



















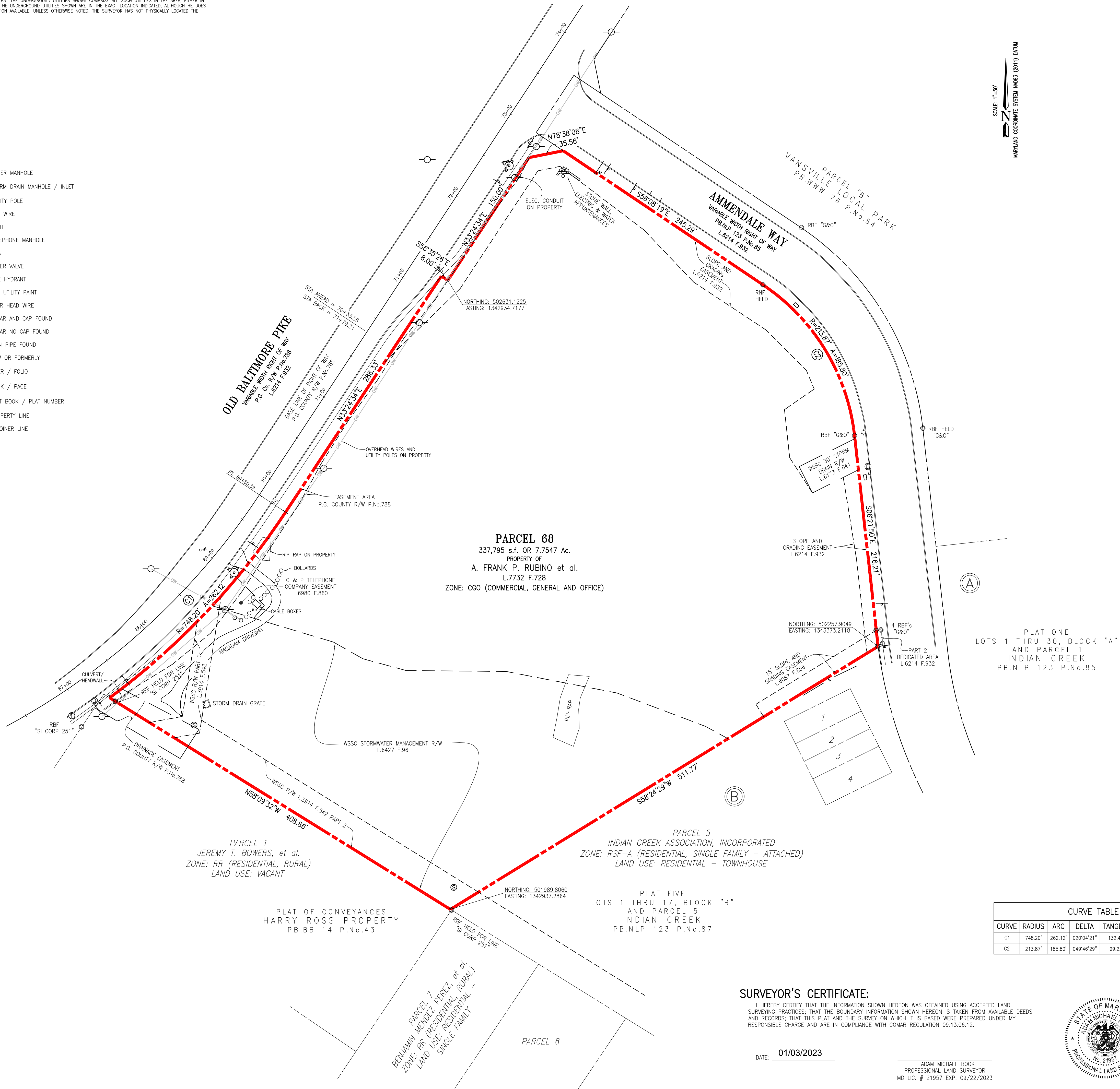


UTILITY STATEMENT:
THE UNDERGROUND UTILITIES SHOWN HEREON (IF ANY) HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION, MAPS AS MAY BE AVAILABLE FROM MUNICIPALITIES OR UTILITY COMPANIES, AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. UNLESS OTHERWISE NOTED, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES.

LEGEND

- | | |
|-----------------------------------------------------------------------------------|-------------------------|
|  | SEWER MANHOLE |
|  | STORM DRAIN MANHOLE / I |
|  | UTILITY POLE |
|  | GUY WIRE |
|  | LIGHT |
|  | TELEPHONE MANHOLE |
|  | SIGN |
|  | WATER VALVE |
|  | FIRE HYDRANT |
|  | RED UTILITY PAINT |
|  | OVER HEAD WIRE |
|  | REBAR AND CAP FOUND |
|  | REBAR NO CAP FOUND |
|  | IRON PIPE FOUND |
|  | NOW OR FORMERLY |
|  | LIBER / FOLIO |
|  | BOOK / PAGE |
|  | PLAT BOOK / PLAT NUMBER |
|  | PROPERTY LINE |
|  | ADJOINER LINE |



VICINITY MAP

SCALE: 1" = 2000

NOTES:

1. FOR THE PURPOSES OF ASSESSMENT AND TAXATION, THE SUBJECT PROPERTY IS IDENTIFIED AS PARCEL 68, AS SHOWN ON TAX MAP 13 GRID D4 FOR PRINCE GEORGE'S COUNTY, MARYLAND, WHOSE TAX ID NO. IS 01-0060061, WITH A STREET ADDRESS OF 17701 OLD BALTIMORE PIKE, BELTSVILLE MD 20705.
2. FEE SIMPLE TITLE APPEARS TO BE VESTED IN A FRANK P. RUBINO, MARY A. RUBINO, MARY F. RUBINO AND CAROL A. RUBINO, BY VIRTUE OF A DEED FROM A FRANK P. RUBINO AND MARY A. RUBINO, DATED JULY 1, 1989 AND RECORDED AMONG THE LAND RECORDS OF PRINCE GEORGE'S COUNTY, MARYLAND IN BOOK 777, PAGE 729.
3. THE SUBJECT PROPERTY LIES WITHIN FLOOD ZONE X- AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOODPLAIN AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP FOR PRINCE GEORGE'S COUNTY, MARYLAND, MAP NO. 24033C0042E EFFECTIVE DATE 09/16/2016.
4. THE FIELDWORK FOR THIS SURVEY WAS STARTED ON 03/03/2022 WITH THE LAST DATE OF FIELDWORK BEING 03/08/2022.
5. THE AREA OF THE SUBJECT PROPERTY IS 337,795 SQUARE FEET OR 7.7547 ACRES OF LAND.
6. THERE IS NO OBSERVABLE EVIDENCE OF CEMETERIES OR BURIAL GROUNDS ON THE SUBJECT PROPERTY.
7. COORDINATES SHOWN HEREON WERE ESTABLISHED USING CONVENTIONAL AND GPS OBSERVATIONS BASED UPON THE MARYLAND COORDINATE SYSTEM NAD83 (2011) DATUM, USING TRIMBLE'S REAL-TIME KINEMATICS AND THEIR VIRTUAL REFERENCE STATION (VRS) THE AVERAGE SCALE FACTOR FOR THE SUBJECT PROPERTY IS 0.99995424, THE AVERAGE PROPERTY ELEVATION BASED UPON NGVD29 VERTICAL DATUM IS 134 FEET, FOR AN ELEVATION FACTOR OF 0.99999807, THE COMBINED FACTOR FOR THE SUBJECT PROPERTY IS 0.99995231. ALL BEARINGS AND DISTANCES SHOWN ARE BASED ON GRID COORDINATES.
8. ALL DRIVE SURFACES ARE ASPHALT AND ALL CURBS & GUTTERS AND WALKWAYS ARE CONCRETE UNLESS OTHERWISE NOTED.
9. ALL ZONING AND LAND USE DATA SHOWN HEREON PER PGALAS.COM'S ONLINE GIS DATABASE.
10. THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE PREPARED UNDER THE RESPONSIBLE CHARGE OF THE UNDERSIGNED AND ARE IN COMPLIANCE WITH COMAR REGULATION 09.13.06.12.

GRAPHIC SCALE

50 0 25 50 100

SCALE: 1" = 50'

ENGINEERING BOUNDARY SURVEY
PROPERTY OF

A. FRANK P. RUBINO et al
LIBER 7732 FOLIO 728

11701 OLD BALTIMORE PIKE
VANSVILLE (1st) ELECTION DISTRICT
PRINCE GEORGE'S COUNTY, MARYLAND

CPI 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.cpi.com • Silver Spring, MD • Calhounburg, MD • Annapolis, MD • Greenbelt, MD • Bethesda, MD • Fairfax, VA

CLIENT: PIKE LAND LLC
c/o POTOMAC REALTY COMPANY
500 N WASHINGTON STREET No.1043
ROCKVILLE, MD 20849

TAX MAP/WSSC	SITE PLAN NO.
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DESIGN AMF

OF

DATE _____

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ved 12/27/2022 Last Plotted 1/3

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT THE INFORMATION SHOWN HEREON WAS OBTAINED USING ACCEPTED LAND SURVEYING PRACTICES; THAT THE BOUNDARY INFORMATION SHOWN HEREON IS TAKEN FROM AVAILABLE DEEDS AND RECORDS; THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE PREPARED UNDER MY RESPONSIBLE CHARGE AND ARE IN COMPLIANCE WITH COMAR REGULATION 09.13.06.12.

DATE: 01/03/2023

ADAM MICHAEL ROOK
PROFESSIONAL LAND SURVEYOR
MD LIC. # 21957 EXP. 09/22/2023



CURVE TABLE						
CURVE	RADIUS	ARC	DELTA	TANGENT	BEARING	CHORD
C1	748.20'	262.12'	02°04'21"	132.42'	N43°26'45"E	260.78'
C2	213.87'	185.80'	049°46'29"	99.22'	S31°15'05"E	180.01'

IN RE: PRELIMINARY PLAN OF SUBDIVISION
(PPS-2022-043)

APPLICANT: Potomac Realty Company

**AGENT/
CORRESPONDENT:** Nathaniel Forman, Esquire
O'Malley, Miles, Nylen & Gilmore, P.A.
7850 Walker Drive, Suite 310
Greenbelt, MD 20770

STATEMENT OF JUSTIFICATION

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I. REQUEST

The Applicant hereby requests approval of a Preliminary Plan of Subdivision (“PPS”) in accordance with Subtitle 24 of the Current Prince George’s County Subdivision Regulations to create 67 lots for single-family attached units and 10 parcels in the CGO Zone for the future development of townhomes to be known as “Harmony Garden”. The Subject Property is comprised of 7.75 acres, which is located at the southeastern quadrant of the intersection of Old Baltimore Pike and Ammendale Way, and shown as Parcel 68 on Prince George’s County Tax Map 13, Grid D4. The Subject Property was rezoned from the C-S-C Zone to the CGO Zone through adoption of the Countywide Map Amendment and enacted pursuant to CR-136-2021. Within the CGO Zone single-family attached dwelling units are permitted. To the north across Ammendale Way is a community park owned and operated by Maryland-National Capital Park and Planning Commission in the RSF-95 Zone; to the east are single-family attached dwelling units in the RSF-A Zone in the North Creek Subdivision; to the south is an existing single-family detached home in the RR Zone; and to the west across Old Baltimore Pike are various industrial uses in the IH Zone.

Access to the Subject Property is proposed via a private street from Ammendale Way, which is the only street proposed within the site. All townhomes are proposed to be rear-loaded and accessed via private streets in accordance with § 24-4204(b)(1)(D)(i). The proposed townhomes will have frontage and orientation towards either Ammendale Way, Old Baltimore Pike or a central green space, which will shield the garages and private streets from public view to the maximum extent possible.

II. CONFORMANCE WITH SUBDIVISION REGULATIONS

Pursuant to § 24-3402(e)(1)(D), certain specific findings must be made before the preliminary plan of subdivision can be approved. For the reasons stated below, this development conforms with

these standards:

1. Complies with all applicable standards of these Regulations;

Subdivision regulations and this development's conformance thereto are discussed in Appendix A, which is attached hereto.

2. 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;

The development conforms to these standards, which are discussed in greater detail in in Appendix A (Subdivision Regulations) and Appendix B (Zoning Ordinance).

3. Complies with all other applicable requirements in Subtitle 27: Zoning Ordinance;

Conformance with the applicable sections of Subtitle 27 is discussed in Appendix B, which is attached hereto.

4. Conforms with all the applicable Area Master Plan or Sector, and current Functional Plans; and

The Subject Property conforms with all applicable Area Master, Sector and Functional Plans. The Subject Property was zoned through adoption of the Countywide Map Amendment and enacted pursuant to CR-136-2021, and within the CGO Zone townhomes are permitted by-right. Moreover, the Subject Property is denoted within Plan Prince George's 2035 as an "Established Community." Established communities are most appropriate for context-sensitive infill and low-to medium-density development. Single-family detached homes are harmonious with the existing townhome developments within the neighboring Vansville area and provides for medium density development with 8.6 dwelling units/acre. Finally, this development conforms to the goals and recommendations of the 2010 Subregion 1 Master Plan and Sectional Map Amendment ("Subregion 1 Master Plan"). The Subregion 1 Master Plan seeks to strengthen the nearby "Old Vansville" residential neighborhood through the development of a "Vansville Village Hamlet", which is an area of medium-density residential development around a small mixed-use village center. The Subject Property forms part of the Village Hamlet (along with existing industrial properties to the west of Old Baltimore Pike), and the subject application proposes medium density residential uses.

5. Complies with all applicable requirements of the County Code of Ordinances.

The development will obtain all necessary approvals

III. CONCLUSION

For all of the above-stated reasons, the Applicant respectfully requests approval of the proposed

Preliminary Plan of Subdivision No.: PPS-2022-043
Harmony Garden
April 24, 2023

Preliminary Plan of Subdivision in conformance with the requirements of Subtitle 24 and Subtitle 27 of the Prince George's County Code for the proposed 67 lots and 10 parcels.

Respectfully submitted,

O'MALLEY, MILES, NYLEN & GILMORE, P.A

By:



Nathaniel Forman, Esquire
7850 Walker Drive, Suite 310
Greenbelt, MD 20770
(301) 572-3237
nforman@omng.com

Attorney for the Applicant

APPENDIX A

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PLANNING AND DESIGN

24-4101. General

(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 noted. This application complies with the zoning standards known at this time.

(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.

The Subject Property is located in within the boundaries of the 2010 Approved Subregion 1 Master Plan and Sectional Map Amendment (“Sector Plan and SMA”), which retained the C-S-C Zone for this Property. The Current CGO zoning was established through the Countywide Map Amendment (“CMA”) that took effect on April 1, 2022. Within the CGO zone townhomes are a permitted use. Not only does this application request approval of a permitted use, but it will be in conformance with the policies and strategies established within the Sector Plan and SMA not only for the entire Subregion, but also for the Living Area in which the site is located. Regarding the entirety of Subregion 1, this application conforms with the Policy of “preserve and expand the residential character and housing options” found on page 79. One strategy in support of this policy is to “ensure compatible densities along the US 1 Corridor and within residential neighborhoods through proper zoning.” Additionally, the Subject Property is designated within the Vansville Living Area of Subregion 1, and conforms with policies and strategies established for the Vansville Living Area. One policy is to “Preserve and Maintain Living Environment” with the associated Strategy: “Establish guidelines that ensure that new development is compatible with the current character of the neighborhood.”

The subject application proposes the construction of sixty-seven (67) single-family attached (townhomes) at the southeastern quadrant of the intersection of Old Baltimore Pike and Ammendale Road in the Vansville area. The development proposes a density of approximately 8.65 dwelling units/acre, which is far below the 20 dwelling units/acre permitted in the CGO Zone. The housing type and density proposed is harmonious with the

neighboring townhomes that serve as the dominant housing type within Vansville. Finally, this development is governed by the development standards promulgated within Subtitles 24 and 27 of the Subdivision Regulations and Zoning Ordinance, and is required to comport with those standards.

- (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.

This is not applicable.

- (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)

Although this proposal conforms to the policies and guidelines established within the 2010 Approved Subregion 1 Master Plan and Sectional Map Amendment, if there is a conflict between this plan and the current Zoning Ordinance, the Zoning Ordinance prevails. The proposed use is permitted in the CGO Zone and for the reasons mentioned above conforms with the 2010 Approved Subregion 1 Master Plan and Sectional Map Amendment.

(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.

There is no evidence to believe the Subject Property is unsafe.

- (2) All subdivision 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 MNCPPC 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.

There is no evidence to believe the Subject Property is unsafe.

- (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.

There is no evidence to believe the Subject Property is unsafe.

- (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.

There is no evidence to believe the Subject Property is unsafe.

- (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.

There is no evidence to believe the Subject Property is unsafe.

(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.

No land is held 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).

The Subject Property conforms with the lot standards for townhomes in the CGO Zone.

(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. The primary entrance(s) of principal buildings (or the buildable area of lots, for subdivisions);

This is not applicable.

(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.

This is not applicable.

- (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.

This is not applicable.

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

At time of detailed site plan, this plan will conform to the requirements of the Landscape Manual.

(d) Lot Design Standards

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

The subject application conforms.

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

This requirement is permissive; however, a single lot size has been proposed to ensure compatibility with the adjoining Vansville neighborhood.

(e) Condominium Development

Condominium townhouses shall be designed to conform to the lot standards of these Regulations and

No condominiums are proposed.

(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.

No outlots or outparcels are proposed.

(g) Located Wholly Within County

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

The subject application conforms with this requirement.

24-4103. Layout Design Guidelines

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

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

The subject application conforms.

- (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.

The development has been arranged in a manner deemed to be compatible with the existing Vansville neighborhood, as well as to take advantage of the parkland located on the northside of Ammendale Way.

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

The subject application conforms.

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

The subject application conforms.

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

The subject application conforms.

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

For reasons mentioned previously, the subject application complies.

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

The subject application conforms.

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

The subject application conforms.

- (i) Terminate culs-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 culs-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.

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.

The subject application conforms.

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

The subject application conforms.

- (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.

Not applicable.

- (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.

*Lighting will be determined during the detailed site plan application.
Nevertheless, the anticipated lighting will not have adverse impacts on the adjoining and abutting lands given the configuration of the site.*

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

The subject application conforms.

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.

The subject application conforms.

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 noted.

(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.

An archaeology checklist has been submitted with this application. No historic resources or sites were identified as impacting this development application during the pre-application conference.

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.

No cemeteries exist on site or are impacted by this development application.

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 noted.

- (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.

The subject application conforms.

- (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.

The subject application conforms.

- (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.

The subject application conforms. For more information, please see Appendix B, which discusses the applicable Zoning Ordinance standards.

- (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.

The subject application conforms.

- (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.

The subject application conforms.

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

The subject application conforms.

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.

The subject application conforms. For more information, please see Appendix B, which discusses the applicable Zoning Ordinance standards.

- (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 noted.

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.

The subject application conforms. For more information, please see Appendix B, which discusses the applicable Zoning Ordinance standards.

- (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.

The subject application conforms.

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.

Not applicable.

(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.

Not applicable.

(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).

Not applicable.

(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.

The subject application conforms. Private streets with pavement width of twenty-two (22) feet are proposed.

(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.

Not applicable.

(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.

Not applicable.

- (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.

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.

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.

The subject application conforms.

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.

The subject application conforms.

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.

The subject application conforms.

- (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.

Not applicable.

- (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.

Not applicable.

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

The subject application conforms.

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

The subject application conforms.

- (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.

Not applicable.

- (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.

Not applicable

- (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.

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.

The subject application conforms.

- (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.

A Stormwater Management Concept Plan has been submitted to DPIE. It is anticipated that it will be approved prior to action by the Planning Board.

- (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
2	75 feet
3	100 feet

The subject application conforms.

- (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.

The subject application conforms.

- (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.

The subject application conforms.

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

The subject application conforms.

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

Not applicable.

- (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.

The subject application conforms.

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

Any required conservation easements will be provided prior to final plat.

- (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.

We will receive CS approval prior to final approval of the preliminary plan.

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.

The subject application conforms.

- (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.

Not applicable.

PUBLIC FACILITY STANDARDS

24-4401. Public Facility Standards.

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.”

The subject application conforms.

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.

The subject application conforms to this requirement.

24-4403.

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

The subject application conforms to this requirement.

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.

The proposed subdivision is in the Sustainable Growth Tier I and will be served by public sewer.

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.

The Subject Property is in the S-3/W-3 categories.

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.

No water storage tank is proposed.

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 noted.

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.

The subject application must conform to these standards.

(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 Development (PD) zones	<p>“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)</p> <p>In instances where CLV exceeds 1800 in the RTO and LTO base and PD zone “edge” or where CLV exceeds 2000 in the RTO and LTO base and PD zone “core,” refer to Section 24-4505(b)(4)</p>	See <i>Transportation Review Guidelines</i>
	Transportation Service Area 1 (<i>Plan Prince George’s 2035 Approved General Plan (Plan 2035, Map 14)</i>), 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 (<i>Plan 2035, Map 14</i>), 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 (<i>Plan 2035, Map 14</i>)	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	

Table 24-4502: Summary of Public Facility Adequacy Standards			
Facility	Area of Applicability	Level of Service	Impact Area
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 capacity or demonstration of mitigation in accordance with Sec. 24-4510(c).	School clusters

- (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 noted.

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

(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.

ADQ-2022-099 has been submitted as part of this application. It will be reviewed concurrently with this application.

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 noted.

(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 noted.

(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 noted.

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
≥ 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>
<p>NOTES:</p> <p>(1) The adopted LOS is the acceptable peak-hour service level threshold as defined in the <i>Transportation Review Guidelines</i>.</p>	

(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.

Transportation adequacy is being addressed in accordance with the required scoping agreements.

24-4506. Pedestrian 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).

Transportation adequacy is being addressed in accordance with the required scoping agreements. Moreover, pedestrian and bikeway improvements are discussed in greater detail in Appendix B.

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 be served by adequate park and recreation facilities.

A fee-in-lieu of mandatory dedication of parkland is proposed to ensure conformance with park and recreation adequacy.

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*.

Adequacy of this public facility will be determined through the Certificate of Adequacy application.

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.

Adequacy of this public facility will be determined through the Certificate of Adequacy application.

24-4510. School 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.

Adequacy of this public facility will be determined through the Certificate of Adequacy application.

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.

Fee-in-lieu is proposed to satisfy mandatory parkland dedication given the proximity to existing parkland owned by Maryland-National Capital Park and Planning Commission.

CONSERVATION SUBDIVISION STANDARDS

This section does not apply since it is not located in a zone that permits a conservation subdivision.

APPENDIX B

SUBTITLE 27-6. DEVELOPMENT STANDARDS

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ROADWAY ACCESS, MOBILITY, AND CIRCULATION

27-6206. Vehicular Access and Circulation

(b) Vehicular Accessway Classifications

As a basis for application of many of the vehicular access and circulation standards in this Section, proposed and existing vehicular accessways shall be classified in accordance with the following classifications, which reflect the accessway's relative functions in providing access to and from principal origin and destination points and accommodating travel mobility. These do not supersede or replace classifications used in the Prince George's County Specifications and Standards for Roadways and Bridges.

(1) Driveways

Driveways are accessways that function solely to provide direct and immediate vehicular access between an alley or street and the principal origin and destination points within an abutting development, or part of a large development. They generally handle low vehicular travel speeds and traffic volumes, but may handle higher vehicular traffic volumes within large commercial and mixed-use developments (e.g., driveways within mixed-use developments or shopping center parking areas). Driveways are generally not located in the public right-of-way for their principal length, or along building frontages in the Transit-Oriented/Activity Center base and Planned Development (PD) zones, and are not considered streets.

(2) Alleys

- (A) Alleys make up a specialized classification of accessway that primarily functions to provide secondary vehicular access and/or service and delivery vehicle access between a street and the rear or sides of lots or buildings. Alleys may provide primary vehicular access for dwellings designed to have no driveway access from the fronting street, or access may be provided through a combination of an alley and a driveway from a fronting street. Alleys may not provide primary vehicular access for dwellings that do not have a fronting street.

No alleys are proposed. Access to townhomes will be provided by private streets in accordance with § 24-4204(b)(1)(D).

- (B) Within the CN, NAC, LTO, RTO-L, RTO-H, LTO-PD, and RTO-PD zones, alleys shall comply with standards established in the Prince George's County Urban Street Design Standards. In all other areas of the County, alleys shall comply with the standards established in Subtitle 23: Roads and Sidewalks, and Subtitle 24: Subdivision Regulations, of the County Code, and the Prince George's County Specifications and Standards for Roadways and Bridges.

No alleys are proposed.

(3) Connectivity

The accessways defined in Sections 27-6206(b)(1) and 27-6206(b)(2) shall connect to public or private streets, which shall follow standards of design and construction as defined in the Prince George's County Specifications and Standards for Roadways and Bridges and in Subtitle 23: Roads and Sidewalks, SHA design standards (if applicable), or those of the applicable municipalities having jurisdiction.

Driveways to the individual lots will conform to all required standards.

(c) 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.

The subject application is in conformance with these requirements.

(d) Vehicular Access Management

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

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 one-way 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

The point of access into the development will be from Ammendale Way, which is not an arterial or collector roadway.

(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).

Not applicable.

- (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.

The proposed access from Ammendale Way is in conformance with all applicable regulations.

- (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.

The subject application conforms with this requirement. The subject application is at the southeastern quadrant of the intersection of Old Baltimore Pike (collector) and Ammendale Way (non-collector) with access being provided via Ammendale Way.

(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.

Not applicable.

- (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.

Not applicable.

(e) Cross-Access

(1) Purpose

The purpose of the following vehicular connectivity standards is to enhance safe and convenient mobility within and between neighborhoods and developments that helps integrate and connect neighborhoods, allow residents to conveniently visit neighbors and nearby activity centers without compromising the capacity of the County's streets to accommodate through-traffic, improve opportunities for comprehensive and convenient transit service, enhance efficient provision of public services, and improve the speed and effectiveness with which emergency services and police and fire protection can be provided to County residents and lands.

Comment noted.

(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 (see Figure 27-6206(e)(2): Cross-Access Between Parking Areas of Adjoining Developments).
- (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.

Not applicable.

(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-de-sac 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.

The application proposes six (6) links and four (4) nodes for a connectivity index of 1.50, which meets the 1.5 requirement.

(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.

*No cul-de-sacs are proposed or street turnarounds are proposed.
Nevertheless, this development is proposing to connect to the existing
sidewalk along Old Baltimore Pike and construct new sidewalk along the
southern frontage of Ammendale Way.*

- (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.

There is no vacant adjacent land.

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

Comment noted.

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

Not applicable.

(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.

No vacant adjoining lands

- (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.

It is not practicable or feasible to provide connecting streets.

- (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.

Not applicable.

- (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.

Not applicable.

(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.

Not applicable.

(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 non-standard or non-conforming elements that may be proposed.

Comment noted.

- (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 noted.

- (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.

No street segments over 800 feet are proposed.

- (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 noted.

(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.

Blocks less than 200 feet in length are proposed. The Applicant is requesting a modification to allow blocks less than 200 feet due to the existing stormwater management pond and other environmental features that significantly impact the size of the developable area of the site.

(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.

Given the limited space available for the development, the block width has been maximized as much as possible.

(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.

Not applicable.

(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.

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.

The project conforms.

(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.

The project conforms.

(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.

There is no roadway for the driveway to intersect.

(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.

The Subject Property is in conformance.

(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.

No median is proposed.

(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.

No vehicle stacking space is required.

(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.

No vehicle stacking space is required.

(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.

No stacking area is required.

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.

Pathways to the adjoining park from this development will be explored at time of detailed site plan.

(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).

Regarding internal sidewalk construction, no curb and gutter is required for the internal private streets that serve the townhomes as they are exempt from Subtitle 23 in accordance with § 24-4204(b). The main accessway from Ammendale Way will be constructed with curb and gutter. A sidewalk is proposed along south side of Ammendale Way, which will connect with the existing sidewalk along the eastern side of Old Baltimore Pike.

- (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.

The subject application is in conformance.

- (C) The Planning Director may waive or modify the requirement for sidewalks where the applicant clearly demonstrates that such sidewalks are impractical or infeasible due to the presence of topographic conditions or natural features, such as steep grades that do not allow connections to be made without stairs.

No waiver is necessary at this time.

(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).

A waiver of this standard is requested below.

- (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.

It is impracticable to provide internal pedestrian cross-access between the Subject Property and the adjoining townhomes within the NorthCreek Subdivision because there is no sidewalk that the Applicant can connect to without permission from the North Creek Homeowner's Association. Likewise, any internal connection from the proposed development to the adjoining development would be to the side or rear of townhomes, a condition unlikely to garner support from existing homeowners. Instead, the Applicant is proposing to construct sidewalks along the frontage of the Subject Property to complete the sidewalk system that extends along Ammendale Way. This will fill the gap in the sidewalk running along the south side of Ammendale Way that is missing. Upon completion, the sidewalk will connect with Old Baltimore Pike.

- (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.

No easement is necessary.

- (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.

Not applicable.

(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.

Not applicable.

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); and
- (D) Connections to any recreational amenities internal to the development, such as open space.

No bicycle parking facilities will be provided given that each proposed townhome will have a two-car garage in which to store bicycles. The system of private streets will provide sufficient internal bicycle circulation given the low number of anticipated bicycle users. The accessway from Ammendale Way will be aligned to provide an easy link to the existing trail system that extends north into Vansville Local Park, which is owned by the Maryland-National Capital Park and Planning Commission. Sidewalks running along the frontage of Ammendale Way and Old Baltimore Pike will provide connections to the bus stop (RTA 302/G) along Old Baltimore Pike.

(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.

The Applicant is requesting a waiver from the requirement to provide bike lanes, bike paths, and other bicycle improvements. There is no existing bikeway network to improve and there is insufficient space to improve Old Baltimore Pike with a bike path.

- (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.

A waiver to this requirement is being requested because private streets in accordance with § 24-4204(b)(1)(D) are proposed. It is impractical to provide the enumerated bike facilities given the lack of available space upon private streets serving this development.

- (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.

No bike path is proposed as part of this development application.

(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).

A waiver from this requirement is being requested in accordance with the requirements below.

- (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.

It is impractical to provide bicycle cross-access to the adjoining North Creek Subdivision given that there are no areas for connection. Likewise, any internal connection from the proposed development to the adjoining development would be to the side or rear of townhomes, a condition unlikely to garner support from existing homeowners. Nevertheless, through the new sidewalk system, bicyclists will have a safe route between the two developments along the southern side of Ammendale Way.

- (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 noted.

(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.

No bicycle paths are provided as part of this application.

(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.

No bicycle paths are provided as part of this application.

(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.

No waiver is necessary at this time.

OFF-STREET PARKING AND LOADING

These standards will be reviewed at time of detailed site plan.

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.

Table 27-6403: Required Open Space Set-Asides				
Use Classification	Minimum Open Space Set-Aside Area (as percentage of development site area)			
	Rural and Agricultural Base Zones	Residential Base and PD Zones	Nonresidential Base Zones and IE-PD Zone	Transit- Oriented/Activity Center Base and PD Zones, MU-PD Zone
Residential Uses	20%	20%	15%	7.5%
Public, Civic, and Institutional Uses	10%	10%	7.5%	5%
Commercial Uses and Mixed- Uses	10%	10%	7.5%	5%
Industrial Uses	10%	10%	5%	5%

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.

To satisfy this requirement the Applicant is proposing a combination of landscape buffers, open space parcels including the center green area, and the existing pond which DPIE now considers a wetland and will not be used for stormwater management, just for outfalls. Additionally, the stormwater management gravel wetlands will be able to partially count since they will have pedestrian access and will have attractive planted slopes.

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.

[Illustrative list of open space features]

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 Noted.

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

(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.

The central green at the center of the development will serve as a focal point for the development with townhouse units fronting it on three sides and it will be open to the street on the south side. The open green space will provide active and passive recreation opportunities for residents. There will also be pedestrian connections from the central green to the large public park to the north.

(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.

The central green has a pedestrian connection to the public park across the road. It is also directly across the street from the proposed gravel wetlands that will be designed as a site amenity and the existing pond. Due to the topography of the site the central green will gently slope to the south, providing advantageous viewing spots of the pond and gravel wetlands.

- (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).

The vast majority of the open space set-aside is located to the rear of the property, and it adjoins existing open space on adjoining properties.

(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.

The front entrances of townhouses face the central green on three sides. The front entrances for two townhouse sticks will also face the gravel wetlands.

(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.

Much of the open-space set aside is an existing environmental feature that is being preserved.

- (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.

Not applicable.

(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.

Not Applicable.

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 Noted.

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 noted.

LANDSCAPING

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.

Landscaping will be reviewed at time of detailed site plan.

FENCES AND WALLS

This will be reviewed at time of detailed site plan.

MULTIFAMILY, TOWNHOUSE AND THREE-FAMILY

27-6903. Multifamily, Townhouse and Three-Family

(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.

An emergency point of access is proposed from an internal street onto Old Baltimore Pike. However, approval of this emergency access point will require coordination with Prince George's County Department of Permitting, Inspections and Enforcement.

- (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.

Subject Property is in conformance.

(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.

Not applicable.

- (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.

Parking is proposed to the rear of the proposed townhouse units.

- (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.

Off-street parking is proposed within the garage of each townhouse unit and upon the rear driveway for each unit.

(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.

Subject application is in conformance.

- (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.

Not applicable.

(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.

All townhouse sticks are less than 250 feet.

(e) Building Facades—For all multifamily, townhouse and three-family buildings except as noted in § 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.

This standard will be decided at detailed site plan.

- (2) Wall offsets shall have a minimum depth of two feet.

This standard will be decided at detailed site plan.

- (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 offset.

This standard will be decided at detailed site plan

(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.

Not applicable.

(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.

This standard will be decided at detailed site plan.

(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.

This standard will be decided at detailed site plan.

- (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.

This standard will be decided at detailed site plan.

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

This standard will be decided at detailed site plan.

(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.

No detached garages or carports are proposed.

- (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.

No freestanding garages or carports are proposed.

- (3) The exterior materials, design features, and roof forms detached garages or carports should generally be compatible with the building(s) they serve.

The garages are part of the townhomes. As such they will be compatible.

(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.

Screening will be determined at time of detailed site plan.

NEIGHBORHOOD COMPATIBILITY STANDARDS

27-61203 Neighborhood Compatibility Standards

Development subject to this Section shall comply with the following standards:

(a) Building Height and Setbacks

- (1) Setbacks of buildings shall be consistent with other buildings on the block face to maintain a consistent or edge of buildings along public frontages. Instead of the required setback or build-to line of the zone, setbacks of buildings shall vary no more than 15 percent from the setbacks of adjacent buildings.

Setbacks for the proposed buildings are anticipated to be consistent.

- (2) Building height shall not exceed the maximum height established in Table 27-61203(a)(2): Maximum Height in Transitional Areas.

Table 27-61203(a)(2): Maximum Height in Transitional Areas		
Distance from Single-Family Dwelling, Two-Family Dwelling, or Vacant Land in a Single-Family Zone (1)	Maximum Height	
	Parcels Fronting US 1 Between the Northern Corporate Boundaries of the City of College Park and the County's Boundary with the District of Columbia, and Parcels Fronting 34th St between Sheperd St and Otis St	All Other Areas
50 feet or less	Lesser of: 3 stories or 35 feet	Lesser of: 3 stories or 35 feet
Greater than 50 feet but less than 150 feet	Lesser of: 6 stories or 65 feet	
150 to 200 feet	No requirement	Lesser of: 4 stories or 45 feet
NOTES: <ul style="list-style-type: none">• The distance from an existing single-family dwelling, two-family dwelling, townhouse, or vacant land in a single-family zone is to be measured from the closest portion of the dwelling (in the case of single-family and two-family dwellings and townhouses) or from the minimum front yard setback line (in the case of vacant land).		

The distance from the RR zoned property to the south and the nearest building is between 50 and 150 feet, and thus subject to a three-story or 35-foot height limit. The proposed townhomes will comply with this height limit.

- (3) Buildings over three stories in height shall be broken up into modules or wings with the smaller and shorter portions of the structure located adjacent to single-family dwellings, two-family dwellings, townhouses, or vacant lands in a single-

family residential zone (see Figure 27-61203(a)(3): Building Height Modulation).

No building will be over three stories in height.

(b) Building Orientation

Except for when a mews or open space is located in front of the building, buildings shall be oriented towards the street from which they derive their street address.

The subject application is in conformance.

(c) Building Design

(1) Buildings shall (see Figure 27-61203(c): Compatible Building Design):

- (A) Use a similar roof type to adjacent single-family detached dwellings, two-family dwellings, or townhouse dwellings in terms of slope and arrangement to prevent abrupt changes in roof form.

Roof design will be determined at time of detailed site plan.

- (B) Configure all roof-mounted equipment to avoid or minimize its view from adjacent single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone.

Roof design will be determined at time of detailed site plan.

- (C) Use exterior colors, where possible, that are similar to those found on adjacent single-family detached dwellings two-family dwellings, or townhouse dwellings.

Colors will be determined at time of detailed site plan.

- (D) Use similarly sized and patterned architectural features such as windows, doors, awnings, arcades, pilasters, cornices, wall offsets, building materials, and other building articulations found on adjacent single-family detached, two-family dwellings, and townhouse dwellings; and

Architectural features will be determined at time of detailed site plan.

- (E) Orient porches, balconies, and outdoor activity areas away from adjacent single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone.

Given the lot configuration, these features will be oriented away from the single-family homes to the south.

- (F) Retail commercial building façades over 90 feet in length that face single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone shall be designed to appear as a series of discrete storefronts, with no single storefront occupying more than 50 percent of the total façade width of the building.

Not applicable.

(d) Building Materials

(1) Transparency

Building façades facing single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone, shall comply with the standards in Table 27-61203(d)(1), Transparency Standards:

Table 27-61203(d)(1): Transparency Standards	
Building Story	Minimum Façade Area Percentage to be Transparent (Percent of Façade) (1),(2),(3)
1 st Floor (2)	35 (3)
2 nd Floor	20
3 rd or Higher Floor	20
NOTES: (1) The façade area shall be measured from the grade to the underside of the eaves, or from story line to story line on upper building stories. (2) Façades abutting sidewalks, plazas, gathering areas, or other pedestrian areas shall incorporate transparent glazing. (3) The first two feet of façade area closest to the grade are not required to be glazed and shall be excluded from the façade area calculation.	

This will be determined at time of detailed site plan.

(2) Exterior Materials

Except along US 1 between the northern corporate boundaries of the City of College Park and the County's boundary with the District of Columbia and along 34th Street between Sheperd Street and Otis Street, façades facing single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone shall comply with the following exterior materials standards.

- (A) Materials and material configurations shall be similar to those commonly used on adjacent single-family detached dwellings and two-family dwellings.

This will be determined at time of detailed site plan.

- (B) Plywood, standard (versus decorative) concrete block, and corrugated metal are prohibited as exterior materials.

This will be determined at time of detailed site plan.

(C) Vinyl siding shall not exceed 25 percent of a building façade.

This will be determined at time of detailed site plan.

(e) Multi-Building Placement

Except along US 1 between the northern corporate boundaries of the City of College Park and the County's boundary with the District of Columbia and along 34th Street between Sheperd Street and Otis Street, multi-building development that includes varying use and/or development intensities in different buildings should locate buildings with the least intense use and/or development nearest to the abutting single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone, to the maximum extent practicable.

Not applicable.

(f) Off-Street Parking

- (1) Except along US 1 between the northern corporate boundaries of the City of College Park and the County's boundary with the District of Columbia and along 34th Street between Sheperd Street and Otis Street, for development that is within 200 feet of single-family detached dwellings, two-family dwellings, townhouses, or vacant land within a single-family residential zone, the total amount of off-street parking shall not exceed 1.1 times the required minimum specified in Table 27-6305(a): Minimum Number of Off-Street Parking Spaces, and may be reduced through an alternative parking plan (see Section 27-6307, Off-Street Parking Alternatives) that demonstrates such reduction will not have an adverse impact on the adjacent single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone.

Parking will be determined at detailed site plan.

- (2) When required, off-street parking shall be established in one or more of the following locations, listed in order of priority:
- (A) Within a structured parking facility;
 - (B) Adjacent to off-street parking lots serving nonresidential development on abutting lots;
 - (C) Adjacent to lot lines abutting nonresidential development;
 - (D) Adjacent to lot lines abutting mixed-use development;
 - (E) Behind the building;

(F) Within a lot's corner side yard;

(G) In front of the building; or

(H) When all of the above options are infeasible, adjacent to lot lines abutting single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone.

Comment noted.

- (3) Off-street surface parking areas located adjacent to single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone shall be treated in accordance with Section 4.3, Parking Lot Requirements, of the Landscape Manual.

Not applicable.

- (4) The façade of any parking structure facing adjacent single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone, shall be designed in accordance with the exterior materials standards of this Section and be landscaped to soften its visual impact.

Not applicable.

(g) Other Site Features

- (1) Loading, Service, Recycling Collection, and Refuse Collection Areas

Loading, service, recycling collection, and refuse collection areas shall be located at least 50 feet from residential development and:

(A) Located behind or to the sides of buildings away from adjacent single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family zone, and screened with walls and/or landscaping, and provided with access that is integrated with parking areas and the vehicular circulation network;

(B) Screened from view of single-family detached dwellings, two-family dwellings, townhouses, and vacant lands in a single-family residential zone, using materials that are the same as, or of equal quality to, the materials used for the principal building; or

(C) Incorporated into the overall design of the site so that the visual impacts of these functions are fully contained within an enclosure, or are otherwise out of view from adjacent single-family detached dwellings, two-family dwellings, townhouses, or vacant lands in a single-family residential zone.

Not applicable.

(2) Drive-Through Service Facilities

- (A) In no instance shall a drive-through or pick-up window be located on a building façade that faces a single-family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone.
- (B) Order boxes associated with a drive-through or pick-up window shall be at least 200 feet from a lot containing a single-family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone.

Not applicable.

(3) Exterior Lighting

- (A) Exterior lighting fixtures shall have a maximum height of 14 feet and illumination that does not exceed 0.5 foot candle at the lot line if located within 100 feet of a lot containing a single-family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone.

This will be determined at time of detailed site plan.

- (B) Exterior lighting fixtures shall have a maximum height of 18 feet if between 100 and 150 feet of such lot or lands (and illumination that does not exceed 0.5 foot candle at the lot line).

This will be determined at time of detailed site plan.

- (C) Exterior lighting shall be extinguished by 10:00 p.m. or within one hour after closing, whichever occurs first.

This will be determined at time of detailed site plan.

(4) Signage Standards

- (A) To the maximum extent practicable, signage shall be located a minimum of 50 feet from lot lines shared with a single-family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone.

Not applicable.

- (B) Signage within 50 feet of a lot line shared with a single-family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone, shall be limited to directional signage.

Not applicable.

- (C) Within 100 feet of lot lines shared with a single-family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone, the maximum sign area for signs shall be reduced by 25 percent.

Not applicable.

- (D) Projecting signs are prohibited if the sign is located across the street from or within 200 feet of a development with single-family detached dwellings, two-family dwellings, townhouses dwellings, or vacant lands in a single-family residential zone.

Not applicable.

(5) Open Space Set-Asides

- (A) Required open space set-asides shall be located between a proposed development and an adjacent single-family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone, to the maximum extent practicable.

Subject application is in conformance, except at the south end of Ammendale Way where we are matching the adjacent, similar-scale townhouses that also face the road. This will continue and enhance the existing attractive and dynamic street front

- (B) Outdoor recreation features such as swimming pools, tennis courts, playgrounds, and similar features shall be at least 50 feet from any lot line shared with a single-family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone.

This will be determined at time of detailed site plan, although these features are unlikely to be within 50 feet of any lot line shared with a single-family detached dwelling.

(6) Natural Features

Natural features such as existing vegetation, natural differences in topography, streams, wetlands, and other such features shall be used as transitions where possible.

The subject application is in conformance.

(h) Operational Standards

Except along US 1 between the northern corporate boundaries of the City of College Park and the County's boundary with the District of Columbia and along 34th Street between Sheperd Street and Otis Street, development within 200 feet of any single-

family detached dwelling, two-family dwelling, townhouse, or vacant lands in a single-family residential zone shall.

- (1) Prohibit outdoor dining or other outdoor activities such as, but not limited to, outdoor entertainment areas where alcohol is served or music is played, and outdoor recreation areas that are open after 8:00 p.m. in the evening;

Not applicable.

- (2) Limit trash collection or other service functions to only between the hours of 7:00 a.m. and 7:00 p.m.; and

Not applicable.

- (3) Extinguish amplified music, singing, or other forms of noise audible at shared lot lines after 10:00 p.m. Sunday through Thursday nights, and after 12:00 a.m. Friday and Saturday nights.

Not applicable.

- (4) These standards shall not apply to new development locating within 200 feet of any nonconforming dwellings

Not applicable.