stops, schools, parks, libraries, stores, services, and other destinations for all users. These concepts are further articulated in the "complete streets" principles and policies set forth in the *Approved Countywide Master Plan of Transportation*.

(2) Transit, Bike, and Pedestrian Infrastructure

The Transportation Review Guidelines shall incorporate availability and capacity standards for transit, pedestrian, and bikeway facilities that an applicant may consider as mitigation toward APF impacts. These facilities shall include:

- (A) Fixed rail transit stations, bus shelters, and other public transportation facilities;
 - (B) Sidewalks and pedestrian crossings at intersections; and
 - (C) Multi-use trails, bike paths, and/or pedestrian pathways and crossings.
- (3) Planned Improvements-Alternative Trip Capture**
- If the proposed development incorporates transit, bicycle, or pedestrian facilities in its traffic impact study, the applicant shall demonstrate prior to the issuance of a building permit for development that all required adequate pedestrian and bikeway facilities are:**
- (A) In place and fully operational; or
 - (B) Have full financial assurances, have been permitted for construction through the applicable operating agency's access permit process, and have an agreed-upon timetable for construction and completion with the appropriate operating agency.

COMMENT: Filed in conjunction with PPS-2022-025 is a Traffic Impact Analysis, prepared by Lenhart Traffic Consulting. Utilization of the Brandywine Road Club is proposed. Section 24-4505(c)(6) contemplates utilization of the Brandywine Road Club to satisfy adequacy requirements. Moreover, that section, as well as CR-9-2017 authorizes the utilization of a Developer Participation Agreement (DPA) with the County to share the costs of the improvements before construction of the improvements funded by the Brandywine Road Club. Thus, it is anticipated this property will contribute to the Brandywine Road Club, and based on any actual improvements that may be made consistent with the CR-9-2017, will enter into a DPA with the County for reimbursement of said funds to off-set actual improvements consistent with CR-9-2017, if any.

24-4506. Pedestrian and Bikeway Adequacy

(a) Purpose

This Section establishes general criteria to ensure the adequacy of public pedestrian and bikeway facilities and sets forth the requirements for those who establish subdivisions within certain zoning districts to construct on-site and off-site pedestrian and bikeway facilities and other public streetscape improvements as part of any development project. Pedestrian and bikeway features include integrated sidewalk, trail, and bikeway facilities to divert automobile trips and increase the multimodal accessibility and attractiveness of trips to transit stops, schools, parks, libraries, stores, services, residences, and other destinations for all users. Pedestrian and bikeway facilities should be designed to increase safety for people walking, bicycling, and using transit, and offer the most direct routes to destinations for persons of all abilities.

(b) Applicability

- (1) When required by Section 24-4506(b)(3), below, a certificate for pedestrian and bikeways adequacy shall be reviewed and approved, approved with conditions, or denied in accordance with Section 24-4503, Certificate of Adequacy.**
- (2) To gain approval of the certificate, the applicant shall demonstrate the proposed development complies with the LOS standards of Section 24-4506(c) below, provides mitigation (if applicable), and complies with the other relevant requirements of this Section.**
- (3) Before any preliminary plan of subdivision (minor or major) may be approved for any development applications proposing 11 (eleven) or more new or redeveloped dwelling units and/or otherwise proposing 10,001 or greater square feet of new or redeveloped gross floor area on land lying, in whole or part, within the RMF-20, RMF-48, NAC, TAC, LTO, RTO-L, RTO-H, CN, CGO, CS, NAC-PD, TAC-PD, LTO-PD, RTO-PD, LMXC, LMUTC, and LCD zones, the Planning Director shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**
- (4) The provisions of Section 24-4506 shall not apply to properties located with Sustainable Growth Tier IV.**

(c) Adopted LOS Standard for Pedestrian and Bikeways Adequacy

- (1) As part of any development project requiring the subdivision or re-subdivision of land subject to the requirements of Section 24-4506(b)(3), above, the Planning Director shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist):**
 - (A) Throughout the proposed subdivision; and**
 - (B) Within one-half mile of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including but not limited to a public school, park, shopping center, multifamily residence, mixed-use activity centers, or line of transit within available public rights of way.**
 - (i) The cost of the off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed nonresidential development in the application and three hundred dollars (\$300.00) per unit of proposed residential development in the application, indexed for inflation annually from calendar year 2013.**
 - (ii) For purposes of this Subsection, one-half mile includes all areas within one-half mile measured from the outer limits of the circumference of the smallest circle encompassing all the land area of the subdivision and includes the entire lot line of any property partially included within such distance; and "throughout the subdivision" includes all the land area within such circumference.**
 - (iii) No developer/property owner shall be required to acquire additional land not already owned by that developer/property owner in order to construct adequate pedestrian and bikeway facilities. All adequate pedestrian and bikeway facilities required under this Section shall be constructed within existing public easements and rights-of-way, or within land dedicated (or to be dedicated) by the applicant to public use.**

- (C) The finding of adequate public pedestrian facilities shall, at minimum, include the following criteria:
- (i) The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and the applicable Area Master Plan or Sector Plan have been constructed or implemented in the area; and
 - (ii) The presence of elements that make it safer, easier, and more inviting for people to traverse the area.
- (D) The finding of adequate public bikeway facilities shall, at minimum, include the following criteria:
- (i) The degree to which the bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and the applicable Area Master Plan or Sector Plan have been constructed or implemented in the area;
 - (ii) The presence of specially marked and striped bike lanes or buffered bike lanes in which people can safely travel by bicycle without unnecessarily conflicting with pedestrians or motorized vehicles;
 - (iii) The degree to which protected bicycle lanes, on-street vehicle parking, medians, or other physical buffers exist to make it safer or more inviting for people to traverse the area by bicycle; and
 - (iv) The availability of safe, accessible, and adequate bicycle parking at transit stops, commercial areas, employment centers, multifamily residential buildings, mixed-use activity centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.
- (E) Examples of pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):
- (i) Installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;
 - (ii) Installing protected bicycle facilities, using on-street parking or medians to separate bicycle traffic from motor vehicle traffic;
 - (iii) Installing or improving streetlights;
 - (iv) Building paved multi-use trails, bike paths, and/or pedestrian pathways and crossings;
 - (v) Building “bulb-out” curb extensions, pedestrian refuge medians, and pedestrian crossing signals at intersections;
 - (vi) Installing a bicycle share station that is operated by the Department of Public Works and Transportation or a municipality;
 - (vii) Installing covered bicycle parking;
 - (viii) Installing street furniture (benches, trash receptacles, bicycle repair stations, bus shelters, etc.);
 - (ix) Installing street trees and planted medians; and
 - (x) One hundred percent (100%) engineering or design plans for nearby pedestrian or bikeway improvements to be constructed by the Department of Public Works and Transportation or trail projects to be constructed by the Department of Parks and Recreation or a municipality.

- (F) The design of facilities for bicyclists and pedestrians shall be in accordance with generally recognized and commonly used transportation engineering and planning standards and practices, including but not limited to, those found in relevant guidance from the Maryland Department of Transportation (MDOT), the National Association of City Transportation Officials (NACTO) Urban Street Design Guide, the NACTO Urban Bikeway Design Guide, and the American Planning Association's and National Complete Streets Coalition's Complete Streets: Best Policy and Implementation Practices.
- (G) If a detailed site plan (minor or major) approval is required for any development within the subdivision, the developer/property owner shall include, in addition to all other required information in the site plan, a pedestrian and bikeway facilities plan showing the exact location, size, dimensions, type, and description of all existing and proposed easements and rights-of-way and the appurtenant existing and proposed pedestrian and bikeway facilities throughout the subdivision and within the designated walking or biking distance of the subdivision specified in this section, along with the location, types, and description of improvements, property/lot lines, and owners that are within 50 feet of the subject easements and rights-of-way.
- (H) Prior to the issuance of any building permit for development within the subdivision, the developer/property owner shall show that all required adequate pedestrian and bikeway facilities have full financial assurances, have been permitted for construction through the applicable operating agency's access permit process, and have an agreed-upon timetable for construction and completion with the appropriate operating agency.
- (I) Nothing contained within this Subsection shall be deemed to inhibit in any way the authority of the Planning Director to require a developer/property owner to construct pedestrian and bikeway facilities not otherwise listed in this Section, if such facilities relate to the implementation of "complete streets" principles on roadways required to be improved, constructed, or reconstructed to accommodate motor vehicle traffic that would be generated by proposed subdivisions. Any such pedestrian and bikeway facilities constructed off-site, shall be subject to the cost limitations set forth in Section 24-4506(c)(1)(B).

(d) Availability

Any pedestrian and bikeway improvements within one-half mile of the proposed subdivision to be counted as available capacity shall be:

- (1) Operational at the time the application for a certificate of adequacy is submitted;
or
- (2) Included on an adopted and approved Functional Master Plan, Area Master Plan, or Sector Plan and construction scheduled with 100 percent of the construction funds allocated in the adopted County Capital Improvement Program (County CIP) or in the current State Consolidated Transportation Program (State CTP);
or

- (3) Incorporated in a specific County Public Facilities Financing and Implementation Program, including the County CIP with construction scheduled with 100 percent of the construction funds allocated; or**
- (4) Fully funded by the applicant, the County and/or the State government (this includes pedestrian and bikeway facilities that are part of the Surplus Capacity Reimbursement Procedure, as defined in the Transportation Review Guidelines).**

(e) Mitigation

Pedestrian and bikeway improvements used to gain approval of the pedestrian and bikeways certificate of adequacy shall not contribute to transportation adequacy offsets for transit, bike, and pedestrian facilities otherwise required by Section 24-4505(e).

COMMENT: The property is located in the RSF-A Zone and is, therefore, not subject to the BPIS requirements as stipulated in Section 24-4506(b)(3).

24-4507. Parks and Recreation Adequacy

(a) Applicability

- (1) A certificate for parks and recreation adequacy shall be reviewed and approved, approved with conditions, or denied in accordance with Section 24-4503, Certificate of Adequacy.**
- (2) To gain approval of the certificate, the applicant shall demonstrate the proposed development complies with the LOS standards of Section 24-4507(b) below, provides adequate mitigation (if appropriate), and complies with all other relevant requirements of this Section.**

(b) Adopted LOS Standard for Public Parks and Recreation

- (1) The adopted LOS standard for Parks and Recreation is:**
 - (A) Within the Transit Oriented/Activity Center zones, and in the Employment Areas as identified in the General Plan: 2.5 acres of improved public parks per 1,000 residents. These lands shall consist of at least:**
 - (i) 0.5 acres per 1,000 residents for small urban parks, including pocket parks, plazas, commons/ greens, squares, and neighborhood parks; and**
 - (ii) One acre per 1,000 residents for larger urban parks, including parks at schools, community parks, resource parks, and waterfront parks; and**
 - (iii) One acre per 1,000 residents for greenways, linear parks, and special facilities.**
 - (B) Fifteen acres of improved public parks per 1,000 residents in all other areas.**
- (2) The Department of Parks and Recreation, in consultation with the Planning Department, shall develop Park and Recreation Facilities Guidelines, approved by Resolution of the Council, that establish:**
 - (A) A methodology for computing the number of residents or equivalent dwelling units for applications subject to this Subsection;**
 - (B) A methodology for computing the Impact Areas of park facilities based upon anticipated walking distances and drive times; and**

- (C) Park facility typologies, including natural areas, community centers, and urban civic spaces consistent with Formula 2040. The typologies may assign credits to public parks and recreation facilities based upon their community value, anticipated development expenses, and proximity to new development.

(c) Availability and Mitigation

If existing public parks and recreation facilities are not sufficient to meet the adopted LOS standard, the Planning Director may find that adequate mitigation is being provided if:

- (1) For proposed residential development/uses, mandatory dedication of parkland is provided by the applicant pursuant to Section 24-4601, Mandatory Dedication of Parkland;
- (2) Adequate improved public park lands are available and programed to serve the residents of the proposed development with 100 percent of the expenditures for the construction of the facility within the adopted County CIP as determined under the Park and Recreation Facility Guidelines;
- (3) That improvements participated in or funded by the applicant (either on or off-site), including pro rata participation in a specific Public Facilities Financing and Implementation Program, will alleviate any inadequacy as determined under the Park and Recreation Facility Guidelines; or
- (4) The applicant provides payment of an in-lieu fee for the purpose of providing monies for the provision of park and recreation facilities (either on or off-site) necessary to ensure the proposed development will served by adequate park and recreation facilities.

COMMENT: The applicant is proposing a combination of on-site recreational amenities and fee-in-lieu, to be coordinated with Staff.

24-4508. Police Facility Adequacy

(a) Applicability

- (1) A certificate for police facilities shall be reviewed and approved, approved with conditions, or denied in accordance with Section 24-4503, Certificate of Adequacy.
- (2) To gain approval of a certificate for police facilities, the applicant shall demonstrate the proposed subdivision complies with the adopted LOS standards of Section 24-4508(b) below, provides adequate mitigation (if appropriate), and complies with all other requirements of this Section.

(b) Adopted LOS Standard-Police

- (1) The population generated by the proposed subdivision, at each stage, shall not exceed the service capacity of existing police stations, in accordance with the Public Safety Guidelines, approved by Resolution of the Council.
- (2) To demonstrate compliance with this LOS standard, the Chief of Police shall submit the following information, on an annual basis, to the Planning Director:

- (A) A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the Public Safety Master Plan for police stations in the vicinity of the area of the proposed subdivision; and
 - (B) A statement by the Police Chief that the rolling 12-month average, adjusted monthly, for response times in the vicinity of the proposed subdivision is a maximum of 25 minutes total for non-emergency calls and a maximum of 10 minutes total for emergency calls for service. For the purposes of this Subsection, response time means the length of time from the call for service until the arrival of Police personnel on-scene or other police response, as appropriate.
- (3) Section 24-4508(b)(2) above, does not apply to commercial or industrial applications for preliminary plans.

(c) Availability and Mitigation

If facilities and personnel at existing police stations are not adequate to meet the adopted LOS standard for Police Facilities, the Planning Director shall find that:

- (1) The population generated by the proposed subdivision at each stage of the proposed subdivision will not exceed the service capacity of existing police stations as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time;
- (2) Adequate police facilities available to serve the population generated by the proposed subdivision are programmed with 100 percent of the expenditures for the construction of the facility in the adopted County CIP in accordance with the Public Safety Guidelines; or
- (3) That adequate police facilities and improvements are participated in or funded by the applicant on a pro-rata basis, including participation in a specific Public Facilities Financing and Implementation Program (as defined in Subtitle 27) that will alleviate any inadequacy in accordance with the Public Safety Guidelines.

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2022-025. The proposed development has been assigned ADQ-2022-071.

24-4509. Fire and Rescue Adequacy

(a) Applicability

A certificate for fire and rescue facilities shall be approved in accordance with Section 24-4503, Certificate of Adequacy. To gain approval of the certificate, the applicant shall demonstrate the proposed subdivision complies with the LOS standards of Section 24-4509(b), below, provides adequate mitigation (if appropriate), and complies with all other requirements of this Section.

(b) Adopted LOS Standard for Fire and Rescue

- (1) The population and/or employees generated by the proposed subdivision, at each stage of the proposed subdivision, will be within the adequate coverage area of the nearest fire and rescue station(s) in accordance with the Public Safety Guidelines.
 - (2) The Fire Chief shall submit to the County Office of Audits and Investigations, County Office of Management and Budget, and the Planning Director:
 - (A) A statement reflecting adequate equipment in accordance with studies and regulations used by the County, or the Public Safety Master Plan for fire stations in the vicinity of the area where the subdivision is proposed to be located; and
 - (B) A statement by the Fire Chief that the response time for the first due fires and rescue station in the vicinity of the proposed subdivision is a maximum of seven minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for calls for service during the preceding month.
 - (3) Subsection (b)(2), above, does not apply to commercial or industrial applications.
- (c) Availability and Mitigation
 - (1) If existing fire and rescue stations are not sufficient to meet the adopted LOS standard, the Planning Director shall find that:
 - (A) The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will not exceed the service capacity of existing police stations as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time;
 - (B) A fire and rescue station(s) that can adequately serve the population and/or employees at the proposed subdivision is programmed with 100 percent of the expenditures for the construction of the facility in the adopted County CIP in accordance with the Public Safety Guidelines. However, if construction of the improvements does not commence within 9 years after the first year the fire and rescue station(s) project is fully funded in an adopted County CIP, the preliminary plan for subdivision (minor or major) may not be considered and approved until the facilities are actually constructed;
 - (C) That improvements participated in or funded by the applicant, including participation in a specific public facilities financing and implementation program, will alleviate any inadequacy in accordance with the Public Safety Guidelines; or
 - (D) Should nonresidential development not meet the response time test, the applicant may provide mitigation through:
 - (i) The installation and maintenance of a sprinkler system that complies with NFPA 13 Standards for the Installation of Sprinkler Systems. The installation of sprinklers shall not be waived by any party; and
 - (ii) The installation and maintenance of automated external defibrillators (AEDs) in accordance with COMAR 30.06.01-05, including a requirement for a sufficient number of AEDs to be installed so that no employee is more than 500 feet from an AED.
 - (2) Before any preliminary plan for subdivision (minor or major) may be approved, if the location of the property proposed for subdivision is outside the appropriate

service area of the Ten Year Water and Sewerage Plan or is in an Rural and Agricultural zone, the Planning Director shall require the applicant to provide water storage tanks, make water tanker trucks available, or ensure there will be other appropriate sources of water for fire extinguishing purposes.

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2022-025. The proposed development has been assigned ADQ-2022-071.

24-4510. Schools Adequacy

(a) Applicability

- (1) Unless exempted in accordance with Section 24-4510(a)(3) below, a certificate for schools adequacy shall be reviewed and approved, approved with conditions, or denied in accordance with Section 24-4503, Certificate of Adequacy.**
- (2) To gain approval of the certificate for schools adequacy, the applicant shall demonstrate the proposed development complies with the LOS standards of Section 24-4510(b) below or provides adequate mitigation (if appropriate), and complies with all other relevant requirements of this Section.**
- (3) The following are exempt from the requirements of this Section:**
 - (A) A preliminary plan for subdivision (minor or major) which is a redevelopment project that replaces existing dwelling units;**
 - (B) A preliminary plan for subdivision (minor or major) for elderly housing operated in accordance with the State and Federal Fair Housing laws;**
 - (C) A preliminary plan for subdivision (minor or major) that consists of no more than three lots on less than five gross acres of land, whose lots, except for one to be retained by grantor, are to be conveyed to a son or daughter or lineal descendant of the grantor; and**
 - (D) A preliminary plan for subdivision (minor or major) located in the Transit-Oriented/Activity Center base or PD zones.**

(b) Adopted LOS Standard for Schools

- (1) The adopted LOS standard for schools is based on school clusters, which are groupings of elementary, middle, and high schools that are impacted by the preliminary plan for subdivision (minor or major).**
- (2) The adopted LOS standard is that the number of students generated by the proposed subdivision at each stage of development will not exceed 105 percent of the state rated capacity, as adjusted by the School Regulations, of the affected elementary, middle, and high school clusters.**
- (3) The number of elementary, middle, and high school students generated by the proposed subdivision shall be determined in accordance with the pupil yield factors for each dwelling unit type as determined by the Planning Director from historical information provided by the Superintendent of the Prince George's County Public Schools.**
- (4) The Planning Director shall determine:**

- (A) The school cluster or clusters impacted by the proposed preliminary plan for subdivision (minor or major).
- (B) The actual enrollment, which is the number of elementary, middle, and high school students, as reported by the Superintendent of the Prince George's County Public Schools as of September 30 of the prior year, and as calculated by the Planning Director that is effective in January of each year for use in that calendar year.
- (C) The completion enrollment, which is the total number of elementary, middle, and high school students to be generated by the estimated number of residential completions, for each school cluster.
 - (i) Residential completions are estimated from the total of all substantially completed dwelling units added to the County's assessable tax base in the two previous calendar years.
 - (ii) In determining completion enrollment, the estimated number of residential completions in a given school cluster will not exceed the number of dwelling units shown on:
 - (aa) An approved preliminary plan of subdivision (minor or major) with no waiting period, or with a waiting period less than 24 months as of September 30 of each calendar year; and
 - (bb) All recorded plats not subject to an adequate public facilities test for schools at time of building permit issuance.
- (D) The subdivision enrollment, which is the anticipated number of elementary, middle, and high school students to be generated by all dwelling units shown on the proposed preliminary plan of subdivision (minor or major), multiplied by the pupil yield factor.
- (E) The cumulative enrollment, which is the total of all subdivision enrollments resulting from approved preliminary plans of subdivision (minor or major) in each school cluster for the calendar year in which an adequate public facilities test is being applied.
- (F) The Planning Director shall determine the subdivision's cluster enrollment by adding: the actual number of students in the cluster as of September 30; the number of students anticipated from residential completions in the cluster; the number anticipated from the subdivision; and the number of students anticipated from subdivisions already approved in the cluster within the calendar year. The Planning Director shall then determine the percent capacity by dividing the cluster enrollment by the state rated capacity (adjusted by the School Regulations) of schools in the cluster.

(c) Mitigation

When conditioned upon payment of the schools facility surcharge, or when otherwise exempt from the schools facility surcharge pursuant to Section 10-192.01, School Facilities Surcharge, of the County Code, the subdivision may be approved regardless of actual or projected school capacity.

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations

prior to the approval of PPS-2022-025. The proposed development has been assigned ADQ-2022-071. Pursuant to Section 24-4510(c), at the time of building permit, the applicant will pay the applicable School Facility Surcharge pursuant to Section 10-192.01.

SECTION 24-4600 – PARKLANDS AND RECREATION FACILITIES

24-4601. Mandatory Dedication of Parkland

(a) Purpose

The purpose of this Section is to establish standards for new subdivisions including residential uses to provide adequate land to meet the park and recreation needs of the residents of the subdivision.

(b) Applicability

(1) General

Unless exempted in accordance with Section 24-4601(b)(2) below, all subdivisions which include residential uses shall plat and convey to the M-NCPPC or to a municipality located within the County (but which is not within the Maryland-Washington Metropolitan District) upon the request of such municipality, adequate land to meet the park and recreation needs of the residents of the subdivision, or pay a fee in-lieu, or provide park and recreation facilities as otherwise provided in this Section.

(2) Exemptions

The following are exempted from the standards of this Section:

- (A) Any lot that was legally created by deed prior to April 24, 1970;**
- (B) Any lot being created by the subdivision of land upon which a dwelling legally exists at the time of subdivision; and**
- (C) Any re-subdivision of land for which land was previously dedicated for park and recreation needs, or a fee in-lieu paid, to the extent that land dedication or fees in-lieu are sufficient to accommodate the residents of the subdivision (if lots are added as part of the resubdivision, land shall be dedicated or an in-lieu fee paid in accordance with this Section to meet the park and recreation needs of the residents of the new lots).**

(3) Amount of Park and Recreation Land Required

The amount of land to be dedicated shall be:

- (A) Five percent of land on which a density of one to four dwelling units per net acre is the maximum density allowed in Subtitle 27: Zoning Ordinance;**
- (B) Seven and one-half percent of land on which a density of four to seven and one-half dwelling units per net acre is permissible;**
- (C) Ten percent of land on which a density of seven and one-half to 12 dwelling units per net acre is permissible; and**
- (D) Fifteen percent of land on which a density exceeding 12 dwelling units per net acre is permissible.**

(4) Compliance Alternatives

As an alternative to the dedication of land in accordance with Section 24-4601(b)(3), Amount of Park and Recreation Land Required, above, any of the following, either singly or in combination, shall satisfy the requirements of this Section.

(A) Active and/or Passive Recreation Land

- (i) The dedication of land identified for preservation as part of a stream valley park on a Functional Master Plan, Area Master Plan, or Sector Plan, with a finding there is reasonable active recreation in the general area, and that any trails shown on the plans are provided and dedicated.**
- (ii) The location of on-site detention and/or retention ponds may be credited toward lands required for dedication, regardless of ownership, if it is determined that such area will provide active or passive recreation because of specific access provisions, recreational facilities, or visual amenities, and appropriate maintenance agreements have been, or will be, made to ensure compliance with this requirement.**

(B) Fees in-Lieu

- (i) If it is determined that the dedication of park and recreation land is unsuitable or impractical due to size, topography, drainage, physical characteristics, or similar circumstances, the subdivider shall provide a fee in-lieu of dedication in the amount of five percent of the total new market value of the land as stated on the final assessment notice issued by the State Department of Assessments and Taxation.**
- (ii) The in-lieu fee shall be used for the sole purpose of purchasing or improving land to meet the park and recreation needs of, and benefit, the residents of the subdivision.**

(C) Recreational Facilities

Recreational facilities may be provided instead of land or in-lieu fees in any Residential zone, provided that a plan for such recreational facilities is approved by the Planning Board after determining that:

- (i) Such facilities will be equivalent or superior in value, to the land, improvements, or facilities that would have been provided under this Section; and**
- (ii) The facilities will be properly developed and maintained to the benefit of future residents of the subdivision through covenants, a recreational maintenance agreement, or other appropriate means, and that such instrument is legally binding upon the subdivider and the subdivider's heirs, successors, and assigns, and that such instrument is enforceable; and**
- (iii) No permit for construction or occupancy of dwellings shall be issued unless the Planning Board is satisfied that the facilities have been, or will be, provided at the appropriate state of development.**

COMMENT: The applicant is proposing a combination of on-site recreational amenities and fee-in-lieu, to be coordinated with Staff.

SECTION 27-4700 – CONSERVATION SUBDIVISION STANDARDS

COMMENT: This section does not apply since the property is not located in a zone that permits a conservation subdivision, and the applicant is not proposing a conservation subdivision.

VII. SUBTITLE 27-6. SUBDIVISION STANDARDS

SECTION 27-6200 – ROADWAY ACCESS, MOBILITY, AND CIRCULATION.

27-6206. Vehicular Access and Circulation

(b) Required Vehicular Access and Circulation

A new development shall be served by a system of vehicular accessways and internal circulation (including driveways, and alleys connecting from public or private streets, as well as any required fire lanes, parking lot drive aisles, and any circulation associated with parking, loading, or drive-through service windows) that are designed to accommodate appropriate circulation of firefighting and other emergency vehicles, public transit, school buses, garbage trucks, delivery vehicles, service vehicles, and passenger motor vehicles within the development, as defined by the standards in Subtitle 23: Roads and Sidewalks

COMMENT: All driveways and alleys will connect to private streets and all private streets will connect to public rights-of-ways.

(d) Vehicular Access Management

(1) Limitation on Direct Access Along Arterial and Collector Streets Proposed.

Proposed direct driveway access to a development's principal origin or destination points (including individual lots in a subdivision) may be provided directly from an arterial or collector street only if:

- (A) No alternative direct vehicular access from a lower-classified accessway (e.g., local street, driveway, or alley) is available or feasible to provide;**
- (B) Only one two-way driveway, or one pair of one-way driveways, is allowed onto lots with 200 or less feet of lot frontage on the arterial or collector street, and no more than one additional two-way driveway or pair of oneway driveways per additional 200 feet of frontage; and**
- (C) The development(s) served by the driveway is expected to generate an average daily traffic (ADT) count of 1,000 trips or less, or it is determined that the origin or destination points accessed by the driveway will generate sufficiently low traffic volumes, and the adjacent arterial or collector street has sufficiently low travel speeds and traffic volumes, to allow safe driveway access while preserving the safety and**

efficiency of travel on the arterial or collector street

COMMENT: Not applicable, no direct access to an arterial or collector road is proposed.

(2) Limitation on Direct Driveway Access along Other Streets

The following standards shall apply to vehicular access along a street other than an arterial street.

- (A) For single-family detached dwellings, two-family dwellings, and three family dwellings, one direct driveway access point is allowed if only the frontage of the lot abuts the street's right-of-way. If the street is on a corner lot of two non-arterial or non-collector streets and abuts the right-of-way of two intersecting streets, two direct driveway access points are allowed (one to each street).**

COMMENT: Not applicable, no direct access is proposed.

- (B) For townhouse and multifamily dwellings, and for uses in the Public, Civic, and Institutional; Commercial; and Industrial Use Categories, the number of vehicular access points along a public street shall follow State, County, or municipal access standards, as applicable, to protect the function, safety, and efficiency of travel on the street and any associated bikeways and sidewalks.**

COMMENT: The applicant is not proposing any direct access from the dwelling units to a public street.

- (C) Where a through lot or corner lot fronts on roadways of different classifications, direct driveway access to the lot shall be provided only from the lower-classified fronting street, to the maximum extent practicable.**

COMMENT: Not applicable.

(3) Shared Driveways

- (A) Driveway access shared between adjoining lots is encouraged and, in the case of County or State access spacing requirements that do not allow individual lot frontages to be served individually,**

may be required to limit direct vehicular access along streets.

- (B) Easements allowing cross-access to and from lands served by a shared driveway, along with agreements defining maintenance responsibilities of landowners, shall be recorded with the Land Records of Prince George's County before issuance of a building permit for the development proposing the shared driveway access. Such easements shall clearly limit parking of each property owners' vehicles to their side of the driveway, and stipulate that both owners shall share in the costs and responsibility of maintaining the driveway.

COMMENT: Not applicable, shared driveways are not proposed.

(e) **Cross-Access.**

(2) **Cross-Access Between Adjoining Developments.**

To encourage shared parking and minimize access points along streets, new development, other than industrial development, in the Transit-Oriented/Activity Center base and PD zones and Nonresidential base zones shall comply with the following standards:

(A) The internal vehicular circulation system shall be designed and constructed to provide vehicular cross-access between the development's vehicular use areas and those on adjoining parcels containing a nonresidential or mixed-use development, or to the boundary of adjoining vacant land in a Transit-Oriented/Activity Center base or PD zone or a Nonresidential zone.

(B) Cross-accessways shall provide for two-way vehicular traffic between the vehicular use areas on the adjoining lots through the use of a single driveway or drive aisle that is at least 22 feet wide or through two one-way driveways or aisles that are each at least 14 feet wide.

(C) The Planning Director or review body deciding a parent application may waive or modify the requirement for vehicular cross-access if the applicant clearly demonstrates that such cross-access is impractical or undesirable due to the presence of topographic conditions, natural features, or safety factors.

(D) Easements allowing cross-access to and from lands served by a vehicular cross-access, along with agreements defining maintenance responsibilities of landowners, shall be recorded in the Land Records of Prince George's County before record plat or prior to the issuance of a building permit for the development

COMMENT: Not applicable. The Subject Property is located in the RSF-A Zone, which is not a transit-oriented/activity center base or planned development zone or a nonresidential base zone.

(f) Connectivity Standards for Single-Family (Attached and Detached) Residential Development

(1) Minimum Connectivity Index Score Required

New single-family residential subdivisions processed with a preliminary plan of major subdivision shall achieve an internal street connectivity index score in accordance with Table 27-6206(f)(1): Minimum Street Connectivity Index.

(A) Located in Residential and Planned Development Zones = 1.5

(B) Located in Nonresidential and Transit-Oriented/Activity Center Zones = 1.4.

(2) Connectivity Index Score Calculation

The connectivity index for a development is calculated by dividing its links by its nodes. Figure 27-6206(f)(2): Street Connectivity Index, provides an example of how to calculate the connectivity index.

Nodes exist at street intersections, including any intersections to access streets immediately adjacent to the development but outside of its site property, such as intersections that provide access to the development through an entry street or driveway; traffic circles/roundabouts; street intersections with alleys that serve as the only vehicular access to residential dwellings; trail intersections where two or more trails intersect; and cul-desac heads within the development.

Links are stretches of road that connect nodes, stub streets, and pedestrian connections pursuant to Section 27-6206(g) below. Any alley that serves as the only vehicular access to residential dwellings shall also count as a link. Other alleys do not count as links. For purposes of this Subsection, stub streets shall stub at the property line to count a link. Any stub street fully internal to the development and which does not touch the property line (and therefore will not constitute a future street connection) does not count as a link. Links external to the development that connect to nodes associated with the development shall be included in the index calculation, as shall all links attached to nodes providing access to the development.

(3) Reduction in Minimum Index Score

The minimum connectivity index score may be reduced by the Planning Director if the landowner/applicant demonstrates it is infeasible to achieve due to natural features, existing road configurations, or

adjacent existing development patterns. In these instances, internal street design shall achieve as high a connectivity index score as reasonably practical, especially by providing stub-outs and other potential connections that may be made in the future, including through public infrastructure improvements.

COMMENT: The provided Connectivity Index Score totals 1.75 (14 links and 8 nodes) and the required score is 1.5. Thus, this requirement is met.

(g) Pedestrian Connections

- (1) A right-of-way (at least ten feet wide) shall be provided for pedestrian and bicycle access between a cul-de-sac head or street turnaround and the sidewalk system of the closest street or pedestrian path (as shown in Figure 27-6206(g): Pedestrian Connections), if the cul-de-sac head or street turnaround:**
 - (A) Is within a half-mile of significant pedestrian generators or destinations such as transit stops, schools, parks, public trails, greenways, employment centers, mixed use development, retail centers, or similar features; and**
 - (B) Can be connected to an existing or proposed sidewalk, trail, greenway, or other type of pedestrian connection.**

COMMENT: Not applicable, no cul-de-sacs or turnarounds are proposed.

- (2) Vacant adjacent land that could be developed in the foreseeable future with sidewalks, trails, greenways, or other types of pedestrian connections to which the pedestrian and bicycle access can be connected.**

COMMENT: At the time of DET (DET-2022-020), the applicant will work with Staff to determine the feasibility and appropriateness to provide an interior connection to the Timothy Branch trail within the stream valley.

- (3) These pedestrian connections shall count as links for the purpose of calculating the connectivity index.**

COMMENT: To be determined with the review of DET-2022-020.

- (4) These pedestrian connections may require public use easements in accordance with Subtitle 24: Subdivision Regulations of the County Code.**

COMMENT: Acknowledged.

(h) External Street Connectivity

- (1) The arrangement of streets in a single-family residential subdivision shall provide for the alignment and continuation of existing or proposed streets into adjoining lands where the adjoining lands are undeveloped and deemed appropriate for future development, or are developed and include opportunities for such connections.**

COMMENT: Not applicable, no proposed stubs or connections to adjacent parcels for future development are proposed.

- (2) Street rights-of-way shall be extended to or along adjoining property boundaries such that a street connection or stub street shall be provided for development where practicable and feasible in each direction (north, south, east, and west) for development that abuts vacant lands.**

COMMENT: Not applicable, no proposed stubs or connections to adjacent parcels for future development are proposed.

- (3) At all locations where streets terminate with no street connection, but a future connection is planned or accommodated, a sign shall be installed with the words "FUTURE STREET CONNECTION" to inform landowners.**

COMMENT: Not applicable, no proposed stubs or connections to adjacent parcels for future development are proposed.

- (4) The final plat (see Subtitle 24: Subdivision Regulations) shall identify all stub streets and include a notation that all stub streets are intended for connection with future streets on adjoining undeveloped or underdeveloped lands.**

COMMENT: Not applicable, no proposed stubs or connections to adjacent parcels for future development are proposed.

(i) Continuation of Adjacent Streets

Proposed street layouts shall be coordinated with the existing street system in surrounding areas. Existing streets shall, to the maximum extent practicable, be extended to provide access to adjacent developments and subdivisions and to provide for additional points of ingress and egress.

COMMENT: Not applicable, there are no adjacent existing streets to connect to. The development entrance has been designed to align with intersection of Green Glade Drive (i.e., the entrance to the currently under construction Dobson Ridge development).

(j) Traffic-Calming Measures for Private Streets

- (1) All traffic calming measures shall be coordinated with the applicable operating agency or municipality. Any traffic calming measures proposed in a County right-of-way shall require approval by the DPIE Director. Such approval shall also identify the responsible party for perpetual maintenance for any nonstandard or non-conforming elements that may be proposed.**

COMMENT: The applicant will coordinate with DPIE, as needed.

- (2) Street widths not in excess of basic design standards, short block lengths, on-street parking, controlled intersections, roundabouts, and other traffic-calming measures are encouraged on all local and subcollector streets that connect between two nodes in the connectivity index system, provided they do not interfere with emergency vehicle access.**

COMMENT: Not applicable.

- (3) Residential development shall employ measures to interrupt direct vehicle flow on linear street segments over 800 linear feet long, to the maximum extent practicable (see Figure 27-6206(j): Traffic Calming Measures). Such measures may include, but shall not be limited to:**

 - (A) Stop signs at street intersections;**
 - (B) Mini-roundabouts at intersections;**
 - (C) Curvilinear street segments to slow traffic and interrupt monotonous streetscapes;**
 - (D) Traffic-diverting physical devices such as neckdowns, chicanes, and diverter islands;**
 - (E) Roadway striping to limit vehicular cartway widths or accommodate bike lanes; and**
 - (F) Speed tables, raised intersections or elevated pedestrian street crossings.**

COMMENT: The applicant will coordinate with DPIE, as needed.

- (4) Any physical installations that narrow the roadway and extend curbs toward the street centerline, such as bulbouts and chicanes, are discouraged on streets less than 24 feet wide, but are encouraged on wider streets as a traffic calming device and to reduce crossing distance for pedestrians, where practicable.**

COMMENT: The applicant will coordinate with DPIE, as needed.

(k) Block Design

(1) Block Length

Where blocks are used in the Transit-Oriented/Activity Center base and PD zones and the MU-PD Zone, block length shall be at least 200 feet, but no more than 800 feet. In all other zones block length shall be at least 200 feet, but no more than 1,000 feet in length. The Planning Director (or DPIE Director if any streets forming/abutting the block are public streets) may allow modifications from these block length standards on determining that:

- (A) Environmental or topographic constraints exist;**
- (B) The site has an irregular shape;**
- (C) A longer block will reduce the number of railroad grade or water body crossings; or**
- (D) Longer blocks will result in less traffic through residential subdivisions from adjoining businesses or areas.**

COMMENT: Excluding alleys, the private road creates a block length of approximately 700-feet, which meets the 200-foot minimum and 1000-foot maximum design criteria.

(2) Block Width

To the maximum extent practicable, the width of any block shall be sufficient to permit at least two lots across the depth of the block, exclusive of any alleys, watercourses, or other right-of-way located outside platted lots.

COMMENT: Acknowledged. Due to the shape of the subject property and the environmental constraints present thereon, one loop road creating a single block is the most appropriate and functional layout for development. The result is a central block that varies from townhouse sticks with 5 dwelling units in length, to wider portions of the site that contain tandem townhouse sticks with greenspace and sidewalk connections throughout.

(3) Through-Block Access

In the RSF-95, RSF-65, and RSF-A zones where a block face exceeds more than 800 feet, sidewalks or multi-use paths shall be provided through the block, perpendicular to the long block face to connect parallel sidewalks on either side of the block through the interior of the block.

COMMENT: Acknowledged. The proposed layout does not exceed 800-feet in length, but does provide a pedestrian network of sidewalks to allow for adequate access to each dwelling and abundant recreational opportunities to walk/bike around the site.

(4) General Accessway Layout and Design

The vehicular access and circulation system of a development located on a site abutting an existing or planned transit route shall

accommodate a transit stop and other associated facilities unless the Planning Director determines that transit facilities already exist to serve the needs of the development.

COMMENT: Not applicable.

(I) Driveway Layout and Design

(1) Driveway Width

All driveways serving development, except single-family detached dwellings, two-family dwellings, and three-family dwellings, shall comply with the following minimum width standards:

(A) One-way driveways shall be at least 11 feet wide, as measured between the edges of paving in a typical tangent section that does not include corner radii.

(B) Two-way driveways shall be at least 22 feet wide, as measured between the edges of paving in a typical tangent section that does not include corner radii.

COMMENT: Not applicable.

(2) Dead-End Driveway Length

Driveways that do not connect back to a street shall be no longer than 150 feet unless they include adequate provision for fire trucks to turn around, as approved by the Fire Chief.

COMMENT: Not applicable.

(3) Driveway Intersections

Driveway intersections shall also comply with the following standards:

(A) Alignment

To the maximum extent practicable, driveway intersections along a street shall line up with existing or approved driveway, parking lot drive aisle, or roadway intersections on the opposite side of the street.

COMMENT: Not applicable.

(B) Proximity to Adjoining Land

Except for shared driveways provided in accordance with Section 27-6206(d)(3), Shared Driveways, driveway intersections shall be spaced from an adjoining property line by at least two feet or such greater distance as is needed to avoid encroachment of the driveway radius onto the adjacent property or interference with safe use of a driveway on the adjoining property.

COMMENT: Not applicable.

(C) Medians in Driveway Entrances

Medians may be incorporated at driveway entrances provided:

- (i) No signage is included within the median other than traffic signs and a single monument sign;**
- (ii) Planted material within the median is limited to minor shade trees, shrubs, ground cover, and grass; and**
- (iii) The minimum driveway width is maintained for each travel and turning lane.**

COMMENT: Not applicable.

(m) Vehicle Stacking Space

(1) For Drive-through and Related Uses

(A) Required Number of Stacking Spaces

In addition to meeting the off-street parking standards in Table 27-6305(a): Minimum Number of Off-Street Parking Spaces, uses with drive-through facilities and other auto-oriented uses where vehicles queue up to access a service facility shall provide at least the minimum number of stacking spaces established in Table 27-6206(m)(1)(A): Minimum Stacking Spaces for Drive-Through Facilities and Related Uses.

COMMENT: Not applicable.

(B) Design and Layout

Required stacking spaces are subject to the following design and layout standards:

- (i) Stacking spaces shall be a minimum of 10 feet wide and 20 feet long;**
- (ii) Stacking spaces shall not impede on-site or off-site vehicular traffic movements or movements into or out of off-street parking spaces;**
- (iii) Stacking spaces shall not impede onsite or offsite bicycle or pedestrian traffic movements; and**
- (iv) Stacking spaces shall be separated from other internal driveways by raised medians if the DPIE Director (for public streets) or Planning Director (for private streets) determine the medians to be necessary for traffic movement and safety.**

COMMENT: Not applicable.

(2) For Vehicular Parking Area (Parking Lot) Entrance Driveways

Nonresidential and mixed-use development (excluding industrial uses) shall provide stacking lanes between the edge of the street right-of-way and entrances into off-street parking areas in accordance with the minimum

stacking lane distance established in Table 27-6206(m)(2).a: Minimum Stacking Lane Distance for Vehicular Parking Area Entrance Driveway (see Figure 27-6206(m)(2).b: Measurement of Stacking Lane Distance for Vehicular Parking Area Entrance Driveway). In the event the number of parking spaces requires a stacking lane distance of 150 feet or greater, this requirement will supersede that of Section 27-6206(l)(2), Dead-End Driveway Length.

COMMENT: Not applicable.

27-6207. Pedestrian Access and Circulation.

(a) Required Pedestrian Access.

(1) General Pedestrian Access.

All new development subject to this Section shall be served by an internal pedestrian circulation system (including sidewalks, pedestrian paths, and/or trails) that permits safe, convenient, efficient, and orderly movement of pedestrians among the following origin and destination points within the development, as well as between the adjoining parts of an existing or planned external, community-wide pedestrian circulation system and any adjoining transit stops, bus stops, public parks, greenways, schools, community centers, and shopping areas:

- (A) The primary entrance(s) of principal buildings (or the buildable area of lots, for subdivisions);**
- (B) Off-street parking bays;**
- (C) Any designated or planned transit stations or bus stops and shelters (on-site or on an adjacent street); and**
- (D) Recreation facilities and other common use areas and amenities.**

COMMENT: PPS-2022-025 provides internal pedestrian circulation that permits safe, convenient, efficient, and orderly movement of pedestrians among the following origin and destination points within the development. Additional details of the internal pedestrian circulation will be provided with DET-2022-020.

(2) Sidewalks Required.

- (A) All new development subject to this Section, except for development fronting a rural road, or single-family subdivisions where the density is 1 dwelling unit per 2 acres or less, shall install sidewalks on both sides of all streets having curb and gutter construction within the development site and along the entire frontage of the development site with an existing street (unless an existing sidewalk meeting County standards is already in place).**

COMMENT: PPS-2022-025 includes sidewalks on both sides of private roads, and along entire frontage of McKendree Road.

(B) Where a development site fronts an existing street with insufficient right-of-way width to accommodate installation of a required sidewalk along the frontage, the developer shall install a sidewalk on the development site within a dedicated widening of the right-of-way or dedicated public easement running parallel and adjacent to the public street.

COMMENT: PPS-2022-025 includes sidewalks on both sides of private roads, and along entire frontage of McKendree Road.

(b) Pedestrian Connectivity.

All new multifamily, townhouse, nonresidential, and mixed-use development shall comply with the following standards:

(1) The internal pedestrian circulation system shall be designed to allow for pedestrian walkway cross-access between the development's buildings and parking areas and those on adjoining lots containing a multifamily, townhouse, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow multifamily residential, nonresidential, or mixed-use development (including land in the Residential, Transit-Oriented/Activity Center, and Nonresidential base and PD zones).

(2) The Planning Director may waive or modify the requirement for pedestrian cross-access where the applicant clearly demonstrates that such cross-access is impractical or infeasible due to police concerns about through-traffic routes complicating law enforcement, Environmental Site Design requirements, or the presence of any of the following at the point(s) where through-connections would otherwise be required: topographic conditions, natural features, visual obstructions or parking space locations that create traffic hazards, or the existence of mature or protected trees.

(3) Easements allowing cross-access to and from properties served by a pedestrian cross-access, along with agreements defining maintenance responsibilities of landowners, shall be recorded with the Land Records of Prince George's County before issuance of a building permit for the development.

(4) Pedestrian Walkways through Large Vehicular Parking Areas and Parking Garages

(A) General Standards

(i) All vehicular parking areas and parking structures containing more than 150 parking spaces shall provide a clearly identified and protected pedestrian path between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas, or to a pedestrian walkway providing

direct access from the furthest extent of the parking area to the primary building entrance(s).

(ii) Vehicular parking areas containing more than 150 parking spaces shall, at a minimum, include one pedestrian walkway every 6 parallel parking rows (every three double-row parking bays) or every 200 feet, whichever is the lesser dimension (see Figure 27-6207(b)(4): Walkways Through Vehicular Parking Area). The pedestrian walkway shall be constructed of a paved surface with concrete similar to that used for sidewalk standards for public streets. Other hardscape materials, such as brick pavers, may be used provided that they allow smooth surfaces along pedestrian paths and at vehicle crossings.

(iii) Pedestrian walkways providing access between vehicular parking areas and associated buildings may be extended to provide the connections to abutting street sidewalks or to adjoining development required by Section 27-6207(a)(1), General Pedestrian Access, and Section 27-6207(b), Pedestrian Connectivity.

COMMENT: Pursuant to sub-subpart (2)(C), “[t]he Planning Director may waive or modify the requirement for pedestrian cross-access where the applicant clearly demonstrates that such cross-access is impractical or infeasible due to police concerns about through-traffic routes complicating law enforcement, Environmental Site Design requirements, or the presence of any of the following at the point(s) where through-connections would otherwise be required: topographic conditions, natural features, visual obstructions or parking space locations that create traffic hazards, or the existence of mature or protected trees.” The applicant is requesting a waiver since cross-access is impractical or undesirable due to the presence of topographic conditions, natural features, or safety factors. It must be noted that the property to the east is developed and improved with a Wawa, and along the western boundary of the property is the Timothy Branch and associated 100-year floodplain and PMA. The existing Timothy Branch and associated environmental feature restrict the ability to provide cross access. The property to the east is entitled (to wit: DSP-01020 with a number of amendments -01 through -04) and was approved without any requirement for cross access to the west. Instead, pedestrian connectivity was based on the sidewalk system along McKendree Road (MC-502). This sidewalk system ultimately ties into the sidewalks and trail system to the south and west in the Timothy Branch stream valley. The proposed development will continue this network along its frontage, which will ultimately connect to Timothy Branch. Further, since the DSP-01020 was approved without any anticipatory inter-parcel connections to the west, requiring the subject property to somehow connect to a receiving project that is not designed to accommodate such connections not only creates liability and operational issues for both properties, but also creates CPTED issues regarding inconsistencies in design elements, parking, natural features, obstacles, visual obstructions etc. The property to the west also has a grade change and is slightly higher than the subject property making any connection of the site infeasible. Moreover, there are SWM facilities and incompatible grading that restrict the ability to “tie” the sites together for cross-access.

Simply, cross access to neighboring developments was examined and implementation of these requirements for the subject site is not practical. The subject site and the property to the east, to which cross access could conceivably be provided, have each been evaluated for site access, circulation, and parking, and have both been found to operate adequately with each site only having direct access to McKendree Road. An additional point of vehicle entry could negatively impact vehicular and pedestrian safety, especially given the use of the adjacent property being a Wawa facility. In addition, the likelihood of cut-through traffic from the neighboring development could impact site circulation and vehicle stacking. In the interest of maintaining vehicular, pedestrian, and bicycle safety, implementation of cross access between adjoining developments should not be pursued. Specifically, pedestrian cross access to adjoining sites should be waived, pursuant to Section 27-6207(b)(2), and bicycle cross access to adjoining sites should be waived, pursuant to Section 27-6208(b)(2).

(B) Walkway Standards.

Required pedestrian walkways shall:

- (i) Be at least five feet wide in Residential base zones and six feet wide in the Transit-Oriented/Activity Center and Nonresidential base zones, unless expressly stated otherwise in those zone regulations;**
- (ii) Be distinguishable from vehicular traffic lanes they cross by painted markings, a change in pavement material or color, raised paving height, decorative bollards, and/or flashing caution signals; and**
- (iii) Provide lighting similar to the lighting standards for residential streets established in the Prince George's County Specifications and Standards for Roadways and Bridges or other standards in Subtitle 23.**

COMMENT: Acknowledged. All sidewalks for shared public use, including the central pathways that weave between buildings, shall be a minimum of 5 feet in width, excluding the individual lead walks to each dwelling unit. Exact pavement widths, the use of contrasting colors and pavement types, and/or decorative fixtures such as bollards and light poles will be determined at the time of Detailed Site Plan.

27-6208. Bicycle Access and Circulation.

(a) Required Bicycle Access.

(1) Internal and Adjoining Bicycle Access

All new development subject to this Section shall provide for internal bicycle circulation such that bicycle access to the development's primary use is safe, convenient and intuitive, specifically by providing the following, in coordination with the Department of Public Works and Transportation, State Highway Administration, or a municipality with jurisdiction over the streets.

- (A) Bicycle parking facilities required by Section 27-6309, Bicycle Parking Standards, in areas near the primary entrance(s) of principal buildings (or the buildable area of lots, for subdivisions) for bicycle storage;**

- (B) Connections to any adjacent existing or planned (identified in the applicable Area Master Plan or Sector Plan, or in the Countywide Master Plan of Transportation) on-street or off-street bicycle facilities outside the development, or internal bicycle systems in adjacent developments;**
- (C) Connections to any designated or planned rail transit or bus stops and shelters (on-site or on an adjacent street);**
- (D) Connections to any recreational amenities internal to the development, such as open space.**

COMMENT: During the review of DET-2022-020 the amount and location of bike parking will be determined.

(2) Required Bikeway Network Improvements

- (A) All new development subject to this Section shall be required to install bike lanes, bike paths, or other bicycle improvements. Additional bikeway network improvements are encouraged where appropriate, such as within large development sites and to provide additional connections to nearby bicycle routes. The facilities shall be established in part, through an agreement and/or easements which include assurances for their maintenance.**

COMMENT: During the review of DET-2022-020 the required bicycle improvements will be determined.

- (B) The Planning Director may, for private streets or, when advised by the permitting agency, for public streets, waive or modify the requirement for bike lanes, bike paths, or other bicycle improvements where the applicant clearly demonstrates that the facilities are impractical or infeasible due to topographic conditions, natural features, or visual obstructions that create hazards.**

COMMENT: Acknowledged, and the applicant reserves the right to seek any such relief, as needed, during the review of DET-2022-020.

- (C) Where a development site fronts an existing street with insufficient right-of-way width to accommodate installation of a required bike path along the frontage, the applicant may install a bike path on the development site, within a public easement running parallel and nearby the public street. Such bicycle paths shall not be restricted from public use and shall allow physical passage at all times.**

COMMENT: Acknowledged.

(b) Bicycle Connectivity Between Developments.

All new multifamily, townhouse, nonresidential, and mixed-use development shall comply with the following standards:

(1) Any internal bicycle circulation system shall be designed and constructed to provide bicycle cross-access between it and any internal bicycle circulation system on adjoining parcels containing a multifamily, townhouse, nonresidential, or mixed-use development, or to the boundary of adjoining vacant land zoned to allow townhouse, multifamily, nonresidential, or mixed-use development (including land in the Residential, Transit-Oriented/Activity Center, and Nonresidential base and PD zones).

(2) The Planning Director may waive or modify the requirement for bicycle cross-access on determining that such cross-access is impractical or undesirable for typical bicyclists' use due to the presence of topographic conditions, natural features, or safety factors. Undesirable conditions shall be defined as those limiting mobility for bicycles as a form of transportation, such as steep grades, narrow connections bounded on both sides by walls or embankments, or limited visibility when straight-line connections are not achievable.

(3) Easements allowing cross-access to and from lands served by a bicycle cross-access, along with agreements between owners of lands that provide and are served by the cross-access defining the owners' maintenance responsibilities, shall be recorded with the Land Records of Prince George's County before issuance of a building permit for the development.

COMMENT: Pursuant to sub-subpart (2)(C), “[t]he Planning Director may waive or modify the requirement for bicycle cross-access on determining that such cross-access is impractical or undesirable for typical bicyclists' use due to the presence of topographic conditions, natural features, or safety factors. Undesirable conditions shall be defined as those limiting mobility for bicycles as a form of transportation, such as steep grades, narrow connections bounded on both sides by walls or embankments, or limited visibility when straight-line connections are not achievable.” The applicant is requesting a waiver since cross-access is impractical or undesirable due to the presence of topographic conditions, natural features, or safety factors. As mentioned above, it must be noted that the property to the east is developed and improved with a Wawa, and along the western boundary of the property is the Timothy Branch and associated 100-year floodplain and PMA. The existing Timothy Branch and associated environmental feature restrict the ability to provide cross access. The property to the east is entitled (to wit: DSP-01020 with a number of amendments -01 through -04) and was approved without any requirement for cross access to the west. Instead, pedestrian connectivity was based on the sidewalk system along McKendree Road (MC-502). This sidewalk system ultimately ties into the sidewalks and trail system to the south and west in the Timothy Branch stream valley. The proposed development will continue this network along its frontage, which will ultimately connect to Timothy Branch. Further, since the DSP-01020 was approved without any anticipatory inter-parcel connections to the west, requiring the subject property to somehow connect to a receiving project that is not designed to accommodate such connections not only creates liability and operational issues for both properties, but also creates CPTED issues regarding inconsistencies in design elements,

parking, natural features, obstacles, visual obstructions etc. The property to the west also has a grade change and is slightly higher than the subject property making any connection of the site infeasible. Moreover, there are SWM facilities and incompatible grading that restrict the ability to “tie” the sites together for cross-access.

Simply, cross access to neighboring developments was examined and implementation of these requirements for the subject site is not practical. The subject site and the property to the east, to which cross access could conceivably be provided, have each been evaluated for site access, circulation, and parking, and have both been found to operate adequately with each site only having direct access to McKendree Road. An additional point of vehicle entry could negatively impact vehicular and pedestrian safety, especially given the use of the adjacent property being a Wawa facility. In addition, the likelihood of cut-through traffic from the neighboring development could impact site circulation and vehicle stacking. In the interest of maintaining vehicular, pedestrian, and bicycle safety, implementation of cross access between adjoining developments should not be pursued. Specifically, pedestrian cross access to adjoining sites should be waived, pursuant to Section 27-6207(b)(2), and bicycle cross access to adjoining sites should be waived, pursuant to Section 27-6208(b)(2).

(c) General Bikeway Layout and Design

(1) Off-Street Bicycle Facilities

Required bicycle paths shall:

- (A) Allow two-way bicycle circulation;**
- (B) Be at least ten (10) feet wide and surfaced with a smooth-surface (such as hot-mix asphalt), durable, and dustless material;**
- (C) Be distinguishable from vehicular traffic lanes they cross by painted markings, a change in pavement material or color, raised paving height, decorative bollards, and/or flashing caution signals; and**
- (D) Provide lighting similar to the lighting standards for residential streets established in the Prince George’s County Specifications and Standards for Roadways and Bridges or other standards in Subtitle 23 of the County Code.**

COMMENT: Any off-street bicycle facilities will be further vetted during the review of DET-2022-020.

(2) On-Street Bicycle Facilities

Required bike lanes shall be designed and provided in accordance with the cross-section, paving, and other standards applicable to the roadways of which they are a part.

COMMENT: Acknowledged.

(d) Waiver

The Planning Director may waive all or part of the standards in this Section for private streets if it is demonstrated that bicycle access and circulation is

not needed in the proposed development due to an established bicycle facility already within or abutting the development, or that compliance with the required bicycle improvements is impracticable because topography, natural features, or the facilities or will create significant risks of harm to bicyclists.

COMMENT: Acknowledged, and the applicant reserves the right to seek any such relief, as needed, during the review of DET-2022-020.

SECTION 27-6300 – OFF-STREET PARKING AND LOADING

COMMENT: These standards will be evaluated during the review of DET-2022-020.

SECTION 27-6400 – OPEN SPACE SET-ASIDES.

27-6403. Amount of Open Space Set-Asides Required.

Development subject to the standards in this Section shall provide the minimum amounts of open space set-asides identified in Table 27-6403: Required Open Space Set-Asides, based on the use classification.

Open space set-aside requirements shall not replace requirements for open spaces, mandatory dedication of parkland, stormwater management, or other similar requirements imposed by any other Subtitle of the County Code. However, such requirements may be counted toward open-space set asides pursuant to Section 27-6404(b), below.

COMMENT: The proposed Open Space Set-Aside area for the proposed development is 45%, and the required area is 20%. This will be further reviewed with DET-2022-020.

27-6404. Areas Counted as Open Space Set-Asides

The features and areas identified in Table 27-6404(a): Open Space Set-Aside Features, shall be credited towards compliance with the open space set-aside standards of this Section for Development in the areas indicated.

Open spaces required by any other section in the County Code, such as, but not limited to, mandatory dedication of parkland, may be credited toward compliance with the open space set aside standards in Table 27-6403: Required Open Space Set-Asides, if they are located and designed in accordance with the standards in this Section.

27-6405. Areas Not Counted as Open Space Set-Asides

The following shall not be counted as open space set-asides:

(a) Private yards not subject to an open space or conservation easement;

- (b) Street rights-of-way or private access easements, including sidewalks located within those rights-of-way or easements;**
- (c) Vehicular parking areas or lots (excluding the landscaped areas);**
- (d) Driveways for dwellings;**
- (e) Land covered by structures not designated for active recreational uses**
- (f) Designated outdoor storage areas; and**
- (g) Stormwater management facilities and ponds, unless located and designed as a site amenity (e.g., with low fencing, vegetative landscaping, gentle slopes, fountain or other visible water-circulation device, and pedestrian access or seating).**

COMMENT: The proposed Open Space Set-Aside area for the proposed development is 45%, and the required area is 20%. This will be further reviewed with DET-2022-020.

27-6406. Design Standards for Open Space Set-Asides

Land used as an open space set-aside shall comply with the following design standards:

(a) Location.

Open space shall be located so as to be readily accessible and useable by occupants and users of the development. Where possible, a portion of the open space set-aside should provide focal points for the development through prominent placement or easy visual access from streets.

COMMENT: The open spaces are located so as to be accessible and useable (passive and active) by the residents of the development – to include the SWM facilities and environmental features.

(b) Configuration.

- (1) Open space set-asides shall be compact and contiguous unless a different configuration is needed to continue an existing trail or accommodate preservation of natural, historical, and archeological resources.**
- (2) If the development site is adjacent to existing or planned public trails, parks, or other public open space area land, the open space set-aside shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge the trail, park, or other public land (see Figure 27-6406(b).1: Example Open Space Set-Aside Configuration; Figure 27-6406(b).2: Example Open Space Set-Aside Configuration, Townhouse Development; and Figure 27-6406(b).3: Example Open Space Set Aside Configuration, Commercial Development).**

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

(c) Orientation of Adjacent Buildings.

To the maximum extent possible, buildings adjacent to the required open space set-asides shall have at least one entrance facing the open space set-aside.

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

(d) Prioritization of Open Space Set-Aside

(1) Except in the Transit-Oriented/Activity Center base and Planned Development (PD) zones, and to the maximum extent practicable, open space set-asides shall be located and organized to include, protect, and enhance as many of the following open areas and features as possible, in the following general order of priority:

- (A) Natural features such as riparian areas, riparian buffers, shorelines, flood hazard areas, floodplains, wetlands, steep slopes, and wildlife habitat and woodland areas;**
- (B) Water features such as rivers, bays, lakes, creeks, canals, natural ponds, and retention and detention ponds;**
- (C) Protected trees and other mature trees;**
- (D) Parks and trails (regardless of public or private ownership);**
- (E) Lands with active agricultural uses and activities;**
- (F) Perimeter buffers or visual transitions between different types or intensities of uses;**
- (G) Areas that accommodate multiple compatible open space set-aside uses rather than a single use; and**
- (H) Historic and archeological features.**

COMMENT: The open space set aside will be located and organized to include, protect, and enhance the Timothy Branch and its associated PMA.

(2) In the Transit-Oriented/Activity Center base and Planned Development (PD) zones, and to the maximum extent practicable, open space set-asides shall be located and organized to include, protect, or enhance the open areas and features identified in Section 27-6406(d)(1) above, except that the establishment of squares, plazas, forecourts, civic greens, and similar urban open space amenities shall have the highest priority.

COMMENT: Not applicable, the property is located in the RSF-A Zone.

(e) Open Space Set-Asides on Property in the Industrial, Heavy (IH) Zone

Development consisting of multiple industrial uses on property in the IH Zone may provide open space set-asides based upon the total development in-lieu of providing individual open space set-asides for individual uses on individual lots. This provision includes: (1) multiple industrial uses on a single property in the IH Zone, or (2) multiple industrial uses on one or more adjoining properties under the same ownership (and which are located not more than 1,000 feet away from each other) in the IH Zone. These developments shall provide open space set-asides using the following method:

- (1) Applicant calculates the sum amount of open space set-aside required for each individual industrial use or lot.**

- (2) The total sum of open space set-aside required may be placed on any portion of the area included in the calculation.

COMMENT: Not applicable, the property is located in the RSF-A Zone.

27-6407. Development in Open Space Set-Asides.

Development within open space set-asides shall be limited to that appropriate to the purposes of the type(s) of open space set-asides. Where appropriate, such development may include, but is not limited to, walking, jogging, and biking paths or trails; benches or other seating areas; meeting areas; tables, shelters, grills, trash receptacles, and other picnic facilities; docks and other facilities for fishing; environmental education guides and exhibits; historic interpretive signage; gazebos and other decorative structures; fountains or other water features; play structures for children; gardens or seasonal planting areas; pools; athletic fields and courts; and associated clubhouses.

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

27-6408. Ownership, Management, and Maintenance of Open Space Set-Asides

(a) Open space set-asides required by this Ordinance or by Subtitle 24: Subdivision Regulations, shall be managed and maintained in compliance with all applicable provisions of Maryland law. To the extent not inconsistent with Maryland law, such open space set-asides shall be managed and maintained as permanent open space through one or more of the following options:

- (1) Conveyance of open space set-aside areas to a property owners' or homeowners' association that holds the land in common ownership;
- (2) Conveyance of open space set-aside areas to a third-party beneficiary such as an environmental, historical, or civic organization, a municipality, or M-NCPPC, that is organized for, capable of, and willing to accept responsibility for managing and maintaining the land;
- (3) Establishment of easements or covenants; or
- (4) If public stormwater management facilities are treated as site amenities, through stormwater management easements.

(b) All options involving private ownership of open space set-aside areas shall include deed restrictions, covenants, or other legal instruments that ensure continued use of the land for its intended open space purposes, in perpetuity, and provide for the continued and effective management, operation, and maintenance of the land and facilities.

(c) Responsibility for managing and maintaining open space set-asides rests with the owner of the land of the open space set-asides. Failure to maintain open space set-asides in accordance with this Section and the development approval or permit shall be a violation of this Ordinance.

COMMENT: Acknowledged.

SECTION 27-6500 – LANDSCAPING

All development shall comply with the requirements of the Prince George’s County Landscape Manual, which is incorporated herein by reference, and made a part of this Ordinance with the same force and effect as the regulations set forth herein.

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

SECTION 27-6600 – FENCES AND WALLS

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

SECTION 27-6800 – ENVIRONMENTAL PROTECTION AND NOISE CONTROLS

COMMENT: Filed in conjunction with PPS-2022-025, is the approved NRI-082-05; proposed TCP1; an approved Grading, Erosion, and Sediment Control Plan (Case No.: CSC 100-23); and approved Site Development Concept Plan (Case No.: 47842-2022-0); and a Phase 1 Noise Study prepared by Hush Acoustics.

SECTION 27-6900 - MULTIFAMILY, TOWNHOUSE, AND THREE-FAMILY FORM AND DESIGN STANDARDS

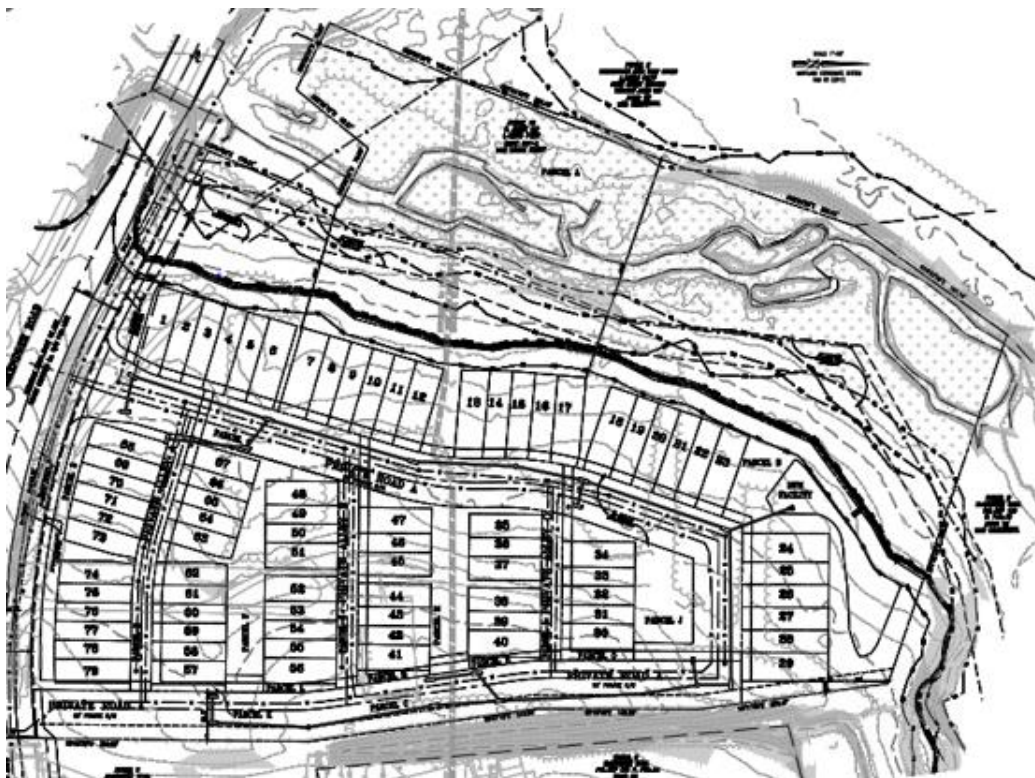
27-6903. Multifamily, Townhouse, and Three-Family Form and Design Standards
Development subject to this Section shall comply with the following standards.

(a) Site Access.

New multifamily, townhouse, or three-family development with 20 or more dwelling units shall have:

- (1) At least one secondary point of vehicular access to or from the site to ensure emergency vehicle access, if feasible.**

COMMENT: PPS-2022-025 provides at least one secondary point of vehicular access.



- (2) No primary vehicular access along a local street serving existing single-family detached dwellings—provided, however, that secondary vehicle access for emergency vehicles may be provided along such a local street if other points of access are not available.

COMMENT: Not applicable, PPS-2022-025 does not propose any single-family detached dwellings.

(b) Location of Off-Street Parking.

- (1) For multifamily dwellings only, no more than 50 percent of off-street surface parking may be located between a building and the street it faces unless the parking bays are screened from view from the street by another building. Interior structures within a multi-building development served by a central, private driveway are exempted from this requirement. (see Figure 27-6903(b): Multifamily, Townhouse, or Three-Family Parking Location).

COMMENT: Not applicable, PPS-2022-025 does not propose any multifamily dwelling units.

- (2) For all multifamily, townhouse, and three-family buildings:
 - (A) Guest and overflow parking within a development subject to these standards shall be located to the side or rear of the building containing the units, to the maximum extent practicable.

- (B) Off-street surface parking located beside a building shall not occupy more than 35 percent of the parcel's street frontage. Associated driving areas shall be included as part of such off-street surface parking.

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

(c) Building Orientation and Configuration.

- (1) **Single-Building Development**—The primary entrance of a multifamily, townhouse, or three-family single-building development shall face the street or a common open space such as a mews.
- (2) **Multi-Building Development.**
Multifamily, townhouse, and three-family developments with more than one building shall be configured so that primary building entrances are oriented towards external streets, internal streets, or open space areas (like mews or courtyards). Buildings may be oriented towards off-street parking lots only in cases where no other practical alternative exists. (see Figure 27-6903(c)(2): Multi-Building Orientation)

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020; however, the primary entrances of the townhouse units face a street or common open space.

(d) Maximum Building Length.

- (1) The maximum length of any multifamily, townhouse, or three-family building shall be 150 linear feet in the RSF-A and RMF-12 zones; and 250 linear feet in the RMF-20, RMF-48, and CGO zones, regardless of the number of units.

COMMENT: PPS-2022-025 conforms to this standard as none of the townhouse sticks exceed 50 linear feet.

(e) Building Façades

For all multifamily, townhouse, and three-family buildings, except as noted in Section 27-6903(e)(3) below:

- (1) Façades of all buildings subject to these standards that face a street shall incorporate wall offsets, in the form of projections or recesses in the façade plane, spaced no more than 50 feet apart (see Figure 27-6903(e)(1): Changes in Building Façade), unless the applicant provides a design of similar or superior quality.
- (2) Wall offsets shall have a minimum depth of two feet.
- (3) In addition to wall offsets, street-facing façades of multifamily, townhouse, and three-family buildings shall provide a minimum of three of the following design features for each residential building fronting onto a public street (see Figure 27-6903(e)(3): Examples of Front Façades):

- (A) One or more dormer windows or cupolas;**
- (B) A recessed entrance;**
- (C) A covered porch;**
- (D) Pillars, posts, or columns next to the doorway**
- (E) One or more bay windows projecting at least twelve inches from the façade plane;**
- (F) Eaves projecting at least six inches from the façade plane;**
- (G) Raised corniced parapets over the entrance door;**
- (H) Multiple windows with a minimum four-inch-wide trim;**
- (I) Integrated planters that incorporate landscaped areas or places for sitting; or**
- (J) Roof form and line changes consistent with the wall offsets.**

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

(f) Roofs.

For all multifamily dwellings:

- (1) Sloped roofs on buildings over 100 feet in length shall include two or more different sloping roof planes, each with a minimum pitch between 3:12 and 12:12.**
- (2) Flat roofs shall be concealed by parapets that extend at least three feet above the roof level and have three-dimensional cornice treatments that project at least eight inches outward from the parapet façade plane.**
- (3) Alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.**
- (4) All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (except chimneys), shall be located on the rear elevations or otherwise be configured and screened (if necessary) to have a minimal visual impact as seen from the street.**

COMMENT: Not applicable, PPS-2022-025 does not propose any multifamily units.

(g) Building Façade Fenestration/Transparency.

At least 15 percent of the street-facing façade area of the ground-level floor of any multifamily, townhouse, or three-family building (as measured from the grade to the underside of the eave, top of the parapet, or the story line denoting the second floor) shall be occupied by windows or doorways.

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

(h) Materials.

For all multifamily, townhouse, and three-family buildings:

- (1) Primary façade materials shall not change at outside corners, but extend along any side façade that is visible from a street. In all instances the extension shall be a minimum of 20 feet, with the exception that materials may change where side or rear wings meet the main body of the structure.**

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

- (2) Material changes shall occur along a horizontal line or where two forms meet. It is acceptable, however, that change of materials occur as accents around windows, doors, cornices, at corners, or as a repetitive pattern. See Figure 27-6903(h): Example of Building Façade, Roof, Fenestration/Transparency, and Materials Requirements for Multifamily Building.**

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

- (3) Townhouse development shall conform with the building material requirements set forth in Section 27-61203(d), Building Materials, of this Subtitle.**

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

(i) Garage Standards.

For all multifamily, townhouse, and three-family buildings:

- (1) Detached garages or carports shall be located to the side or rear of the building(s) containing the dwellings. A parking structure is exempt from this requirement. (see Figure 27-6903(i): Garage Placement.)**
- (2) Freestanding garages or carports visible from public streets outside the development shall be oriented perpendicular to the street, or the façade facing the street shall be configured to comply with the required wall offsets and façade design features in Section 27-6903(e), Building Façades.**
- (3) The exterior materials, design features, and roof forms detached garages or carports should generally be compatible with the building(s) they serve.**

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020. All garages are proposed to be attached (or interior) to the townhouse units.

(j) Outdoor Activity Areas.

For all multifamily, townhouse, and three-family buildings, ground-level outdoor activity areas, porches, decks, vending areas, and other similar site attributes shall be screened from adjacent single-family dwellings with a

perimeter buffer in accordance with Section 4.7, Buffering Incompatible Uses, of the Landscape Manual.

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

SECTION 27-61200 - NEIGHBORHOOD COMPATIBILITY STANDARDS

27-61202. Applicability

(a) General

- (1) Unless exempted as provided in Section 27-61202(b), Exemptions, below, these standards apply to:**
 - (A) Any new townhouse, multifamily, nonresidential, or mixed-use development when located on land adjacent to, or across a street or alley from, existing single-family detached dwellings, two-family dwellings, or vacant lands in the RE, RR, RSF-95, and RSF-65 zones (single-family residential zones);**
 - (B) Any new multifamily, nonresidential, or mixed-use development when located on land adjacent to, or across a street or alley from, existing townhouse dwellings;**
 - (C) Any expansion of an existing townhouse, multifamily, nonresidential, or mixed-use building located on land abutting or across a street or alley from existing single-family detached dwellings, two-family dwellings, or vacant lands in a single-family residential zone, where the expansion increases the building's gross floor area by 50 percent or more; and**
 - (D) Any expansion of an existing multifamily, nonresidential, or mixed-use building located on land abutting or across a street or alley from existing townhouse dwellings where the expansion increases the building's gross floor area by 50 percent or more.**

COMMENT: The proposed development is compatible with surrounding properties; the nearest existing single-family dwelling, located to the west of the subject property, is approximately 390 feet away from closest proposed townhouse dwelling. In addition, the area separating the development from adjacent development in the RR Zone consists of the Timothy Branch and associated 100-year floodplain and associated PMA. Moreover, although there is a small area of RR Zoned property to the north of the subject property, it is owned by Wawa, Inc. and is part of Parcel B (REP 199 at No. 10), which is split zoned and predominately in the CS Zone and makes up the commercial development to the east. The RR Zoned portion of Parcel B is not vacant, as it is burdened by a Conservation Easement and 100-Year Floodplain Easement. This area of Parcel B also contains the Timothy Branch. Thus, the proposed development is otherwise isolated from existing single-family detached units. Indeed, the existing stream valley, conservation easements, floodplain easements, and distances from the any development in the adjacent RR Zone satisfies the purpose of the Neighborhood Compatibility Standards by providing a natural buffer and proper transition that ensures compatibility between single-family detached dwellings, the proposed

townhouses, and the more intense forms of development consisting of the existing commercial uses to the east.

SECTION 27-61500 SIGNAGE

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

Sec. 27-61600. Green Building Standards.

27-61603. Green Building Standards.

- (a) **Minimum Amount of Points Required.**
Development subject to the standards of this Section shall achieve the following minimum number of points from the menu of options shown in Table 27-61603(b): Green Building Point System.
 - (1) **Minimum Requirements for Residential Development.**
 - (A) 10 to 25 units: 3 points.
 - (B) 25 or more units: 4 points.
- (b) **Green Building Point System.**
Development subject to the standards of this Section shall use Table 27-61603(b): Green Building Point System, to determine compliance with this Section.

COMMENT: Acknowledged. This will be evaluated during the review of DET-2022-020.

VIII. CONCLUSION

For all of the above-stated reasons, and based on all of the supporting documents and evidence that has (or will be) submitted into the record for this matter, the Applicant respectfully requests approval of PPS-2022-025 and TCP1 in conformance with the requirements of Subtitle 24 and Subtitle 27 of the Prince George's County Code.

Respectfully submitted,

MCNAMEE HOSEA, P.A.



By: _____

Matthew C. Tedesco
Attorney for the Applicant

Date: ~~July 25, 2023~~
(~~Second Pre-Acceptance Submittal~~)
August 7, 2023
(Third Pre-Acceptance Submittal)