

## GENERAL NOTES

1	The subject property consists of the following	Part of Parcel A (P.B.WWW 89, Plat No. 34) and part of Parcel C, (P.B.NLP 94, Plat No. 95), Liber 49408, folio 347
2	Existing Use	Vacant
3	The subject property is located on Tax Map, grid	Tax Map 66, Grid F4
4	The subject property is located on WSSC 200' Sheet	201NE07, 201SE07
5	The subdivision proposes:	Subdivision proposes the creation of 6 parcels, 35 single family lots and 2 multifamily buildings made up of 402 units, 5,000 SF retail, and the creation of a public road and private parking lot and alleys.
6	The prior approvals are as listed:	none
7	The Preliminary Plan of Subdivision is proposed for: Land zoned:	26.17 Ac. (Parcel A 0.6438 ac., Parcel C 25.5228 ac.) RSF-65, Residential, Single-Family: 17.6248 Ac. CGO, Commercial, General and Office: 8.5417 Ac.
8	Net developable area outside the PMA:	Existing - 25.10 Acres, Proposed - 25.10 Acres
9	Acreage of Environmental Regulated Features:	Existing PMA - 1.07 Acres, Proposed - 1.07 Acres
10	Acreage of 100-year floodplain:	Existing Floodplain - 0.19 Acres, Proposed - 0.19 Acres
11	All proposed roads are:	Public
12	Acreage of private/public roads:	1.72 Acres Public Roads
13	The existing zoning/use is:	RSF-65, Residential, Single-Family CGO, Commercial, General and Office
14	The proposed use of this property is:	Residential, Commercial
15	The proposed number of dwelling units for this subdivision is: This consists of:	437 Units 2 Multifamily Buildings (402 total units) 35 Single Family Cottages 6 Parcels
16	Density Calculation (residential only)	RSF-65: 2.21 units per acre (35 / 15.89) CGO: 47.99 units per acre (402 / 8.3783)
17	Minimum lot size	RSF-65, Single Family Residential: 6,500 SF CGO, Multifamily Dwelling: 7,500 SF
18	Minimum Lot Width:	RSF-65: 52 ft at street line CGO: 50 ft
19	Sustainable Growth Tier	Tier 1
20	Military Installation Overlay Zone:	Yes, MIO Area B
21	Existing and Proposed Gross Floor Plan (non residential)	Existing 0 SF, Proposed 5,000 SF
22	Stormwater Management Concept number and approval date:	SIT-00181-2024, Approval Date: / / 2025
23	Water/Sewer Category Designation:	Existing W-3 & S-3, Proposed W-3 & S-3
24	Method of Sewage Disposal	Public
25	Aviation Policy Area:	The subject property DOES NOT fall under an Aviation Policy Area
26	Mandatory park dedication requirement:	To be provided in the form of private on-site facilities. Recreation facilities shall be further evaluated during the review of the Detailed Site Plan (DET).
27	Cemeteries on or contiguous to the property:	No
28	Historic sites in or in the vicinity of the property:	No
29	Type One Conservation Plan:	TCP1- / -2025
30	Within Chesapeake Critical Bay Area (CBCA):	No
31	Wetlands:	Yes
32	Streams:	Yes
33	NRI:	NRI-105-2024
34	In or adjacent to an easement held by the Maryland Environmental Trust, The Maryland Agricultural Land Preservation Foundation, or any land trust organization	No
35	The alignment of the CACT trail and maintenance easement will be determined at time of DET application and the easement recorded prior to approval of a Final Plat.	

# PPS-2024-013

## THE MARION

### PRELIMINARY PLAN OF SUBDIVISION

13TH ELECTION DISTRICT, PRINCE GEORGE'S COUNTY, MARYLAND

VICINITY MAP  
SCALE: 1" = 200'

## SHEET INDEX

1	COVER SHEET
2	PRELIMINARY PLAN
3	PRELIMINARY PLAN
4	ROAD SECTIONS

PARCEL	ACRES	DESCRIPTION	DEDICATION / CONVEYANCE
A	0.53	Open Space	RETAINED BY OWNER
B	0.73	Open Space	RETAINED BY OWNER
C	2.80	Open Space	RETAINED BY OWNER
D	5.22	Open Space	RETAINED BY OWNER
E	1.63	Open Space	WMATA
1	8.38	Multifamily	RETAINED BY OWNER
ROW Dedication	1.67	Public Streets	Public Use

#### 27-6206(f) Connectivity Standards for Single-Family (Attached and Detached) Residential Development

STANDARD	REQUIRED	PROPOSED
Minimum Connectivity Index Score Required	1.50	3.00

## Development Standards Notes:

1. The calculations above are preliminary and subject to change during the entitlement process.

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

STANDARD	REQ.	QTY.	PROV.	QTY.
RSF-65 Zone - Dwelling, single-family detached	20.00%	3.22	20.30%	3.33
C-G-O Zone - Dwelling, multifamily	15.00%	1.26	21.00%	1.78

## Development Standards Notes:

1. The calculations above are preliminary and subject to change during the entitlement process.

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

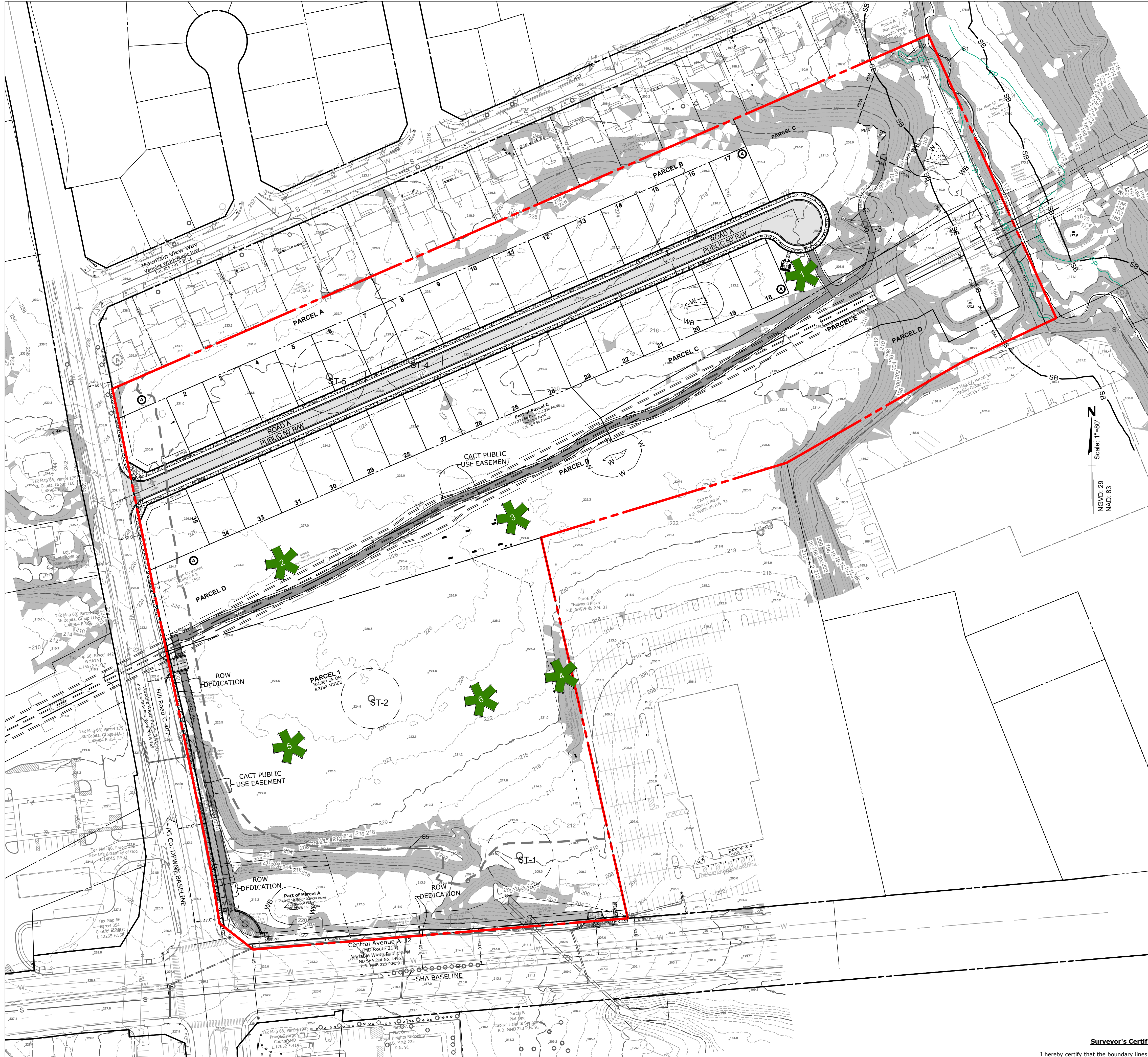
STANDARD	REQ.	QTY.	PROV.	QTY.
Minimum Active Recreation Area RSF65 (15% of Required)	15.00%	0.483	15.52%	0.50
Minimum Active Recreation Area CGO (15% of Required)	15.00%	0.189	23.80%	0.30

## Development Standards Notes:

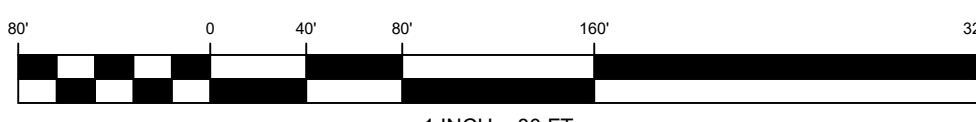
1. The calculations above are preliminary and subject to change during the entitlement process.

## Survey and Datum Notes:

- Horizontal datum is the Maryland Coordinate System (NAD83(2011), SPCS zone 1900(MD), U.S. Survey Feet), based on static GPS observations post-processed by the National Geodetic Survey's Online Positioning User Service (OPUS). Observed points include RCI traverse station #94600. The average combined (scale x elevation) factor for the site is 0.99994548. (#94600 N 445.642 892 E 1.347 296.600)
- Vertical datum is NGVD29, based on differential leveling to Washington Suburban Sanitary Commission (WSSC) bench marks 2612 and 4537: 2612: Elevation 160.220 4537: Elevation 216.733
- Boundary information shown hereon is based on a boundary survey conducted by Rodgers Consulting, Inc. in May 2024
- Topography and features shown hereon were taken from an aerial photogrammetry and LiDAR survey flown on March 1, 2024, and compiled by McKenzie Snyder, Inc. Contours are shown at 2 foot intervals



## GRAPHIC SCALE



## Surveyor's Certificate

I hereby certify that the boundary lines shown hereon are correct and based on a boundary survey conducted by Rodgers Consulting, Inc., and that the survey work reflected hereon was prepared under my direct responsible charge and is in compliance with the requirements set forth in "COMAR" Title 09, Subtitle 13, Chapter 06, Regulation .12.

5-30-2025  
Date

For: Rodgers Consulting, Inc.  
By: Aaron Eugene Worley  
Professional Land Surveyor  
Maryland Registration No. 21539  
License Expiration/Renewal Date: 12-23-2025

## PROFESSIONAL CERTIFICATION

"I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND." LICENSE NO. 40787 EXPIRATION DATE: 6/19/25



SCALE: 1"=80'

JOB No. 1385A

DATE: JUN 2024

SHEET No. 1 of 4

**Applicant Info:**  
Morgan Station, LLC  
1921 Gallows Road, Suite 700  
Vienna, VA 22182  
Attn: George Elias  
Phone: 215-527-1021  
gelias@livemiddleburg.com

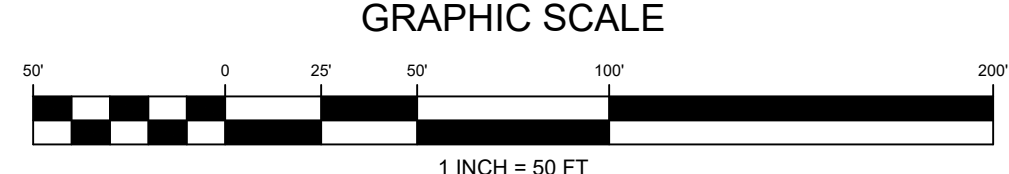
**The Marion**  
13<sup>th</sup> Election District  
Tax Map 66, Parcels A & C  
Prince George's County, Maryland

**RODGERS CONSULTING**  
1101 Mercantile Lane, Suite 280, Largo, Maryland 20774  
Ph: 301.948.4700 Fax: 301.948.6256 www.rodgers.com

BY	DATE
BASE DATA	CADD
DESIGNED	
DRAWN	NB 10/2024
REVIEWED	NB
RODGERS CONTACT:	NAT BALLARD
RELEASE FOR	
BY	DATE

PPS COVER SHEET





LEGEND:

- |                         |                              |  |
|-------------------------|------------------------------|--|
| EX. BOUNDARY LINE       | EX. PRIMARY MGMT AREA        | PR. WATER                                    |
| EX. LOT LINE            | EX. PMA / FLOODPLAIN         | PR. STORM DRAIN                              |
| EX. BLDG                | EX. PMA / STREAM BUFFER      | PR. PUE                                      |
| EX. SIDEWALK            | EX. PMA / WETLAND BUFFER     | PR. EASEMENT                                 |
| EX. PARKING STRIPING    | EX. FLOODPLAIN BRL           | EX. ESMT                                     |
| EX. 10' CONTOUR LINE    | STREAM                       | REQUIRED LOT DEPTH                           |
| EX. 2' CONTOUR LINE     | EX. UNMITIGATED 65 DB LINE   | WETLAND                                      |
| EX. TREES               | PR. R.O.W.                   | SPECIMEN TREE                                |
| EX. WATER               | PR. LOT LINE                 | Potential Recreation Area/Facility           |
| EX. SEWER               | PR. BLDG                     | 1. Sitting Area                              |
| EX. STORM DRAIN         | PR. SIDEWALK                 | 2. Central Avenue Connector Trail            |
| EX. WETLAND             | PR. PARKING STRIPING         | 3. Play Area                                 |
| EX. WETLAND BUFFER      | PR. FACE OF CURB             | 4. Dog Run                                   |
| EX. STREAM BUFFER       | PR. BACK OF CURB             | 5. Courtyard #1 & Bldg. 1 internal amenities |
| EX. STREAM              | PR. ROAD PAVEMENT            | 6. Courtyard #2 & Bldg. 2 internal amenities |
| EX. FLOODPLAIN BOUNDARY | STEEP SLOPES (15% & GREATER) |  |
|                         | PR. SEWER                    |  |

27-4202(e) Residential Base Zones - Residential, Single-Family-65 (RSF-65) Zone

STANDARD	REQUIRED	PROPOSED
Density, max. (du/ac of net lot area)	6.70	2.21
Net lot area, min. (sf)	6,500	6,500
Lot width, min. (ft)	65	65
Lot frontage (width) at front street line, min. (ft)	52	52
Lot coverage, max. (% of net lot area)	35	35
Front yard depth, min. (ft)	25	25
Side yard depth, min. (ft)	8	8
Rear yard depth, min. (ft)	20	20
Principal structure height, max. (ft)	40	40
Accessory structure height, max. (ft)	15	15

Development Standards Notes:  
1. The calculations above are preliminary and subject to change during the entitlement process.

Surveyor's Certificate

I hereby certify that the boundary lines shown hereon are correct and based on a boundary survey conducted by Rodgers Consulting, Inc., and that the survey work reflected hereon was prepared under my direct responsible charge and is in compliance with the requirements set forth in "COMAR" Title 09, Subtitle 13, Chapter 06, Regulation .12.

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Professional Land Surveyor  
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License Expiration/Renewal Date: 12-23-2025

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LICENSE NO. 40787  
EXPIRATION DATE: 6/19/25



REVISION	DATE	REVISION	DATE	REVISION	DATE

**Applicant Info:**  
Morgan Station, LLC  
1921 Gallows Road, Suite 700  
Vienna, VA 22182  
Attn: George Elias  
Phone: 215-527-1021  
gelias@livemiddleburg.com

**The Marion**  
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Tax Map 66, Parcels A & C  
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BY	DATE
BASE DATA	CADD
DESIGNED	
DRAWN	NB 10/2024
REVIEWED	NB
RODGERS CONTACT:	NAT BALLARD
RELEASE FOR	
BY	DATE

**PPS PLAN**

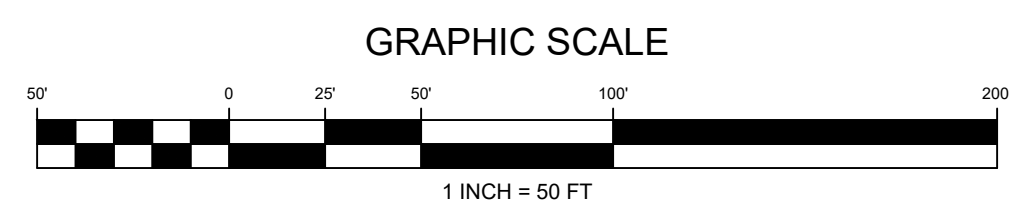
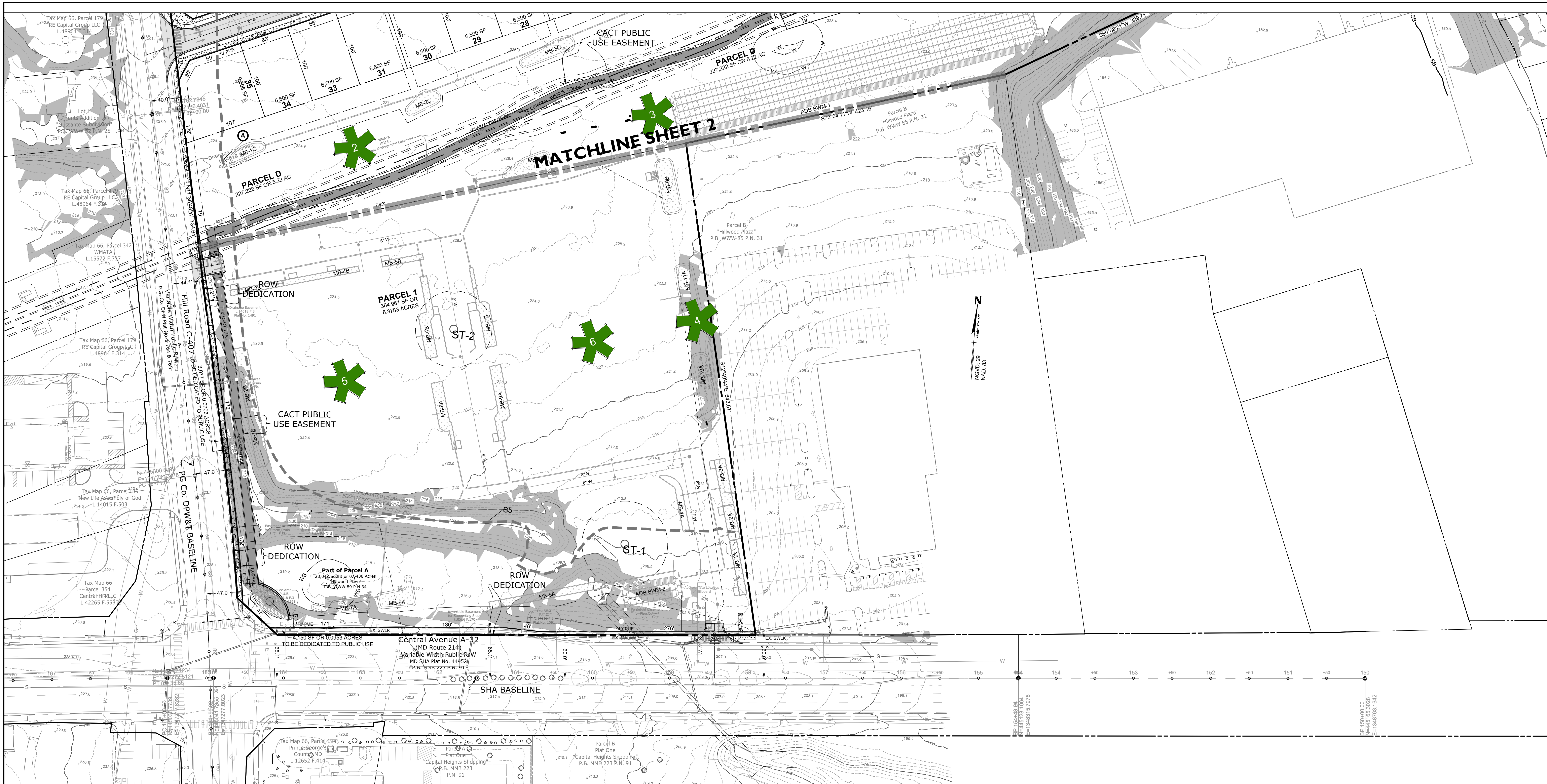
SCALE: 1"=50'

JOB No: 1385A

DATE: JUN 2024

SHEET No: 2 of 4





LEGEND:

- |     |                         |     |                              |     |                    |
|-----|-------------------------|-----|------------------------------|-----|--------------------|
| --- | EX. BOUNDARY LINE       | --- | EX. PRIMARY MGMT AREA        | --- | PR. WATER          |
| --- | EX. LOT LINE            | --- | EX. PMA / FLOODPLAIN         | --- | PR. STORM DRAIN    |
| --- | EX. BLDG                | --- | EX. PMA / STREAM BUFFER      | --- | PR. PUE            |
| --- | EX. SIDEWALK            | --- | EX. PMA / WETLAND BUFFER     | --- | PR. EASEMENT       |
| --- | EX. PARKING STRIPING    | --- | EX. FLOODPLAIN BRL           | --- | EX. ESMT           |
| --- | EX. 10' CONTOUR LINE    | --- | STREAM                       | --- | REQUIRED LOT DEPTH |
| --- | EX. 2' CONTOUR LINE     | --- | EX. UNMITIGATED 65 DB LINE   | --- | WETLAND            |
| --- | EX. TREES               | --- | PR. R.O.W.                   | --- |                    |
| --- | EX. WATER               | --- | PR. LOT LINE                 | --- |                    |
| --- | EX. SEWER               | --- | PR. BLDG                     | --- |                    |
| --- | EX. STORM DRAIN         | --- | PR. SIDEWALK                 | --- |                    |
| --- | EX. WETLAND             | --- | PR. PARKING STRIPING         | --- |                    |
| --- | EX. WETLAND BUFFER      | --- | PR. FACE OF CURB             | --- |                    |
| --- | EX. STREAM BUFFER       | --- | PR. BACK OF CURB             | --- |                    |
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| --- | EX. FLOODPLAIN BOUNDARY | --- | STEEP SLOPES (15% & GREATER) | --- |                    |
|     |                         | --- | PR. SEWER                    | --- |                    |
- ST-X SPECIMEN TREE
- Potential Recreation Area/Facility
1. Sitting Area
  2. Central Avenue Connector Trail
  3. Play Area
  4. Dog Run
  5. Courtyard #1 & Bldg. 1 internal amenities
  6. Courtyard #2 & Bldg. 2 internal amenities

27-4203(d) Nonresidential Base Zones - Commercial, General and Office (CGO) Zone

STANDARD	REQUIRED	PROPOSED
Density, max. (du/ac of net lot area)	48.00	47.99
Net lot area, min. (sf)	7,500	364,961
Lot width, min. (ft)	50	463
Lot coverage, max. (% of net lot area)	70.00%	70.00%
Front yard depth, min. (ft)	10	10
Side yard depth, min. (ft)	8	8
Rear yard depth, min. (ft)	15	15
Principal structure height, max. (ft)	86	86

Development Standards Notes:  
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LICENSE NO. 40787  
EXPIRATION DATE: 6/19/25



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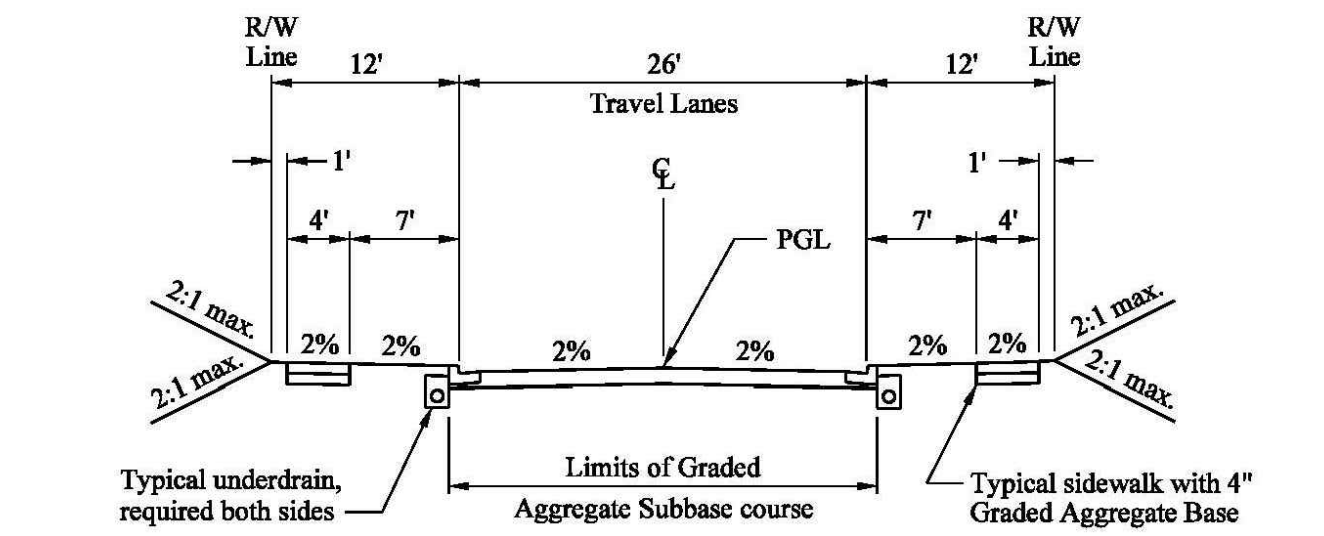
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BASE DATA	BY	DATE
DESIGNED	CADD	
DRAWN	NB	10/2024
REVIEWED	NB	
RODGERS CONTACT: NAT BALLARD		
RELEASE FOR		
BY: _____	DATE: _____	

PPS PLAN

SCALE: 1"=50'
JOB No. 1385A
DATE: JUN 2024
SHEET No. 3 of 4





Design Speed	Subgrade (A)	Pavement Section				Right-of-Way Width
		GASB Course (B)	HMA Base Course (C)	Intermediate Surface Course (D)	Final Surface Course (E)	
30 MPH	CBR ≥ 7	6"	3"	1 1/2"	1 1/2"	50'

Footnotes

- A. The top 12" of in-situ subgrade material shall have a minimum California Bearing Ratio (CBR) value of 7. See Table 1-3, 1-4, 1-5, 1-6, 1-7, 1-8 and 1-9 of Section I "Roadway Development Guidelines" for subgrade criteria.  
B. Graded Aggregate Subbase (GASB). See Section II "Technical Specifications."  
C. Superpave Mixture Hot Mix Asphalt (HMA) base, 19mm, PG 64-22. See Section II "Technical Specifications."  
D. Superpave Mixture Hot Mix Asphalt (HMA) surface, 9.5mm, PG 64-22. See Section II "Technical Specifications."  
E. Superpave Mixture Hot Mix Asphalt (HMA) surface, 9.5mm, PG 64-22. See Section II "Technical Specifications."

General Notes

- Travel lanes accommodate two (2) 11-foot minimum lanes, or one (1) 12-foot lane and parallel parking on both sides.
- See Table 1-2 of Section I "Roadway Development Guidelines" for design criteria.
- See Section II "Technical Specifications" for materials and method of construction.
- Refer to Standard 300.13 for underdrain details.
- Refer to Standards 300.01 and 300.02 for curb and gutter details.
- Refer to Standards 300.05 through 300.08 for sidewalk details.
- Refer to Category 500 for street light standards.
- Refer to Category 600 for landscaping within the County right-of-way.
- All unpaved areas within the County right-of-way shall receive a minimum of 3" of topsoil and sod.
- All new construction within the County right-of-way shall comply with Federal accessibility guidelines of the Americans with Disabilities Act, including acceptable sidewalk passing space requirements.
- Top of curb elevation equals Profile Grade Line (PGL) elevation plus 0.14' for 6" curb.

APPROVED:

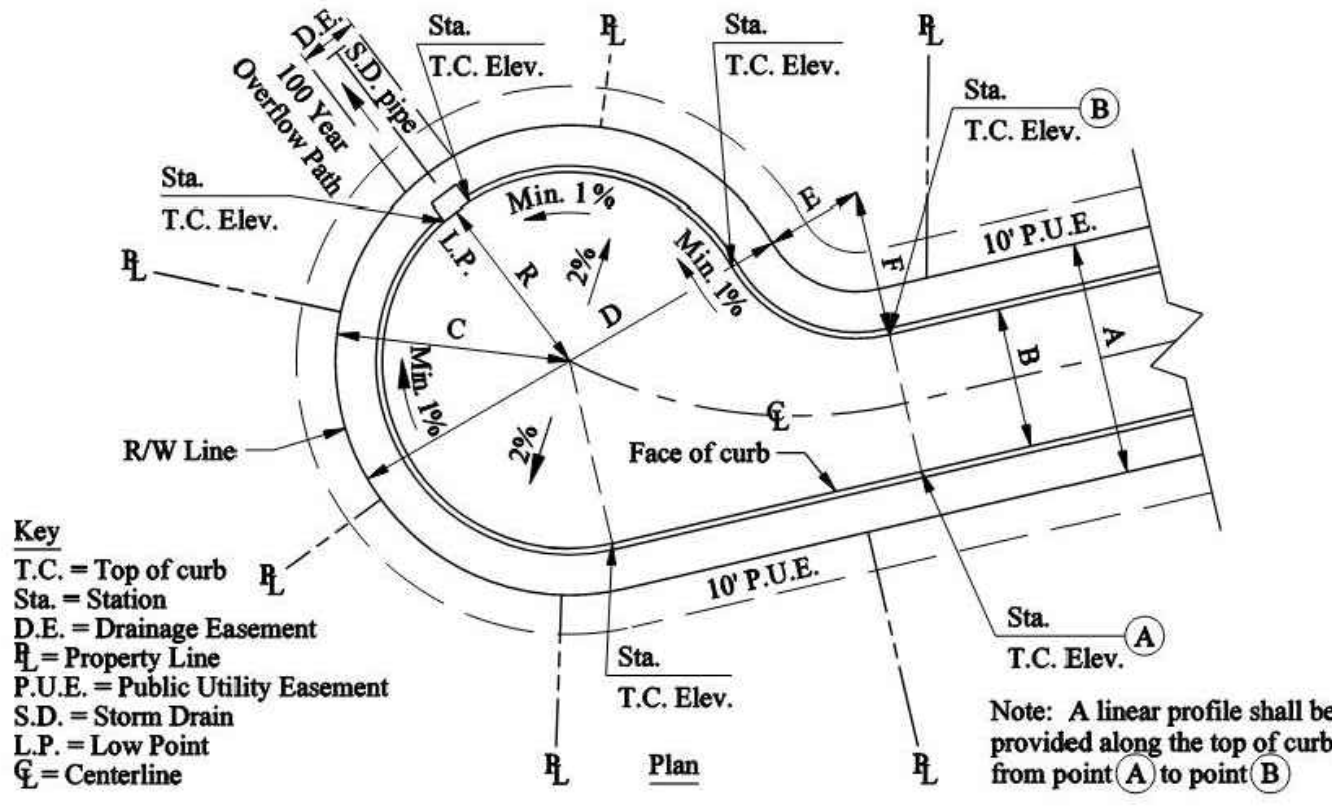
DIRECTOR		DATE	
REVISION	DATE	APPROVED BY	



DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION  
Prince George's County, MD

Urban Secondary  
Residential Road

STD.  
100.07



Road Classification	Cul-de-sac Dimensions					
	A	B	C	D	E**	R
Urban Commercial and Industrial Road	70'	46'	70'	140'	25'	*37'
Urban Primary Residential Road	60'	36'	60'	120'	25'	*37'
Urban Secondary Residential Road	50'	26'	50'	100'	25'	*37'

- \*Minimum distance unless directed otherwise by the Department.  
\*\*Alternate design using increased fillet radii (see dimensions 'E' and 'F') may be used with prior Departmental approval, subject to AASHTO and County subdivision regulations.

General Notes

- Urban cul-de-sac designs shall accommodate all SU-30 vehicle turning maneuvers, except for secondary residential road.
- Provide 1% minimum flow line gutter grades and 2% minimum paving cross slope grades throughout the cul-de-sac. Crowning the cul-de-sac in the bulbous area is not required if positive drainage can be maintained across this area and a minimum pavement slope of 2% is provided.
- Cul-de-sacs shall not have a vertical grade in excess of 6% beyond the fillet point at the entrance to the cul-de-sac's bulbous end.
- Top-of-curb elevations are to be shown on the construction plans at points of curvature (PC's), points of tangency (PT's) and high/low points.
- All concrete sidewalks and sidewalk ramps shall be constructed in accordance with Standards 300.05, 300.06, 300.07 and 300.08.

APPROVED:

DIRECTOR		DATE	
REVISION	DATE	APPROVED BY	



DEPARTMENT OF PUBLIC WORKS  
AND TRANSPORTATION  
Prince George's County, MD

Urban Cul-de-sac  
(Offset Turnaround)

STD.  
200.12

REVISION	DATE	REVISION	DATE	REVISION	DATE

**Applicant Info:**  
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1921 Gallows Road, Suite 700  
Vienna, VA 22182  
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DRAWN	NB	10/2024
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RODGERS CONTACT: NAT BALLARD		
RELEASE FOR		
BY _____ DATE _____		

**STREET SECTIONS AND  
DEVELOPMENT STANDARDS**

PROFESSIONAL  
CERTIFICATION  
"I HEREBY CERTIFY THAT THESE  
DOCUMENTS WERE PREPARED  
OR APPROVED BY ME, AND  
THAT I AM A DULY LICENSED  
PROFESSIONAL ENGINEER  
UNDER THE LAWS OF THE  
STATE OF MARYLAND."  
LICENSE NO. 40787  
EXPIRATION DATE: 6/19/25



SCALE:	N.T.S.
JOB No.	1385A
DATE:	JUN 2024
SHEET No.	4 of 4



## **STATEMENT OF JUSTIFICATION**

**THE MARION<sup>1</sup>**  
**PPS-2024-013**  
**ADQ-2024-035**

APPLICANT/OWNER: Morgan Station, LLC  
1921 Gallows Road, Suite 700  
Vienna, Virginia 22182

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

CIVIL ENGINEER: Rodgers Consulting  
1101 Mercantile Lane, Suite 280  
Upper Marlboro, Maryland 20774  
(301) 948-4700 Phone  
Attn.: Nat Ballard  
[NBallard@RODGERS.com](mailto:NBallard@RODGERS.com)

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

REQUEST: Preliminary Plan of Subdivision (PPS) for the development of approximately six (6) parcels to accommodate development consisting of approximately 36 single-family detached rental dwelling units in the RSF-65/MIO Zones; and two (2) multifamily buildings consisting of approximately 402 multifamily units with approximately

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<sup>1</sup> The project case name was changed from “7500 Central Avenue” to “The Marion” in response to Technical Staff comments received on December 15, 2024 and March 25, 2025, in which the applicant was asked to select a different case name.



5,000 square feet of commercial/retail space in the CGO/MIO Zones.

Waiver, pursuant to Sections 27-6206(e)(2)(C), 27-6207(b)(2), and 27-6208(b)(2) of the requirements in Sections 27-6207(e)(2), 27-6207(b) and 27-6208(b), respectively, for vehicular, pedestrian, and bicycle circulation systems, respectively.

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I. DESCRIPTION OF PROPERTY

1. Addresses – 7500 Central Avenue, Hyattsville, Maryland 20785, and Parcel C, Tax Map 66, Grid F4 .
2. Location – Northeast quadrant of the intersection of Central Avenue and Hill Road.
3. Tax Account – 2110575, 2119303, 2119295.
4. Proposed Use – Development of approximately 36 single-family detached rental dwelling units, 2 multifamily buildings consisting of approximately 402 multifamily units with approximately 5,000 square feet of commercial/retail space, and the creation of public roads in the RSF-65/MIO and CGO/MIO Zones.
5. Election District – 11.
6. Councilmanic District – 5.
7. Parcels – Parcels A and C.
8. Total Gross Acreage – 26.17 Acres.
9. Total Net Acreage – 24.46 Acres (the net acreage excludes 0.19 acres of floodplain, 0.17 acres of frontage dedication, and 1.54 acres of road dedication.).
10. Total Net Developable Area Outside of PMA – 25.10 acres (existing PMA 1.07 acres).
11. Tax Map & Grid – 66-F4.
12. Zone – CGO/MIO and RSF-65/MIO
13. Density Calculation – RSF-65 Zone: 2.27 DU/Acre (6.7 DU/acre allowed); CGO Zone: 48 DU/Acre (48 DU/acre allowed)
14. Zoning Map – 201SE07, 201NE07.



15. General Plan Growth Policy – Established Communities.

II. NATURE OF REQUEST

Morgan Station, LLC (hereinafter the “Applicant”) is requesting the approval of a Preliminary Plan of Subdivision (PPS) for the development of approximately six (6) parcels to accommodate development consisting of approximately 36 single-family detached rental dwelling units, two (2) multifamily buildings consisting of approximately 402 multifamily units with approximately 5,000 square feet of commercial/retail use/space, and the creation of public roads in the RSF-65 and CGO/MIO Zones, respectively. The applicant is also requesting a Waiver, pursuant to Sections 27-6202(e)(2)(C), 27-6207(b)(2), and 27-6208(b)(2) of the requirements in Sections 27-6206(e), 27-6207(b), and 27-6208(b), regarding vehicular, pedestrian, and bicycle circulations systems, respectively.



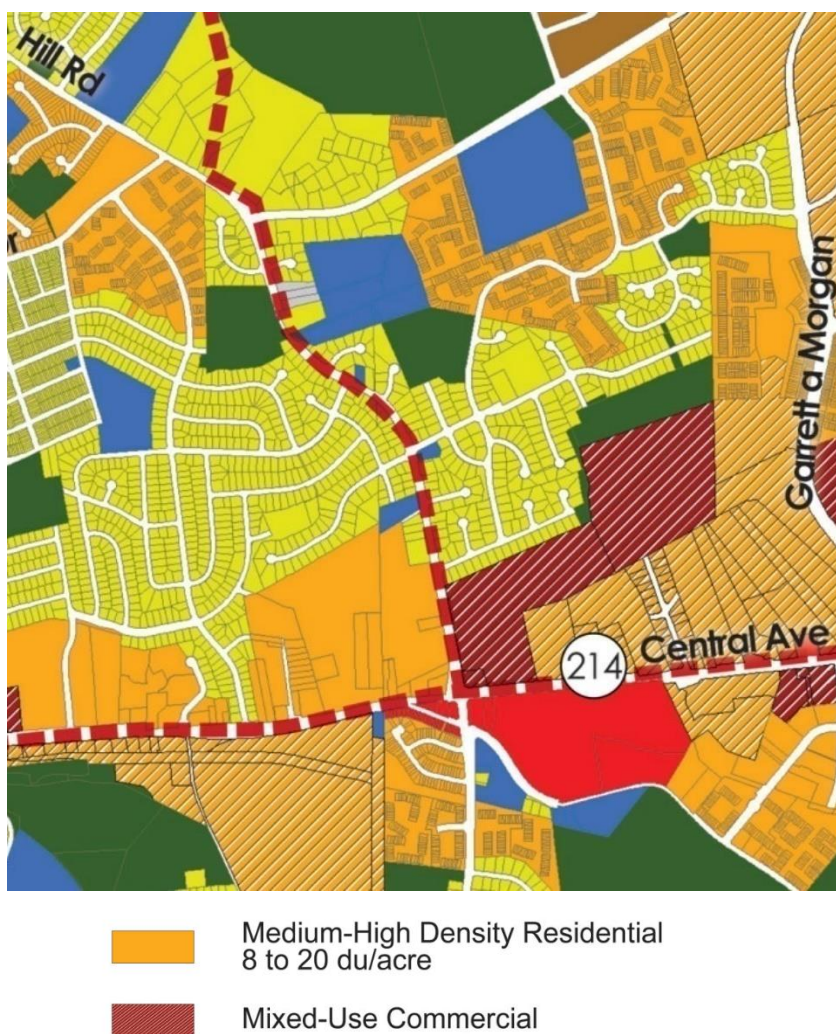
III. APPLICANT’S PROPOSAL

The applicant presents in this Preliminary Plan of Subdivision (PPS-2024-013), Certificate of Adequacy (ADQ-2024-035), and future Detailed Site Plan (DET-2024-007) applications the development of property located at 7500 Central Avenue, Hyattsville, Maryland 20785 (the



“Subject Property”). Preliminary Plan of Subdivision (PPS) is for the development of approximately six (6) parcels in the RSF-65/MIO and CGO/MIO Zones.

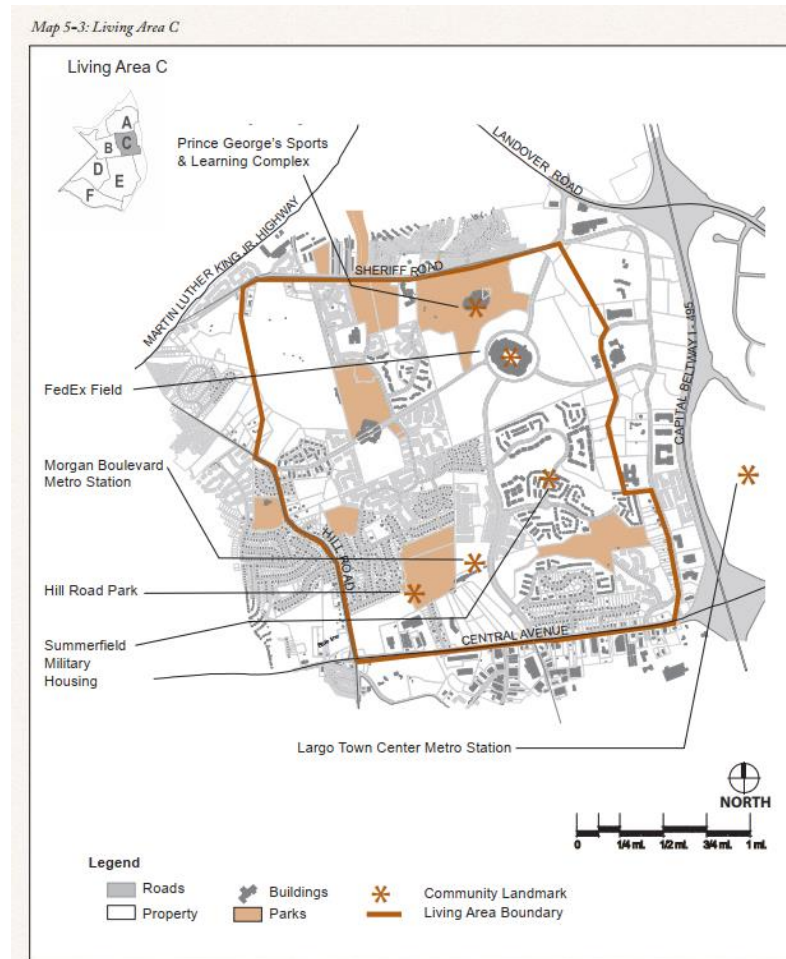
The site currently lies within the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* (“Master Plan” and “SMA”) (CR-49-2010), which retained the subject property in the prior C-O (Commercial Office) and the R-55 (One-Family Detached Residential)/M-I-O Zones. The Master Plan establishes development policies, objectives and strategies that are consistent with the recommendations of the 2002 *Prince George’s County Approved General Plan*. The Future Land Use Map (Map 4-3; p. 62), recommends the Subject Property for “mixed-use commercial” land use designation.



A goal of the mixed-use commercial land use designation is to reinforce the sustainability of the municipalities by promoting the development of commercial/mixed-use projects and public realm enhancements that improve the quality of life and generate tax income within and immediately surrounding the municipalities; and to attract higher quality uses to the area that meet community needs or provide a new opportunity for the area. The proposed development conforms to the land use recommendation by providing a mix of residential and commercial uses that complement the surrounding uses.



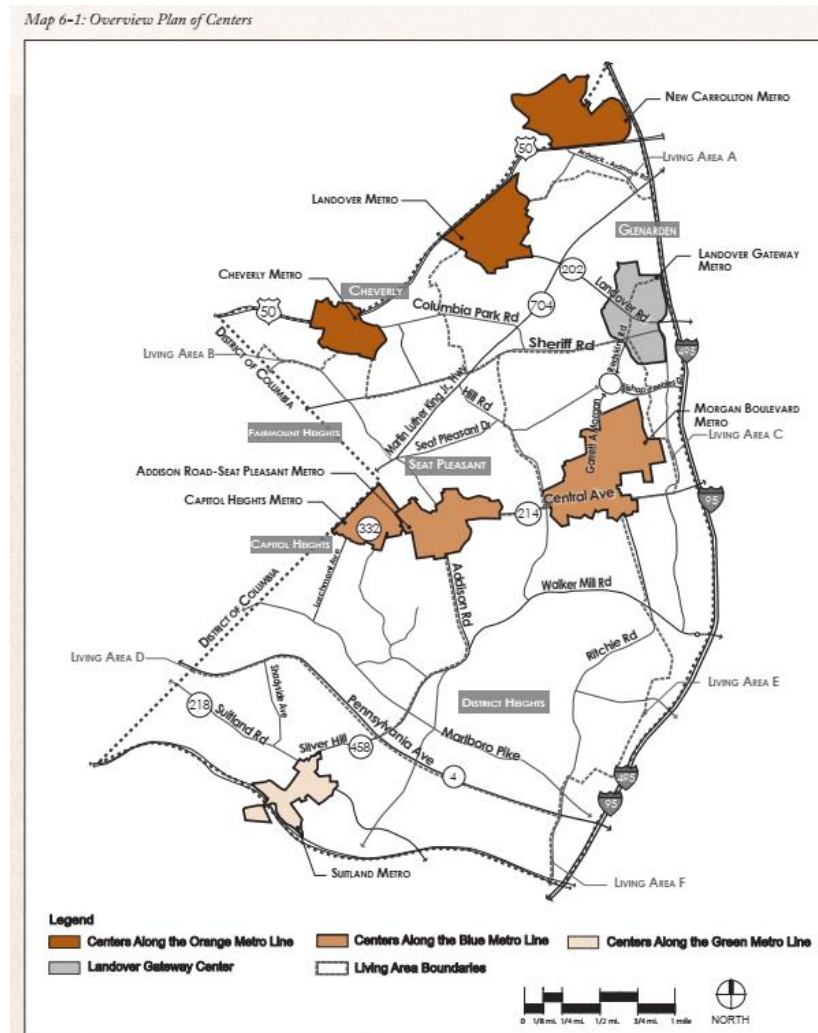
As provided on page 80 of the Master Plan, “[f]or planning purposes, the subregion was subdivided into six living areas. These living areas were then organized into three zones to facilitate public outreach.” Specifically, the subject property is located in the southwest corner of Living Area C:



Living Area C is bordered from Sheriff Road to the north, Central Avenue to the south, the Jericho Campus and Brightseat Road to the east, and Hill Road and the National Harmony Cemetery to the west. The Washington Commanders' Northwest Stadium and the Morgan Boulevard Metro center are also included within Living Area C and attract activity to the area. Living Area C has roughly 2.5 square miles of land area. The Master Plan places Living Area C in Zone 1, which aims to “[a]ttract higher-quality, desirable uses to the area that meet a current community need or provide a new opportunity for the area.” (Page 13). On page 80 of the Master Plan, it recognizes that “The Morgan Boulevard Metro area, as well as the Northwest Stadium area, provide additional opportunities for redevelopment at the southern portion of Zone 1. Any development and redevelopment efforts will require considerable public improvements, funding, and implementation.” “Living Area C is still emerging from its agricultural roots to its status as the newest mixed-use living area, which focuses on entertainment. It has the potential to be shaped as a unique living environment within Subregion 4.” A Policy of the Master Plan is to focus high-



density condominium and apartment living, among other things, into the Morgan Boulevard Metro, Landover gateway, and Landover Metro (Zone 1) areas. The Morgan Boulevard Metro center, which includes the Subject Property, is designated as an Urban Center 2 (UC2). The center consists of a Metro station and two major corridors, Morgan Boulevard and Central Avenue.



The Morgan Boulevard Metro center is noted to include only a minimum amount of retail and service commercial uses. Policies of the center include establishing an integrated pedestrian-friendly road network that connects all areas of the growth center and reestablish Central Avenue as a commercial and retail corridor. The proposed mixed-use development aligns with several goals of the Morgan Boulevard Metro center by providing a high-quality, pedestrian oriented, mixed-use development that is context sensitive to the surrounding neighborhood.

The master plan also includes several environmental policies and strategies that are met with the proposed development. Some of the applicable policies include the following:

- Protect, preserve and enhance the green infrastructure network in Subregion 4. (p.200)



- Require on-site management of stormwater through the use of environmentally sensitive stormwater management techniques (i.e., fully implement the requirements of ESD) for all development and redevelopment activities. (p.205)
- Implement environmentally sensitive building techniques that reduce overall energy consumption. (p.208)
- Preserve, restore, and enhance the existing tree canopy. (p.210)

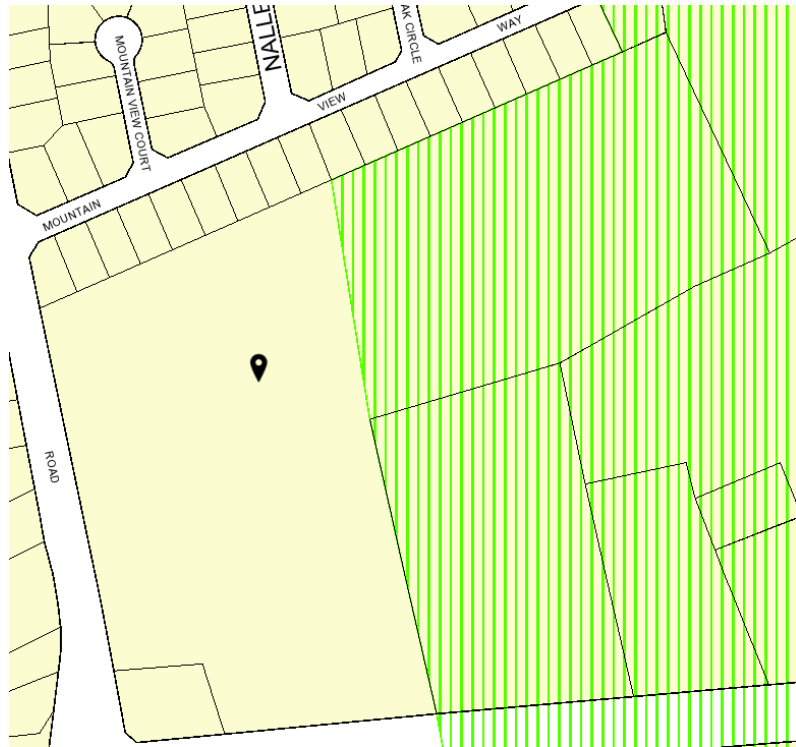
The Property is 26.17± acres, part of which falls within the RSF-65 zone and the remaining falls within the CGO zone. The CGO area of the site consists of an ephemeral drainage channel, an overgrown stormwater facility, and forest. The RSF-65 portion of the site includes a perennial stream, three ephemeral channels, an associated 100-year floodplain, a number of isolated wetlands, and forest. The proposed project has been designed to minimize impacts to the PMA located on-site for only a stormwater management facility, facility outfalls, and a sewer line connection to an existing sewer line that currently exists within the PMA. Other than what is required, there are no additional impacts proposed for the site. Lots and internal roadways have also been designed to be as far away from the PMA as possible. This is in keeping with the master plan goals of preserving habitat in general, while enhancing the existing green infrastructure network.

The Prince George's County Department of Permitting, Inspections and Enforcement (DPIE) will require all development to utilize environmental site design (ESD) stormwater management (SWM) best practices to control various amounts of surface rain runoff. The ESD relies on integrating site design, natural hydrology, and smaller stormwater control facilities to capture and treat runoff. Along with these measures, the proposed development aims to preserve the site's various natural assets such as tree canopy, riparian buffers, and adjacent wetlands.

Additionally, the subject application proposes to provide ample open space, approximately 5 acres, to protect the scenic beauty and the natural features of the site, in addition to recreational spaces for future residents and visitors. The applicant will also implement green building techniques applicable for the proposed residential development. Green building techniques will be evaluated at the time of DET. These are all critical site design features associated with the approach to protect the existing environmental features on-site to the greatest extent possible and create opportunities to visually integrate them into the development.

Since the adoption of the Master Plan, in 2010, the County updated a new General Plan, known as "Plan Prince George's 2035" (Plan 2035), which places a part of the subject property within the Established Communities Growth Policy Area and the rest of the property in the Morgan Boulevard Metro Center.





Plan 2035 states the following regarding the Local Centers and Established Communities Growth Policy Areas:

Local Centers: Plan 2035 designates 26 Local Centers, which includes new Purple Line stations, as focal points for development and civic activity based on their access to transit or major highways. The plan contains recommendations for directing medium to medium-high residential development, along with limited commercial uses, to these locations, rather than scattering them throughout the Established Communities. These centers are envisioned as supporting walkability, especially in their cores and where transit service is available. Town Centers will often be larger in size and may rely more on vehicular transportation.

(Plan 2035 at p. 19).

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



areas (such as sidewalks) to ensure that the needs of existing residents are met.

(Plan 2035 at p. 20).

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

Based on the proposed density of 2.27 dwelling units per acre in the RSF-65 Zone and 48 dwelling units per acre in the CGO Zone, the proposed mixed-use development will provide a variety of housing types along with 5,000 square feet of commercial/retail. The property is surrounded by developed properties to the north and east, and roadways to the south and west. The proposed mixed-use development will be context-sensitive and blend into the larger surrounding neighborhood. Additionally, the proposed development will not inhibit the County’s ability to maintain or enhance existing public services or facilities, will enhance the County’s open space network, and will provide infrastructure to meet the needs of residents/patrons, including sidewalks, a trail, water and sewer service, and SWM. Additionally, the local transit centers call for a new housing mix to include “mid-rise and low-rise apartments and condos, and townhomes” (Plan 2035 p. 108), which the proposed development provides. The overall development furthers the goals of both the master plan and Plan 2035 by enhancing the nearby residential neighborhood, while bringing development and investment to a highly prioritized growth area of the County.

Pursuant to County Council Bill CB-013-2018, the Prince George’s County Council adopted a new Zoning Ordinance (Subtitle 27 of the County Code), which was to become effective upon the approval of the Countywide Sectional Map Amendment (“CMA”). Pursuant to Council Resolution CR-136-2021, the new Zoning Ordinance became effective on April 1, 2022. As a result, the subject property was rezoned to the CGO (Commercial, General and Office) and RSF-65 (Residential, Single-Family - 65) Zones. The subject property is also within the Military Installation Overlay – Height (MIO) Zone.

#### IV. COMMUNITY

The subject property is in Planning Area 72, and Councilmanic District 5. More specifically, the site is located in the northeast quadrant of the intersection of Central Avenue and Hill Road. The property is located in the RSF-65 and CGO Zones. The property is also located in the 2010 Approved Subregion 4 Master Plan and Sectional Map Amendment.

The subject property is surrounded by the following uses:

*North:* Single-family detached dwellings in the RSF-95 (Residential Single-Family -95) Zone.



*East:* Undeveloped land in the ROS (Reserved Open Space) Zone and a place of worship in the LTO-E (Local Transit Oriented-Edge) Zone.

*South:* Central Avenue, and beyond, Shady Glen Fire Station in the CGO Zone and vacant wooded land in the LTO-E Zone.

*West:* Hill Road and beyond, vacant wooded land in the RSF-A (Residential Single Family – Attached) Zone and single-family detached dwellings in the RMF-20 (Residential Multifamily-20) Zone.

The Subject Property is in the Sewer Envelope and currently in Water Category 3 and Sewer Category 3 (Community System). This category comprises all developed land (platted or built) on public water and sewer, and undeveloped land with a valid preliminary plan approved for public water and sewer.

Fulfilling the planning goals and policies of the Master Plan, SMA, and Plan 2035, the project consists of approximately 36 single-family detached rental dwelling units, approximately 402 multifamily units, and approximately 5,000 square feet of commercial/retail use. The proposed application presents development in keeping with the Master Plan's recommendations in an area where public facilities are available to meet the needs of residents and patrons, is context sensitive, and provides an aesthetically pleasing pedestrian oriented mixed-use development.

## **V. GENERAL CRITERIA FOR PPS APPROVAL**

Pursuant to County Council Bills CB-13-2018 and CB-15-2018, the Prince George's County Council adopted a new Zoning Ordinance (Subtitle 27 of the County Code) and new Subdivision Regulations, which was to become effective upon the approval of the Countywide Sectional Map Amendment (CMA). Pursuant to Council Resolution CR-136-2021, the new Zoning Ordinance became effective on April 1, 2022. As a result, the subject property was rezoned from the R-55 and C-O/M-I-O Zones to the RSF-65 and CGO/MIO Zones.

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

#### **(e) Major Subdivision.**

##### **(1) Preliminary Plan of Major Subdivision;**

##### **(D) Preliminary Plan of Major Subdivision Decision Standards**

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

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

COMMENT: Pursuant to all of the documents and plans submitted in support of PPS-2024-013, all applicable standards in the Subdivision Regulations are met as detailed herein.



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

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

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

COMMENT: PPS-2024-013 complies with all other applicable requirements of the Zoning Ordinance saving any requested waivers or departures that may be necessary with this application or the future DET when the final design of the project is proposed.

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

COMMENT: As provided *supra* and *infra* (and incorporated by reference in this response), PPS-2024-013 conforms with the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* and current Functional Master Plans. Notwithstanding, the proposed development is permitted in the underlying zoning categories, respectively, and should there be any conflict between the Master Plan and Zoning Ordinance, the Zoning Ordinance supersedes. Indeed, the proposed development is consistent with said zoning, as one of the policies of the CGO Zone is “to accommodate higher-density residential uses as part of vertically or horizontally mixed-use development.”

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

COMMENT: PPS-2024-013 complies with all other applicable requirements of the County Code.

## **VI. SUBTITLE 24-4. SUBDIVISION REGULATIONS**

### **SECTION 24-4100 – PLANNING AND DESIGN 24-4101. General Standards.**

#### **(a) Zoning Ordinance Standards**

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



COMMENT: PPS-2024-013 complies with all applicable requirements of Part 27-6 of the Zoning Ordinance saving any requested waivers or departures that may be necessary with this application or the future DET when the final design of the project is proposed.

**(b) Conform to Comprehensive Master Plan**

- (1) Preliminary plans of subdivision (minor and major) and final plats shall be consistent with the General Plan and shall conform to all applicable Area Master Plans, Sector Plans, or Functional Master Plans, and as referenced in Sections 24-3402(d) and 24-3402(e) of this Subtitle.**

COMMENT: Although no actual conflicts exist between the underlying zoning of the Subject Property and the applicable planning documents' goals, vision, and recommendations, if any conflicts were to arise, the underlying zoning, which permits the proposed uses, would control. Again, currently the Subject Property lies within the 2010 *Approved Subregion 4 Master Plan and Sectional Map Amendment* ("Master Plan" and "SMA") (CR-49-2010), which retained the Subject Property in the C-O (Commercial Office) and the R-55 (One-Family Detached Residential) Zones. The future land use recommendation for the Subject Property is Mixed-Use Commercial, which is consistent with the proposed development. As provided *supra* (and incorporated by reference in this response), PPS-2024-013 conforms with the Master Plan and SMA, Plan 2035, and any applicable Functional Master Plans. The proposed development is consistent with said zoning and conforms with this requirement.

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

COMMENT: Acknowledged.

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



COMMENT: As provided *supra* (and incorporated by reference in this response), the Master Plan and SMA retained the Subject Property in the C-O and R-55 Zones (now the CGO and RSF-65 Zones) to implement the goals, policies, and future land use recommendations of the Master Plan and General Plan. The Master Plan also placed a portion of the Subject Property within the Morgan Boulevard Metro Center area. Policies of the center include establishing an integrated pedestrian-friendly road network that connects all areas of the growth center and reestablish Central Avenue as a commercial and retail corridor. The proposed development aligns with several policies of the Morgan Boulevard Metro center through the proposed design, layout, and amenities that will be provided and further analyzed with the DET. The proposed development is consistent with said zoning and conforms with this requirement, as one of the policies of the CGO Zone is “to accommodate higher-density residential uses as part of vertically or horizontally mixed-use development.” This also further implements the Master Plan. Regardless, the Zoning Ordinance shall supersede if a conflict exists.

**(c) Unsafe Land**

- (1) The Planning Director or Planning Board, as appropriate, shall restrict or prohibit the subdivision of land found to be unsafe for development. The restriction or prohibition may be due to a) natural conditions, including but not limited to flooding, erosive stream action, high water table, unstable soils, severe slopes or soils that are unstable either because they are highly erodible or prone to significant movement or deformation (Factor of Safety < 1.5), or b) man-made conditions on the land, including but not limited to unstable fills or slopes.**

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

- (2) All subdivisions shall conform to the following:**

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



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

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

**(d) Land in Reservation**

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

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

**24-4102. Lot Standards.**

**(a) Conformance with Zoning Ordinance.**

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

COMMENT: PPS-2024-013 is for the development of approximately six (6) parcels for the ultimate development of approximately 36 single-family detached rental dwelling units in the RSF-65/MIO Zones; and two (2) multifamily buildings consisting of approximately 402 multifamily units with approximately 5,000 square feet of commercial/retail space in the CGO/MIO Zones. PPS-2024-013, which contains single-family detached rental dwelling units, is in conformance with all applicable lot standards and requirements as if lotted pursuant to the requirements of the Zoning Ordinance. The following information is also depicted on the submitted PPS.



**27-4202(e) Residential Base Zones - Residential,  
Single-Family-65 (RSF-65) Zone**

STANDARD	REQUIRED	PROPOSED
Density, max. (du/ac of net lot area)	6.70	2.27
Net lot area, min. (sf)	6,500	6,500
Lot width, min. (ft)	65	65
Lot frontage (width) at front street line, min. (ft)	52	52
Lot coverage, max. (% of net lot area)	35	35
Front yard depth, min. (ft)	25	25
Side yard depth, min. (ft)	8	8
Rear yard depth, min. (ft)	20	20
Principal structure height, max. (ft)	40	40
Accessory structure height, max. (ft)	15	15

**27-4203(d) Nonresidential Base Zones - Commercial,  
General and Office (CGO) Zone**

STANDARD	REQUIRED	PROPOSED
Density, max. (du/ac of net lot area)	48.00	48.00
Net lot area, min. (sf)	7,500	364,961
Lot width, min. (ft)	50	463
Lot coverage, max. (% of net lot area)	70.00%	70.00%
Front yard depth, min. (ft)	10	10
Side yard depth, min. (ft)	8	8
Rear yard depth, min. (ft)	15	15
Principal structure height, max. (ft)	86	86

**27-4202(e) Residential Base Zones - Residential,  
Single-Family-65 (RSF-65) Zone**

STANDARD	REQUIRED	PROPOSED
Density, max. (du/ac of net lot area)	6.70	2.04
Net lot area, min. (sf)	6,500	6,500
Lot width, min. (ft)	65	65
Lot frontage (width) at front street line, min. (ft)	52	52
Lot coverage, max. (% of net lot area)	35	35
Front yard depth, min. (ft)	25	25
Side yard depth, min. (ft)	8	8
Rear yard depth, min. (ft)	20	20
Principal structure height, max. (ft)	40	40
Accessory structure height, max. (ft)	15	15



27-4203(d) Nonresidential Base Zones - Commercial, General and Office (CGO) Zone		
STANDARD	REQUIRED	PROPOSED
Density, max. (du/ac of net lot area)	48.00	48.00
Net lot area, min. (sf)	7,500	358,719
Lot width, min. (ft)	50	463
Lot coverage, max. (% of net lot area)	70.00%	62.13%
Front yard depth, min. (ft)	10	10
Side yard depth, min. (ft)	8	8
Rear yard depth, min. (ft)	15	15
Principal structure height, max. (ft)	86	86

**(b) Minimum Lot Area Standards for Individual Systems**

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

COMMENT: The Subject Property is located within the Sewer Envelope and currently within Water Category 3 and Sewer Category 3 (Community System—includes all developed land (platted or built) on public water and sewer, and undeveloped land with a valid preliminary plan approved for public water and sewer).

**(c) Minimum Lot Depth**

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

COMMENT: Proposed Parcel 1 is adjacent to Central Avenue, the site's secondary access, which is classified as an arterial roadway. This Parcel will contain the multifamily buildings, and as depicted on the PPS, contains more than the minimum required depth of 150-feet.

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

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

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

COMMENT: At the time of Detailed Site Plan (DET-2024-007), adequate buffering and screening will be provided in accordance with the applicable requirements of the 2018 Prince George's County Landscape Manual.



**(d) Lot Design Standards**

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

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

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

COMMENT: The applicant is proposing approximately six (6) parcels for the mixed-use development. PPS-2024-013 which contains single-family detached rental dwelling units, will be designed to provide a variety of architectural styles in order to prevent visual monotony; final design to be determined at the time of Detailed Site Plan.

**(e) Condominium Development**

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

COMMENT: Although condominium townhouses are not currently proposed, since the lot standards of the RSF-65 Zone are being met, should the development ever convert to a condominium townhouse product, this criterion will be met.

**(f) Outlots and Outparcels**

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

COMMENT: Not applicable. PPS-2024-013 does not propose any outlots or outparcels.

**(g) Located Wholly Within County**

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

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

**24-4103. Layout Design Guidelines.**

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

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



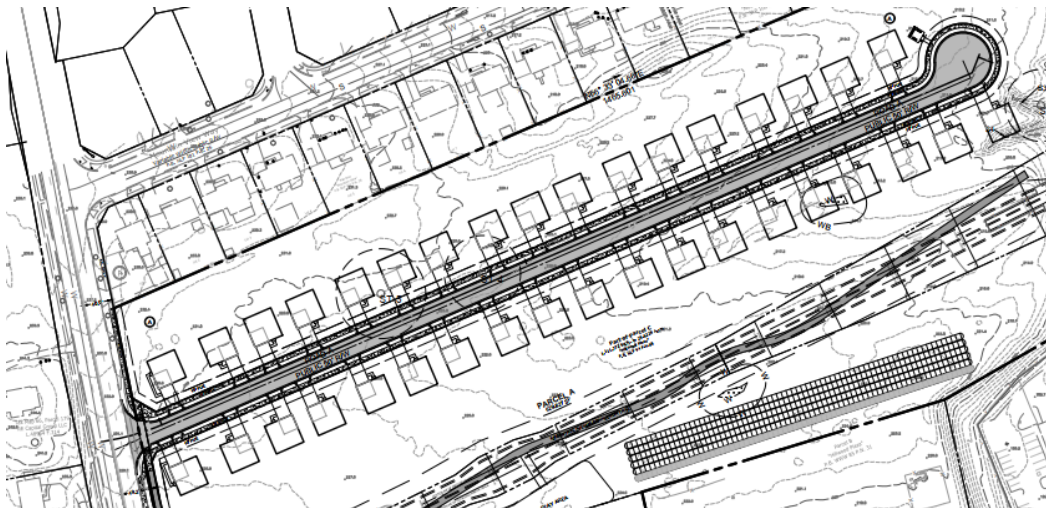
COMMENT: Internal roadways have been sited to maintain the existing grade to the maximum extent possible and meet all necessary road design requirements; final design to be determined at the time of Detailed Site Plan.

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

COMMENT: As depicted on PPS-2024-013, the spatial relationships, including between the lots/parcels and the street, recreational areas, and development on abutting lots, create the most beneficial relationship for the residents and occupants of the subdivision and abutting properties. The design of the layout accommodates safe internal circulation between vehicular and pedestrian traffic, while also provided convenience and accessibility to open spaces, recreational amenities, and the adjoining master plan trail network.

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

COMMENT: The proposed lotting pattern avoids the stacking of dwelling units, one behind the other, and does not create any flag lots. The single-family detached dwellings are arranged to front on both sides of a public roadway creating an aesthetically pleasing linear design.



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

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

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



COMMENT: The proposed Homeowners Association (HOA) parcels will be useable for active and passive recreation, or SWM facilities.

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

COMMENT: The proposed development and lotting pattern is context-sensitive to the existing neighborhood, which consists of institutional and commercial development to the east, commercial development and vacant land to the south, and residential development and vacant land to the north and west beyond.

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

COMMENT: The lot layout and internal road network are designed to provide a comfortable visual setback from Hill Road and Central Avenue, as well as offer views along the proposed master planned trail, that will extend through the middle of the site between the single-family detached and multifamily/commercial developments.

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

COMMENT: All lots have access from interior streets.

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

COMMENT: One cul-de-sac is proposed that will be terminated at a location 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.

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

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

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

COMMENT: Development of the subject property will remain outside of the Primary Management Areas (PMA), and the woodland conservation threshold will be met on-site to the maximum extent practicable.

- (l) Locate noise fencing or walls within common areas or within homeowners' association easements on private lots when homeowners' association land is not proposed. A 10-foot-wide clear zone for maintenance and inspection around the fence or wall shall be provided. The minimum net lot area shall be provided outside the easement area.**

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

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

COMMENT: Details for lighting will be provided with DET-2024-007 and will comply with the Zoning Ordinance.

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

COMMENT: All sidewalks along public rights-of-ways will be within the public right-of-way. The proposed master plan trail network, however, may be required to be placed in a public use

#### **24-4104. Grading.**

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

COMMENT: The submittal documents filed in conjunction with PPS-2024-013 satisfy this requirement.

#### **24-4105. Historic Resources and Sites**

- (a) Purpose.**

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

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

- (b) General Standards.**



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

COMMENT: No historic resources or significant archeological sites have been identified on the Subject Property.

#### **24-4106. Cemeteries**

- (a) A proposed preliminary plan for subdivision (minor or major) which includes a cemetery within the site, when there are no plans to relocate the human remains to an existing cemetery, shall comply with the following standards:**
  - (1) The placement of lot lines shall promote long-term maintenance of the cemetery and protection of existing elements.**
  - (2) The layout shall promote the long-term maintenance and access to the cemetery.**
  - (3) Fence or walls constructed of stone, brick, metal, or wood shall delineate the cemetery boundaries.**
  - (4) If the cemetery is not conveyed and accepted into public ownership, it shall be protected by agreements sufficient to assure its future maintenance and protection. This shall include but not be limited to a fund in an amount sufficient to provide income for the perpetual maintenance of the cemetery. These arrangements shall ensure that stones or markers are in their original location. Covenants or other agreements shall include a determination of the following:**

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

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

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

### **24-4201. General Street Design Standards**

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

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

COMMENT: PPS-2024-013 is served by Central Avenue and Hill Road, which are public rights-of-way. The interior single-family detached dwellings will be served by a public roadway.

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

COMMENT: PPS-2024-013 depicts all MPOT and Master Plan trails and rights-of-ways.

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



COMMENT: The applicant is proposing approximately 0.17 acres of frontage dedication and 1.54 acres of roadway dedication, which shall comply with all applicable standards.

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

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

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

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

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

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

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

COMMENT: No private streets are proposed within the development.

#### **24-4202. Vehicular Access and Circulation**

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

COMMENT: PPS-2024-013 confirms to this requirement. The minimum connectivity score index for the project is 2.63 and the required score is 1.5.

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

COMMENT: Not applicable.

#### **24-4203. Pedestrian Access and Circulation**

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

COMMENT: As provided below, this criterion is met. Notwithstanding, the applicant is requesting a waiver pursuant to Sections 27-6206(e)(2)(C), 27-6207(b)(2), and 27-6208(b)(2) of the requirements in Sections 27-6206(e), 27-6207(b), and 27-6208(b), respectively (cross access between adjoining developments' internal vehicular, pedestrian, and bicycle circulation systems, respectively).

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

COMMENT: All sidewalks and crosswalks will comply with the Prince George's County Specifications and Standards for Roadways and Bridges, and will be further analyzed with DET-2024-007.

#### **24-4204. Private Streets and Easements**

- (a) **General**

**Unless exempted in accordance with Section 24-4204(b) below, no subdivision shall be approved with a private street, right-of-way, or easement as the means of vehicular**



access to any lot, unless the private street, right-of-way, or easement is built to conform to the standards in Subtitle 23: Roads and Sidewalks, of the County Code.

**(b) Exemptions**

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

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

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

COMMENT: Not applicable, no private streets are proposed within the development and the property is located in the RSF-65 and CGO Zones.

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

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

COMMENT: Not applicable, the property is located in the RSF-65 and CGO Zones.

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

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

COMMENT: Not applicable, the property is located in the RSF-65 and CGO Zones.

**(D) In any zone where townhouse or two-family dwellings are permitted, except within the Transit-Oriented/Activity Center base and Transit-Oriented/Activity Center Planned Development zones, the Planning Board may approve the use of private streets and alleys provided:**

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

COMMENT: Not applicable, no townhouses or two-family dwellings are currently 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.

COMMENT: Not applicable, the property is in the RSF-65 and CGO Zones.



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

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

COMMENT: The proposed roadways will conform to all applicable regulations in Subtitle 23.

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

COMMENT: Not applicable.

**(2) Upon petition of the owner of an existing lot having its sole frontage on, or its only direct vehicular access to, a private right-of-way or easement that cannot be approved in accordance with Section 24-4204(b)(1) above, and upon the recommendation of the County Executive, the County Council, by resolution, may approve the issuance of a building permit for any building or other structure on such lot on finding that the private right-of-way or easement is adequate to serve the lot and its proposed development, provided:**

- (A) Any single-family detached dwelling and its accessory structures shall comply with all other applicable requirements of these Regulations, Subtitle 27: Zoning Ordinance, and all other applicable requirements of the County Code of Ordinances;**
- (B) For any other building or structure, the owner shall submit:**

- (i) Documentary evidence demonstrating the inability to obtain access for use of the parcel by any other means, including dedication to public use of the right-of-way; and
  - (ii) Detailed construction plans demonstrating that the private street shall be constructed in accordance with the provisions governing the standard paving sections and Fire Department access in Subtitle 11: Fire Safety, and Subtitle 23: Roads and Sidewalks, of the County Code.
- (C) Detailed construction plans submitted in accordance with Section 24-4204(b)(2)(B) above shall be reviewed by DPIE for adequacy, and a performance bond shall be posted by the land owner in an amount determined by DPIE. If appropriate, DPIE shall inspect all work for conformance with the approved plans.
- (D) No private right-of-way or easement across land in a Residential zone shall be deemed adequate access to serve any development other than a single-family detached dwelling and its accessory structures, including a detached garage, or a nonprofit group residential facility where the private right-of-way or easement is owned by a governmental entity.
- (E) If the District Council approves the issuance of a building permit in accordance with this Subsection, the Planning Director may approve any applicable final plat or plan of development for such lot.
- (F) Where the private right-of-way or easement that is the subject of a petition in accordance with this subsection lies within a municipality or connects to a street under the jurisdiction of a municipality, the municipality shall be given notice of the petition. The municipality shall have 30 calendar days from the date the notice is mailed to review and submit comments on the petition. If a municipality recommends denial of the petition, the petition may be granted only upon the affirmative vote of two-thirds of the full District Council.

COMMENT: Not applicable.

#### **24-4205. Public Utility Easements**

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

COMMENT: PPS-2024-013 includes PUE's as required.

### **SECTION 24-4300 - ENVIRONMENTAL STANDARDS**

#### **24-4301. General.**



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

COMMENT: The submittal package for PPS-2024-013 includes NRI-105-2024, approved on October 16, 2024.

**24-4302. 100-Year Floodplain.**

**(a) To ensure land is platted in a manner that protects the public against loss of life or property due to the 100-year flood, while minimizing the public and private costs of flood control measures, all subdivisions shall comply with the following standards:**

**(1) Except as provided in Sections 24-4302(a)(2) and 24-4302(a)(3) below, lots shall comply with the minimum net lot area required in PART 27-4: Zones and Zone Regulations, of Subtitle 27: Zoning Ordinance, exclusive of any land area within the 100-year floodplain.**

COMMENT: The minimum net lot area excludes the land area within the 100-year floodplain, as delineated on NRI-105-2024.

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

COMMENT: Not applicable, the property is located in the RSF-65 and CGO Zones.

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

COMMENT: Not applicable, the property is located in the RSF-65 and CGO Zones.

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

COMMENT: PPS-2024-013 delineated the floodplain, and provided on NRI-105-2024.

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

COMMENT: PPS-2024-013 complies with this requirement, as all dwelling units are setback more than 25-feet from the floodplain.

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

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

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

COMMENT: The property contains 100-year floodplain along with a Master Plan Trail alignment. The applicant is willing to work with DPR on the possible future dedication of the 100-year floodplain, but the applicant will require credit for any WCO as on-site forest conservation. In addition, it should be noted that there is also an existing sewer line located on the edge of the floodplain; accordingly, it may become necessary that if any land conveyance to the Commission occurs, future easement(s) for sewer connection(s) may be necessary prior to conveyance.

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

COMMENT: The property contains an existing 100-year floodplain with a drainage area greater than 50 acres, and the delineation of this floodplain is approved under FPS-202428. Thus, this criteria is not applicable.

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

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

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

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

**authority. Submittal materials shall include evidence that the applicable site development concept has been approved.**

COMMENT: The Site Development Concept Plan has been submitted to DPIE under case number SIT-00181-2024, and the applicant anticipates approval prior to formal acceptance of the PPS.

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

Table 24-4303(c): Regulated Stream Buffers in Environmental Strategy Areas	
Environmental Strategy Area	Required Minimum Buffer Width
1	60 feet
2	75 feet
3	100 feet

COMMENT: The property lies within ESA 1 and satisfies the 60-foot buffer width requirement.

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

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

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

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

COMMENT: Stormwater management control is provided on-site by the use of ESD practices.

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

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

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

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

- (5) Where land is located outside the Chesapeake Bay Critical Area Overlay (CBCAO) zones, the preliminary plan of subdivision (minor or major) and all**



**plans associated with the application shall demonstrate the preservation and/or restoration of regulated environmental features in a natural state, to the fullest extent possible, consistent with the Environmental Technical Manual established in accordance with Subtitle 25: Trees and Vegetation, of the County Code. Any lot with an impact shall demonstrate sufficient net lot area where a net lot area is required in accordance with Subtitle 27: Zoning Ordinance, of the County Code, for the reasonable development of the lot outside the regulated feature.**

COMMENT: The proposed development is outside of the CBCAO and satisfies MDE and DPIE's ESD requirements to provide the required water quality treatment for the site. Thus, minimizing the impact to the surrounding environmental features and maintaining natural flow patterns.

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

COMMENT: Acknowledged.

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

COMMENT: The CSC (Concept Sediment Control) plan has been prepared and is included with this submission. It will also be submitted independently to PGSCD for their review and an approved CSC Plan will be provided prior to PPS approval.

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

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

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

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

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

## **SECTION 24-4400 - PUBLIC FACILITY STANDARDS**

### **24-4401.**

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

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

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

### **24-4402.**

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

COMMENT: The applicant is proposing approximately 0.38 acre of frontage dedication, and 1.52 acres of roadway dedication.

### **24-4403.**

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

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

### **24-4404.**

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

- (a) A subdivision in the Sustainable Growth Tier I in the General Plan or applicable Functional Master Plan shall be served by public sewer.**
- (b) A subdivision in the Sustainable Growth Tier II in the General Plan or applicable Functional Master Plan shall be served by public sewer, except for a minor subdivision which may be served by on-site sewerage disposal systems.**

- (c) A subdivision in the Sustainable Growth Tier III in the General Plan or applicable Functional Master Plan shall be served by on-site sewerage disposal systems.
- (d) A subdivision in the Sustainable Growth Tier IV in the General Plan or applicable Functional Master Plan shall be served by on-site sewerage disposal systems. A residential major subdivision served by on-site sewer disposal systems is not permitted.

COMMENT: The Subject Property is located in Sustainable Growth Tier 1, and will be served by public water and sewer. The property is within the Sewer Envelope and currently in Water Category 3 and Sewer Category 3.

#### **24-4405.**

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

COMMENT: The property is within the Sewer Envelope and currently in Water Category 3 and Sewer Category 3.

#### **24-4406.**

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

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

### **SECTION 24-4500 – PUBLIC FACILITY ADEQUACY**

#### **24-4501. Purpose**

**The purpose of this Section is to:**

- (a) Ensure that infrastructure necessary to support proposed development is built at the same time as, or prior to, that proposed development;
- (b) Establish level of service (LOS) standards for public facilities including transportation, pedestrian and bikeway adequacy, parks and recreation, police, fire and rescue, and schools that provide clear guidance to the County and applicants about when facilities are considered adequate, and create guidance for future infrastructure investments needed to accommodate existing residents and anticipated growth;



- (c) Establish LOS standards that reflect policy guidance of the General Plan, applicable Area Master Plans or Sector Plans, and the applicable Functional Master Plan for each facility;
- (d) Establish LOS standards that encourage development in the transit-oriented/activity center zones; and
- (e) Re-evaluate approved development that has received adequate public facilities approvals prior to April 1, 2022 for projects that have not been built in a timely manner.

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2024-013. The proposed development has been assigned ADQ-2024-035.

## 24-4502. Applicability

### (a) Applications / Approvals Subject to this Section

This Section applies to:

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

COMMENT: Acknowledged.

### (b) Applicability of Public Facility Adequacy Standards

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

Table 24-4502: Summary of Public Facility Adequacy Standards			
Facility	Area of Applicability	Level of Service	Impact Area
Transportation	RTO and LTO base and Planned <u>Development</u> (PD) zones	"Edge" areas of RTO and LTO base and PD Zones: LOS "Transit Edge" (Critical Lane Volume of 1601-1800) "Core" areas of RTO and LTO base and PD Zones: LOS	See <u><a href="#">Transportation Review Guidelines</a></u>

**Table 24-4502: Summary of Public Facility Adequacy Standards**

Facility	Area of Applicability	Level of Service	Impact Area
		“Transit Core” (Critical Lane Volume of 1801-2000) 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 <a href="#">24-4505(b)(4)</a>	
	Transportation Service Area 1 ( <i>Plan Prince George’s 2035 Approved General Plan</i> (Plan 2035, Map 14), excluding RTO and LTO base and PD zones; and NAC and TAC base and PD zones (regardless of location)	LOS “E” (Critical Lane Volume of 1451-1600)	See <i>Transportation Review Guidelines</i>
	Transportation Service Area 2 (Plan 2035, Map 14), excluding RTO, LTO, NAC, and TAC base and PD zones	LOS “D” (Critical Lane Volume of 1301-1450)	See <i>Transportation Review Guidelines</i>
	Transportation Service Area 3 (Plan 2035, Map 14)	LOS “C” (Critical Lane Volume of 1151-1300)	See <i>Transportation Review Guidelines</i>

<b>Pedestrian and Bikeway Adequacy</b>	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>
<b>Parks and Recreation</b>	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	
<b>Police</b>	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>
<b>Fire and Rescue</b>	All locations	Seven (7) minutes travel time for any residential uses; Five (5) minutes response	See <i>Public Safety Guidelines</i>

		time for any nonresidential uses	
Schools	Residential development	Students will not exceed 105 percent of state rated <u>capacity</u> or demonstration of mitigation in accordance with Sec. <a href="#">24-4510(c)</a> .	School cluster

- (2) An application listed in Section 24-4502(a) above shall not be approved until a certificate of adequacy or conditional certificate of adequacy is approved in accordance with the procedures and standards of this Section. No certificate of adequacy or conditional certificate of adequacy shall be approved unless and until it is reviewed and approved in conjunction with one of the applications or subdivision reviews identified in Section 24-4502(a) above and Section 24-4503(a).

COMMENT: Acknowledged. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2024-013. The proposed development has been assigned ADQ-2024-035.

### **24-4503. Certificate of Adequacy**

#### **(a) Applicability**

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



effective date of these Regulations pursuant to the “grandfathering” provisions of Section 24-1704(b) shall be granted a certificate of adequacy in accordance with this Section, effective upon the approval date of the preliminary plan of subdivision (minor or major), for a period of twelve (12) years. Development that has received a certificate in accordance with this Subsection shall be subject to the requirements of this Section.

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

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

- (5) If the Planning Director denies a certificate, issues a conditional certificate, or requires mitigation, the applicant may:
  - (A) Withdraw the application and seek a new certificate; or
  - (B) Appeal the Planning Director's decision to the Planning Board.
- (6) The period of validity for the certificate shall be twelve (12) years from the date of its approval.

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

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

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

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

**(d) Conformance**

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

**(e) Vested or Contractual Rights**

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

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

**(f) Extension of Expiration by Planning Board**

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

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

**(g) Amendment**

**(1) Requirement**

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

**(2) General**

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



COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2024-013. The proposed development has been assigned ADQ-2024-035.

#### **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).**

##### **(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.**

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

- (1) In areas of the County where public facilities are inadequate or a need to finance public facilities exists, the District Council may, by Resolution, establish a building permit limit prescribing the number of building permits to be issued in that area over a period of time.**
- (2) In those areas, the Resolution shall:**
  - (A) Determine the total number and type of building permits that may be issued each year and the number of building permits that may be allocated to each subdivision or development;**
  - (B) Establish a time period, not to exceed six years, during which the building permit limitations will remain in place; and**

- (C) Initiate a planning process that identifies financing, efficiencies, or similar mechanisms to remedy or avoid the public facility inadequacy in the area.**

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2024-013. The proposed development has been assigned ADQ-2024-035.

#### **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
1.	
≥ 25 percent	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.



Table 24-4505(d) Mitigation Standards	
Projected Traffic Above the Adopted LOS (1)	Mitigation
	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> .
< 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	Shall require the applicant to provide the pro rata cost of the physical improvements necessary to alleviate the Inadequacy.
NOTES: (1) The adopted LOS is the acceptable peak-hour service level threshold as defined in the <i>Transportation Review Guidelines</i> .	

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

**(1) Generally**

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

**(2) Transit, Bike, and Pedestrian Infrastructure**

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

- (A) Fixed rail transit stations, bus shelters, and other public transportation facilities;
  - (B) Sidewalks and pedestrian crossings at intersections; and
  - (C) Multi-use trails, bike paths, and/or pedestrian pathways and crossings.
- (3) Planned Improvements-Alternative Trip Capture**

**If the proposed development incorporates transit, bicycle, or pedestrian facilities in its traffic impact study, the applicant shall demonstrate prior to the issuance of a building permit for development that all required adequate pedestrian and bikeway facilities are:**

- (A) In place and fully operational; or**
- (B) Have full financial assurances, have been permitted for construction through the applicable operating agency's access permit process, and have an agreed-upon timetable for construction and completion with the appropriate operating agency.**

COMMENT: Filed in conjunction with PPS-2024-013 is a Traffic Impact Analysis, prepared by Lenhart Traffic Consulting dated September 20, 2024. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2024-013. The proposed development has been assigned ADQ-2024-035.

#### **24-4506. Pedestrian and Bikeway Adequacy**

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

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

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

- (1) When required by Section 24-4506(b)(3), below, a certificate for pedestrian and bikeways adequacy shall be reviewed and approved, approved with conditions, or denied in accordance with Section 24-4503, Certificate of Adequacy.**
- (2) To gain approval of the certificate, the applicant shall demonstrate the proposed development complies with the LOS standards of Section 24-4506(c) below, provides mitigation (if applicable), and complies with the other relevant requirements of this Section.**
- (3) Before any preliminary plan of subdivision (minor or major) may be approved for any development applications proposing 11 (eleven) or more new or redeveloped dwelling units and/or otherwise proposing 10,001 or greater square feet of new or redeveloped gross floor area on land lying, in whole or part, within the RMF-20, RMF-48, NAC, TAC, LTO, RTO-L, RTO-H, CN, CGO, CS, NAC-PD, TAC-PD, LTO-PD, RTO-PD, LMXC, LMUTC, and LCD zones, the Planning**

**Director shall find that there will be adequate public pedestrian and bikeway facilities to serve the proposed subdivision and the surrounding area.**

- (4) The provisions of Section 24-4506 shall not apply to properties located with Sustainable Growth Tier IV.**

**(c) Adopted LOS Standard for Pedestrian and Bikeways Adequacy**

- (1) As part of any development project requiring the subdivision or re-subdivision of land subject to the requirements of Section 24-4506(b)(3), above, the Planning Director shall require the developer/property owner to construct adequate pedestrian and bikeway facilities (to the extent such facilities do not already exist):**

**(A) Throughout the proposed subdivision; and**

**(B) Within one-half mile of the subdivision if the Board finds that there is a demonstrated nexus to require the applicant to connect a pedestrian or bikeway facility to a nearby destination, including but not limited to a public school, park, shopping center, multifamily residence, mixed-use activity centers, or line of transit within available public rights of way.**

**(i) The cost of the off-site pedestrian or bikeway facilities shall not exceed thirty-five cents (\$0.35) per gross square foot of proposed nonresidential development in the application and three hundred dollars (\$300.00) per unit of proposed residential development in the application, indexed for inflation annually from calendar year 2013.**

**(ii) For purposes of this Subsection, one-half mile includes all areas within one-half mile measured from the outer limits of the circumference of the smallest circle encompassing all the land area of the subdivision and includes the entire lot line of any property partially included within such distance; and "throughout the subdivision" includes all the land area within such circumference.**

**(iii) No developer/property owner shall be required to acquire additional land not already owned by that developer/property owner in order to construct adequate pedestrian and bikeway facilities. All adequate pedestrian and bikeway facilities required under this Section shall be constructed within existing public easements and rights-of-way, or within land dedicated (or to be dedicated) by the applicant to public use.**

**(C) The finding of adequate public pedestrian facilities shall, at minimum, include the following criteria:**

**(i) The degree to which the sidewalks, streetlights, street trees, street furniture, and other streetscape features recommended in the Countywide Master Plan of Transportation and the applicable Area Master Plan or Sector Plan have been constructed or implemented in the area; and**

**(ii) The presence of elements that make it safer, easier, and more inviting for people to traverse the area.**

**(D) The finding of adequate public bikeway facilities shall, at minimum, include the following criteria:**

**(i) The degree to which the bike lanes, bikeways, and trails recommended in the Countywide Master Plan of Transportation and the applicable Area**

- Master Plan or Sector Plan have been constructed or implemented in the area;
- (ii) The presence of specially marked and striped bike lanes or buffered bike lanes in which people can safely travel by bicycle without unnecessarily conflicting with pedestrians or motorized vehicles;
  - (iii) The degree to which protected bicycle lanes, on-street vehicle parking, medians, or other physical buffers exist to make it safer or more inviting for people to traverse the area by bicycle; and
  - (iv) The availability of safe, accessible, and adequate bicycle parking at transit stops, commercial areas, employment centers, multifamily residential buildings, mixed-use activity centers, and other places where vehicle parking, visitors, and/or patrons are normally anticipated.
- (E) Examples of pedestrian and bikeway facilities that a developer/property owner may be required to construct shall include, but not be limited to (in descending order of preference):
- (i) Installing or improving sidewalks, including curbs and gutters, and increasing safe pedestrian crossing opportunities at all intersections;
  - (ii) Installing protected bicycle facilities, using on-street parking or medians to separate bicycle traffic from motor vehicle traffic;
  - (iii) Installing or improving streetlights;
  - (iv) Building paved multi-use trails, bike paths, and/or pedestrian pathways and crossings;
  - (v) Building “bulb-out” curb extensions, pedestrian refuge medians, and pedestrian crossing signals at intersections;
  - (vi) Installing a bicycle share station that is operated by the Department of Public Works and Transportation or a municipality;
  - (vii) Installing covered bicycle parking;
  - (viii) Installing street furniture (benches, trash receptacles, bicycle repair stations, bus shelters, etc.);
  - (ix) Installing street trees and planted medians; and
  - (x) One hundred percent (100%) engineering or design plans for nearby pedestrian or bikeway improvements to be constructed by the Department of Public Works and Transportation or trail projects to be constructed by the Department of Parks and Recreation or a municipality.
- (F) The design of facilities for bicyclists and pedestrians shall be in accordance with generally recognized and commonly used transportation engineering and planning standards and practices, including but not limited to, those found in relevant guidance from the Maryland Department of Transportation (MDOT), the National Association of City Transportation Officials (NACTO) Urban Street Design Guide, the NACTO Urban Bikeway Design Guide, and the American Planning Association's and National Complete Streets Coalition's Complete Streets: Best Policy and Implementation Practices.
- (G) If a detailed site plan (minor or major) approval is required for any development within the subdivision, the developer/property owner shall include, in addition to all other required information in the site plan, a pedestrian and bikeway facilities plan showing the exact location, size,



dimensions, type, and description of all existing and proposed easements and rights-of-way and the appurtenant existing and proposed pedestrian and bikeway facilities throughout the subdivision and within the designated walking or biking distance of the subdivision specified in this section, along with the location, types, and description of improvements, property/lot lines, and owners that are within 50 feet of the subject easements and rights-of-way.

- (H) Prior to the issuance of any building permit for development within the subdivision, the developer/property owner shall show that all required adequate pedestrian and bikeway facilities have full financial assurances, have been permitted for construction through the applicable operating agency's access permit process, and have an agreed-upon timetable for construction and completion with the appropriate operating agency.
- (I) Nothing contained within this Subsection shall be deemed to inhibit in any way the authority of the Planning Director to require a developer/property owner to construct pedestrian and bikeway facilities not otherwise listed in this Section, if such facilities relate to the implementation of "complete streets" principles on roadways required to be improved, constructed, or reconstructed to accommodate motor vehicle traffic that would be generated by proposed subdivisions. Any such pedestrian and bikeway facilities constructed off-site, shall be subject to the cost limitations set forth in Section 24-4506(c)(1)(B).

**(d) Availability**

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

- (1) Operational at the time the application for a certificate of adequacy is submitted;  
or
- (2) Included on an adopted and approved Functional Master Plan, Area Master Plan, or Sector Plan and construction scheduled with 100 percent of the construction funds allocated in the adopted County Capital Improvement Program (County CIP) or in the current State Consolidated Transportation Program (State CTP);  
or
- (3) Incorporated in a specific County Public Facilities Financing and Implementation Program, including the County CIP with construction scheduled with 100 percent of the construction funds allocated; or
- (4) Fully funded by the applicant, the County and/or the State government (this includes pedestrian and bikeway facilities that are part of the Surplus Capacity Reimbursement Procedure, as defined in the Transportation Review Guidelines).

**(e) Mitigation**

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

COMMENT: Filed in conjunction with PPS-2024-013 is a Bicycle Pedestrian Impact Statement, prepared by Lenhart Traffic Consulting dated September 18, 2024, which recommends the

installation of approximately 445 linear feet of ten-foot wide asphalt shared use path on the west side of Shady Glen Drive. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2024-013. The proposed development has been assigned ADQ-2024-035.

## **24-4507. Parks and Recreation Adequacy**

### **(a) Applicability**

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

### **(b) Adopted LOS Standard for Public Parks and Recreation**

- (1) The adopted LOS standard for Parks and Recreation is:**
  - (A) Within the Transit Oriented/Activity Center zones, and in the Employment Areas as identified in the General Plan: 2.5 acres of improved public parks per 1,000 residents. These lands shall consist of at least:**
    - (i) 0.5 acres per 1,000 residents for small urban parks, including pocket parks, plazas, commons/ greens, squares, and neighborhood parks; and**
    - (ii) One acre per 1,000 residents for larger urban parks, including parks at schools, community parks, resource parks, and waterfront parks; and**
    - (iii) One acre per 1,000 residents for greenways, linear parks, and special facilities.**
  - (B) Fifteen acres of improved public parks per 1,000 residents in all other areas.**
- (2) The Department of Parks and Recreation, in consultation with the Planning Department, shall develop Park and Recreation Facilities Guidelines, approved by Resolution of the Council, that establish:**
  - (A) A methodology for computing the number of residents or equivalent dwelling units for applications subject to this Subsection;**
  - (B) A methodology for computing the Impact Areas of park facilities based upon anticipated walking distances and drive times; and**
  - (C) Park facility typologies, including natural areas, community centers, and urban civic spaces consistent with Formula 2040. The typologies may assign credits to public parks and recreation facilities based upon their community value, anticipated development expenses, and proximity to new development.**

### **(c) Availability and Mitigation**

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

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

COMMENT: Acknowledged. Private recreational facilities are proposed within the development. The property also contains 100-year floodplain along with a Master Plan Trail alignment. The applicant is willing to work with DPR on the possible future dedication of the 100-year floodplain, but the applicant will require credit for any WCO as on-site forest conservation as well as the need to facilitate any necessary easements associated with the proposed development on the Subject Property. The types of recreation being provided will be the Central Avenue Connector Trail, sitting area, playground, and amenities within the multi-family building, both in-door and out-door, as depicted on the PPS.



### Potential Recreation Area/Facility

- |    |                              |              |
|----|------------------------------|--------------|
| 1. | Sitting Area                 | \$10,000.00  |
| 2. | Trail                        | \$25,000.00  |
| 3. | Play Area                    | \$75,000.00  |
| 4. | Dog Run                      | \$25,000.00  |
| 5. | Courtyard #1                 | \$475,000.00 |
|    | & Bldg. 1 internal amenities |              |
| 6. | Courtyard #2                 | \$125,000.00 |
|    | & Bldg. 2 internal amenities |              |

## 24-4508. Police Facility Adequacy

### (a) Applicability

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

### (b) Adopted LOS Standard-Police



- (1) The population generated by the proposed subdivision, at each stage, shall not exceed the service capacity of existing police stations, in accordance with the Public Safety Guidelines, approved by Resolution of the Council.
- (2) To demonstrate compliance with this LOS standard, the Chief of Police shall submit the following information, on an annual basis, to the Planning Director:
  - (A) A statement reflecting adequate equipment pursuant to studies and regulations used by the County, or the Public Safety Master Plan for police stations in the vicinity of the area of the proposed subdivision; and
  - (B) A statement by the Police Chief that the rolling 12-month average, adjusted monthly, for response times in the vicinity of the proposed subdivision is a maximum of 25 minutes total for non-emergency calls and a maximum of 10 minutes total for emergency calls for service. For the purposes of this Subsection, response time means the length of time from the call for service until the arrival of Police personnel on-scene or other police response, as appropriate.
- (3) Section 24-4508(b)(2) above, does not apply to commercial or industrial applications for preliminary plans.

**(c) Availability and Mitigation**

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

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

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2024-013. The proposed development has been assigned ADQ-2024-035.

**24-4509. Fire and Rescue Adequacy**

**(a) Applicability**

A certificate for fire and rescue facilities shall be approved in accordance with Section 24-4503, Certificate of Adequacy. To gain approval of the certificate, the applicant shall demonstrate the proposed subdivision complies with the LOS standards of Section 24-

**4509(b), below, provides adequate mitigation (if appropriate), and complies with all other requirements of this Section.**

**(b) Adopted LOS Standard for Fire and Rescue**

- (1) The population and/or employees generated by the proposed subdivision, at each stage of the proposed subdivision, will be within the adequate coverage area of the nearest fire and rescue station(s) in accordance with the Public Safety Guidelines.**
- (2) The Fire Chief shall submit to the County Office of Audits and Investigations, County Office of Management and Budget, and the Planning Director:**
  - (A) A statement reflecting adequate equipment in accordance with studies and regulations used by the County, or the Public Safety Master Plan for fire stations in the vicinity of the area where the subdivision is proposed to be located; and**
  - (B) A statement by the Fire Chief that the response time for the first due fires and rescue station in the vicinity of the proposed subdivision is a maximum of seven minutes travel time. The Fire Chief shall submit monthly reports chronicling actual response times for calls for service during the preceding month.**
- (3) Subsection (b)(2), above, does not apply to commercial or industrial applications.**

**(c) Availability and Mitigation**

- (1) If existing fire and rescue stations are not sufficient to meet the adopted LOS standard, the Planning Director shall find that:**
  - (A) The population and/or employees generated by the proposed subdivision at each stage of the proposed subdivision will not exceed the service capacity of existing police stations as determined by the Planning Board in the "Guidelines for the Mitigation of Adequate Public Facilities: Public Safety Infrastructure" as may be amended from time to time;**
  - (B) A fire and rescue station(s) that can adequately serve the population and/or employees at the proposed subdivision is programmed with 100 percent of the expenditures for the construction of the facility in the adopted County CIP in accordance with the Public Safety Guidelines. However, if construction of the improvements does not commence within 9 years after the first year the fire and rescue station(s) project is fully funded in an adopted County CIP, the preliminary plan for subdivision (minor or major) may not be considered and approved until the facilities are actually constructed;**
  - (C) That improvements participated in or funded by the applicant, including participation in a specific public facilities financing and implementation program, will alleviate any inadequacy in accordance with the Public Safety Guidelines; or**
  - (D) Should nonresidential development not meet the response time test, the applicant may provide mitigation through:**
    - (i) The installation and maintenance of a sprinkler system that complies with NFPA 13 Standards for the Installation of Sprinkler Systems. The installation of sprinklers shall not be waived by any party; and**
    - (ii) The installation and maintenance of automated external defibrillators (AEDs) in accordance with COMAR 30.06.01-05, including a requirement**

for a sufficient number of AEDs to be installed so that no employee is more than 500 feet from an AED.

- (2) Before any preliminary plan for subdivision (minor or major) may be approved, if the location of the property proposed for subdivision is outside the appropriate service area of the Ten Year Water and Sewerage Plan or is in an Rural and Agricultural zone, the Planning Director shall require the applicant to provide water storage tanks, make water tanker trucks available, or ensure there will be other appropriate sources of water for fire extinguishing purposes.

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2024-013. The proposed development has been assigned ADQ-2024-035.

#### **24-4510. Schools Adequacy**

##### **(a) Applicability**

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

##### **(b) Adopted LOS Standard for Schools**

- (1) The adopted LOS standard for schools is based on school clusters, which are groupings of elementary, middle, and high schools that are impacted by the preliminary plan for subdivision (minor or major).
- (2) The adopted LOS standard is that the number of students generated by the proposed subdivision at each stage of development will not exceed 105 percent of the state rated capacity, as adjusted by the School Regulations, of the affected elementary, middle, and high school clusters.
- (3) The number of elementary, middle, and high school students generated by the proposed subdivision shall be determined in accordance with the pupil yield

factors for each dwelling unit type as determined by the Planning Director from historical information provided by the Superintendent of the Prince George's County Public Schools.

**(4) The Planning Director shall determine:**

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

**(c) Mitigation**

When conditioned upon payment of the schools facility surcharge, or when otherwise exempt from the schools facility surcharge pursuant to Section 10-192.01, School



**Facilities Surcharge, of the County Code, the subdivision may be approved regardless of actual or projected school capacity.**

COMMENT: All public facilities are adequate to serve the proposed development. A Certificate of Adequacy will be issued in accordance with Section 24-4503 of the Subdivision Regulations prior to the approval of PPS-2024-013. The proposed development has been assigned ADQ-2024-035. Pursuant to Section 24-4510(c), at the time of building permit, the applicant will pay the applicable School Facility Surcharge pursuant to Section 10-192.01.

## **SECTION 24-4600 – PARKLANDS AND RECREATION FACILITIES**

### **24-4601. Mandatory Dedication of Parkland**

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

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

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

##### **(1) General**

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

##### **(2) Exemptions**

**The following are exempted from the standards of this Section:**

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

##### **(3) Amount of Park and Recreation Land Required**

**The amount of land to be dedicated shall be:**

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

**(D) Fifteen percent of land on which a density exceeding 12 dwelling units per net acre is permissible.**

**(4) Compliance Alternatives**

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

**(A) Active and/or Passive Recreation Land**

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

**(B) Fees in-Lieu**

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

**(C) Recreational Facilities**

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

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

COMMENT: The applicant is proposing private recreational facilities in satisfaction of this requirement. The types of recreation being provided will be the Central Avenue Connector Trail, sitting area, playground, and amenities within the multi-family building, both in-door and out-

door. The property also contains 100-year floodplain along with a Master Plan Trail alignment. The applicant is willing to work with DPR on the possible future dedication of the 100-year floodplain, but the applicant will require credit for any WCO as on-site forest conservation as well as the need to facilitate any necessary easements associated with the proposed development on the Subject Property. The proposed private recreational facilities are depicted on the submitted PPS.



## Potential Recreation Area/Facility

- |    |  |              |
|----|--|--------------|
| 1. | Sitting Area                                 | \$10,000.00  |
| 2. | Trail  | \$25,000.00  |
| 3. | Play Area                                    | \$75,000.00  |
| 4. | Dog Run                                      | \$25,000.00  |
| 5. | Courtyard #1<br>& Bldg. 1 internal amenities | \$475,000.00 |
| 6. | Courtyard #2<br>& Bldg. 2 internal amenities | \$125,000.00 |

### SECTION 24-4700 – CONSERVATION SUBDIVISION STANDARDS

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

### VII. SUBTITLE 27-6. SUBDIVISION STANDARDS

Section 27-6105 (b) provides:

#### **(b) Preliminary Plan of Subdivision (Minor or Major)**

**With regard to the development standards of this Part, preliminary plans of subdivision (minor or major) are best used to ensure appropriate relationships between lots and parcels, streets, alleys, and outparcels; provide for multimodal connectivity; protect and enhance sensitive environmental features; and provide dedication of land for public purposes. Preliminary plans of subdivision (minor or major) are reviewed for compliance with the following Sections of this Part:**

- (1) Section 27-6200, Roadway Access, Mobility, and Circulation**
- (2) Section 27-6400, Open Space Set-Asides**
- (3) Section 27-6800, Environmental Protection and Noise Controls**
- (4) Section 27-61300, Agricultural Compatibility Standards**
- (5) Section 27-61400, Urban Agriculture Compatibility Standards**

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

### **27-6201. Purpose and Intent**

**The purpose of this Section is to ensure that developments are served by a coordinated multimodal transportation system that permits the safe and efficient movement of motor vehicles, emergency vehicles, transit, bicyclists, and pedestrians within the development and between the development and external transportation systems, neighboring development, and local destination points such as places of employment, schools, parks, and shopping areas. Such a multimodal transportation system is intended to:**

- a. Provide transportation options;**
- b. Increase the effectiveness of local service delivery;**
- c. Reduce emergency response times;**
- d. Promote healthy walking and bicycling;**  
**Facilitate use of public transportation;**
- e. Contribute to the attractiveness of the development and community;**
- f. Connect neighborhoods and increase opportunities for interaction between neighbors;**
- g. Reduce vehicle miles of travel and travel times;**
- h. Reduce greenhouse gas emissions;**
- i. Improve air quality;**
- j. Minimize congestion and traffic conflicts; and**
- k. Preserve the safety and capacity of County transportation systems.**

COMMENT: As will be demonstrated below, as applicable, the proposed development complies with the purposes set forth in 27-6201.

### **27-6202. Consistency with Plans**

**The design and construction of access and circulation systems associated with a development shall be consistent with the transportation goals, objectives, and actions in the County's General Plan, the Approved Countywide Master Plan of Transportation, the applicable Area Master Plan or Sector Plan, and other County-adopted plans addressing transportation.**

COMMENT: As will be demonstrated below, as applicable, the proposed development is consistent with the transportation goals, objectives, and actions in the County's General Plan, the Approved Countywide Master Plan of Transportation, the applicable Area Master Plan or Sector Plan, and other County-adopted plans addressing transportation.

### **27-6203. Multimodal Transportation System**



**Access and circulation systems associated with a development shall provide for multiple travel modes (pedestrian, transit, bicycle, and vehicular), based on the development's size, character, the zone in which it is located, and its relationship to existing and planned transportation systems. Pedestrian, transit, bicycle, and vehicular access and circulation systems shall be coordinated and integrated as necessary to offer the development's occupants and visitors improved transportation choices while enhancing safe and efficient mobility throughout the development and the community.**

COMMENT: Access to the site will be from Hill Road and Central Avenue. Bicycle and pedestrian access and circulation are coordinated with vehicular access and circulation for safe and efficient movement of all modalities throughout the site.

#### **27-6204. Circulation Plan or Site Plan Required**

**Development applications shall include a circulation plan (unless a site plan meeting the requirements of this Section is submitted) that demonstrates how the development follows the requirements of Sections 27-6205 through 27-6208. A circulation plan may be combined with the parking plan required in Section 27-6303, Parking Plan or Site Plan Required**

COMMENT: A site plan demonstrating conformance to the requirements of Sections 27-6205 through 27-6208 as applicable is provided with this application.

#### **27-6205. Developer Responsible for On-Site Street Improvements**

**If a street is proposed within a development site, the developer shall bond, construct and maintain road, street, bikeway, sidewalk, and other access and circulation improvements in accordance with the standards for design and construction defined in Subtitle 23: Roads and Sidewalks, SHA design standards (if applicable), or those of the applicable municipalities having jurisdiction, and shall dedicate any required rights-of-way or easements, as required by the Subdivision Regulations and shown on an approved preliminary plan of subdivision.**

COMMENT: Acknowledged.

#### **27-6206. Vehicular Access and Circulation**

##### **(a) Definition of Street Functional Classification**

**All public streets will be classified by the County according to the system of functional classification defined in the Approved Countywide Master Plan of Transportation (as may be amended from time to time) and shall be designed and constructed to the County's adopted street design standards as authorized by Subtitle 23, Roads and Sidewalks, of the County Code. Within the Regional Transit Districts and Local Centers as designated by the General Plan (as may be amended from time to time), the Prince George's County Urban Street Design Standards shall apply.**

COMMENT: All driveways will connect to public rights-of-ways.

**(b) Vehicular Access and Circulation**

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 unless such dwelling front instead on common open spaces such as a mews or courtyards.

**(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.

**(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.**

COMMENT: All proposed and existing vehicular accessways are classified in accordance with the above classifications. No alleys are proposed within the development.

**(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.**

COMMENT: PPS-2024-013 shows the vehicular and pedestrian circulation throughout the site, which will also be reflected on the future DET. The PPS shows two (2) access points along Hill Road, one right-in right-out only access point along Central Avenue. A 5-foot-wide sidewalk will be provided along the Central Avenue frontage while a sidewalk and separated bike path will be provided along the Hill Road frontage, consistent with the Central Avenue Connector Trail (CACT) recommendations. Sidewalks of varying widths (5-foot minimum) will be provided along internal roadways.



**(d) Vehicular Access Management**

**(1) Limitation on Direct Access Along Arterial, Major Collector 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, major collector, 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, major collector, 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, major collector, or collector street**



COMMENT: PPS-2024-013 shows the creation of six (6) parcels for the ultimate development of approximately 36 single-family detached rental dwelling units and two (2) multifamily buildings. A total of 3 access points are proposed, 2 along Hill Road, and 1 along Central Avenue.

The retail/multifamily buildings will be located on a new parcel with approximately 500 linear feet of frontage along Hill Road and approximately 600 linear feet along Central Avenue. Pursuant to the Zoning Ordinance definitions in Section 27-2500, the “Front Lot Line” on a corner lot is stated as the shortest lot line that abuts a street. Based on the submitted Survey and Preliminary Plan, the property frontage and main access for the multifamily/retail parcel will be from Hill Road, which is classified as a collector roadway. The secondary access will be from Central Avenue, which is classified as an arterial roadway. The primary Hill Road access will accommodate full access two-way vehicular traffic. The secondary access from Central Avenue will accommodate right-in right-out vehicular traffic only. Below is an illustration that shows the proposed access points.

The entrance along Hill Road is a full movement driveway. The right-in and right-out only driveway access on Central Avenue (MD 214) will serve as a secondary access for the site, and is necessary for fire/emergency vehicle circulation around both multi-family buildings without restriction or impediment. Again, the driveway on MD 214 is not the principal origin or destination point for this site. The trip assignments and resulting volumes in the Traffic Impact Study projects that the right-in right-out on MD 214 would generate fewer than 500 trips per day.



**(2) Limitation on Direct Driveway Access along Other Streets**

The following standards shall apply to vehicular access along a street other than an arterial, major collector, or collector 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, non-major collector, and/or non-collector streets and abuts the right-of-way of two intersecting streets, two direct driveway access points are allowed (one to each street).

COMMENT: Not applicable, no direct driveway access is proposed from Hill Road to the single-family detached dwellings. A public roadway is proposed to serve the single-family detached dwellings.

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

**efficiency of travel on the street and any associated bikeways and sidewalks.**

COMMENT: All vehicular access points along a public street will be designed to follow all applicable State, County, or municipal access standards.

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

COMMENT: The subject property is a corner lot that fronts on Hill Road, a collector roadway, and Central Avenue, an arterial roadway. One right-in right-out only access point is proposed along Central Avenue. The code provides leeway to evaluate each site on a case-by-case basis to determine what the “maximum extent possible” would be for each independent case, and to evaluate the access against the code requirements of 27-6206(d)(1). In this case, the right-in and right-out (RIRO) access on MD 214 is a secondary access for the site and is critical for fire/emergency access.

**(3) Shared Driveways**

- (A) Driveway access shared between adjoining lots is encouraged and, in the case of County or State access spacing requirements that do not allow individual lot frontages to be served individually, may be required to limit direct vehicular access along streets.**
- (B) Easements allowing cross-access to and from lands served by a shared driveway, along with agreements defining maintenance responsibilities of landowners, shall be recorded with the Land Records of Prince George’s County before issuance of a building permit for the development proposing the shared driveway access. Such easements shall clearly limit parking of each property owners’ vehicles to their side of the driveway, and stipulate that both owners shall share in the costs and responsibility of maintaining the driveway.**

COMMENT: Not applicable, shared driveways are not proposed.

**(e) Cross-Access.**

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

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

- (A) The internal vehicular circulation system shall be designed and constructed to provide vehicular cross-access between the**

**development's vehicular use areas and those on adjoining parcels containing a nonresidential or mixed-use development, or to the boundary of adjoining vacant land in a Transit-Oriented/Activity Center base or PD zone or a Nonresidential zone.**

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

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

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

COMMENT: Pursuant to sub-subpart (2)(C), “[t]he 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.” The applicant is requesting a waiver since cross-access is impractical or undesirable due to the presence of topographic conditions, natural features, or safety factors. As mentioned above, it must be noted that the property to the east is developed and improved with a place of worship and the associated parking area that surrounds the existing church building. Safety factors restrict the ability to provide cross access. Pedestrian connectivity from the subject property to the neighboring site is provided via the existing sidewalk system along Central Avenue. This sidewalk system will ultimately tie into the proposed sidewalk and trail system located on the subject property. A vehicular connection between the two properties is unnecessary as it would not only create liability and operational issues for both properties, but also creates CPTED issues regarding inconsistencies in design elements, parking, natural features, obstacles, visual obstructions etc. Simply, cross access to neighboring development was examined and implementation of these requirements for the subject site is not practical. An additional point of vehicle entry could negatively impact vehicular and pedestrian safety, especially given the likelihood of cut-through traffic from the neighboring development could impact site circulation for residents/visitors entering or existing the subject property. In the interest of maintaining vehicular, pedestrian, and bicycle safety, implementation of cross access between adjoining developments should not be pursued. Specifically, vehicular cross access to adjoining sites should be waived, pursuant to Section 27-6206(e)(2)(c); pedestrian cross access to adjoining sites should be waived, pursuant to Section 27-6207(b)(2); and bicycle cross access to adjoining sites should be waived, pursuant to Section 27-6208(b)(2).

**(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.

Table 27-6206(f)(1): Minimum Street Connectivity Index	
Zone Where Development is Proposed	Minimum Connectivity Index Score
Located in Residential and Planned Development Zones	1.50
Located in Nonresidential and Transit-Oriented/Activity Center Zones	1.4

## (2) Connectivity Index Score Calculation

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

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

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

## (3) Reduction in Minimum Index Score

The minimum connectivity index score may be reduced by the Planning Director if the landowner/applicant demonstrates it is infeasible to achieve due to natural features, existing road configurations, or adjacent existing development patterns. In these instances, internal street design shall achieve as high a connectivity index score as reasonably practical, especially by providing stub-outs and other

**potential connections that may be made in the future, including through public infrastructure improvements.**

COMMENT: The provided Connectivity Index Score totals 2.63 and the required score is 1.5. Thus, this requirement is met.

**(g) Pedestrian Connections**

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

COMMENT: Not applicable, no pedestrian/bicycle access is provided from the cul-de-sac head as demonstrated in Figure 27-6206(g).

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

COMMENT: To be determined with the review of DET-2024-007.

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

COMMENT: Acknowledged.

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

COMMENT: Acknowledged.

**(h) External Street Connectivity**

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

COMMENT: No proposed stubs or connections to adjacent parcels for future development are proposed.

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

COMMENT: No proposed stubs or connections to adjacent parcels for future development are proposed.

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

COMMENT: No proposed stubs or connections to adjacent parcels for future development are proposed.

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

COMMENT: No proposed stubs or connections to adjacent parcels for future development are proposed.

#### **(i) Continuation of Adjacent Streets**

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

COMMENT: Not applicable, there are no adjacent existing streets to connect to.

#### **(j) Traffic-Calming Measures for Private Streets**

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

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

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

COMMENT: Not applicable.

- (3) **Residential development shall employ measures to interrupt direct vehicle flow on linear street segments over 800 linear feet long, to the maximum extent practicable (see Figure 27-6206(j): Traffic Calming Measures). Such measures may include, but shall not be limited to:**
  - (A) **Stop signs at street intersections;**
  - (B) **Mini-roundabouts at intersections;**
  - (C) **Curvilinear street segments to slow traffic and interrupt monotonous streetscapes;**
  - (D) **Traffic-diverting physical devices such as neckdowns, chicanes, and diverter islands;**
  - (E) **Roadway striping to limit vehicular cartway widths or accommodate bike lanes; and**
  - (F) **Speed tables, raised intersections or elevated pedestrian street crossings.**

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

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

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

**(k) Block Design**

**(1) Block Length**

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



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

COMMENT: Block lengths have been designed to meet the 200-foot minimum and 1000-foot maximum design criteria.

## **(2) Block Width**

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

COMMENT: Acknowledged.

## **(3) Through-Block Access**

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

COMMENT: Acknowledged.

## **(4) General Accessway Layout and Design**

**The vehicular access and circulation system of a development located on a site abutting an existing or planned transit route shall accommodate a transit stop and other associated facilities unless the Planning Director determines that transit facilities already exist to serve the needs of the development.**

COMMENT: Not applicable.

## **(I) Driveway Layout and Design**

### **(1) Driveway Width**

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

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

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

COMMENT: All proposed driveways comply with the requirement.

**(2) Dead-End Driveway Length**

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

COMMENT: Not applicable, no dead end driveways are proposed.

**(3) Driveway Intersections**

**Driveway intersections shall also comply with the following standards:**

**(A) Alignment**

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

COMMENT: Not applicable.

**(B) Proximity to Adjoining Land**

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

COMMENT: Not applicable.

**(C) Medians in Driveway Entrances**

**Medians may be incorporated at driveway entrances provided:**

**(i) No signage is included within the median other than traffic signs and a single monument sign;**

**(ii) Planted material within the median is limited to minor shade trees, shrubs, ground cover, and grass; and**

**(iii) The minimum driveway width is maintained for each travel and turning lane.**

COMMENT: Not applicable.

**(m) Vehicle Stacking Space**

**(1) For Drive-through and Related Uses**

**(A) Required Number of Stacking Spaces**

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

COMMENT: Not applicable.

**(B) Design and Layout**

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

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

COMMENT: Not applicable.

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

Nonresidential and mixed-use development (excluding industrial uses) shall provide stacking lanes between the edge of the street right-of-way and entrances into off-street parking areas in accordance with the minimum stacking lane distance established in Table 27-6206(m)(2).a: Minimum Stacking Lane Distance for Vehicular Parking Area Entrance Driveway (see Figure 27-6206(m)(2).b: Measurement of Stacking Lane Distance for Vehicular Parking Area Entrance Driveway). In the event the number of parking spaces requires a stacking lane distance of 150 feet or greater, this requirement will supersede that of Section 27-6206(l)(2), Dead-End Driveway Length.

Table 27-6206(m)(2).a: Minimum Stacking Lane Distance for Vehicular Parking Area Entrance Driveway	
Number of Off-Street Parking Spaces (1)	Minimum Stacking Lane Distance (ft) (2)
1 - 49	25
50 – 249	50
250 – 499	100
500 or more	100 + 15 ft for every additional 50 spaces beyond 500

NOTES:

(1) Entrances into parking structures may be credited towards the stacking lane distance standard provided the parking structure entrance is accessed from a development driveway and not a primary drive aisle.

(2) Stacking lane distance is measured from the intersection of the driveway with the street right-of-way, along the centerline of the stacking lane, to its intersection with the centerline of the first entrance into a parking area or other internal intersecting driveway.

COMMENT: To be evaluated with the review of DET-2024-007.

## 27-6207. Pedestrian Access and Circulation.

### (a) Required Pedestrian Access.

#### (1) General Pedestrian Access.

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

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

COMMENT: PPS-2024-013 provides internal pedestrian circulation that permits safe, convenient, efficient, and orderly movement of pedestrians among the following origin and destination points within the development. Additional details of the internal pedestrian circulation will be provided with DET-2024-007.

#### (2) Sidewalks Required.

(A) All new development subject to this Section, except for development fronting a rural road, or single-family subdivisions where the density is 1 dwelling unit per 2 acres or less, shall install sidewalks on both sides of all streets having curb and gutter construction within the development site and along the entire frontage of the development site

**with an existing street (unless an existing sidewalk meeting County standards is already in place).**

COMMENT: PPS-2024-013 includes sidewalks on both sides of all proposed roadways, and along entire frontage of Hill Road.

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

COMMENT: PPS-2024-013 includes sidewalks on both sides of all proposed roadways, and along entire frontage of Hill Road.

**(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.**

**(b) Pedestrian Connectivity.**

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

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

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

**(3) Easements allowing cross-access to and from properties served by a pedestrian cross-access, along with agreements defining maintenance responsibilities of landowners, shall be recorded with the Land Records of**



**Prince George's County before issuance of a building permit for the development.**

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

**(A) General Standards**

**(i) All vehicular parking areas and parking structures containing more than 150 parking spaces shall provide a clearly identified and protected pedestrian path between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas, or to a pedestrian walkway providing direct access from the furthest extent of the parking area to the primary building entrance(s).**

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

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

COMMENT: Pursuant to sub-subpart (2)(C), “[t]he Planning Director may waive or modify the requirement for pedestrian cross-access where the applicant clearly demonstrates that such cross-access is impractical or infeasible due to police concerns about through-traffic routes complicating law enforcement, Environmental Site Design requirements, or the presence of any of the following at the point(s) where through-connections would otherwise be required: topographic conditions, natural features, visual obstructions or parking space locations that create traffic hazards, or the existence of mature or protected trees.” The applicant is requesting a waiver since cross-access is impractical or undesirable due to the presence of topographic conditions, natural features, or safety factors. As mentioned above, it must be noted that the property to the east is developed and improved with a place of worship and the associated parking area that surrounds the existing church building. Safety factors restrict the ability to provide cross access. Pedestrian connectivity from the subject property to the neighboring site is provided via the existing sidewalk system along Central Avenue. This sidewalk system will ultimately tie into the proposed sidewalk and trail system located on the subject property. A vehicular connection between the two properties is unnecessary as it would not only create liability and operational issues for both properties, but also

creates CPTED issues regarding inconsistencies in design elements, parking, natural features, obstacles, visual obstructions etc. Simply, cross access to neighboring development was examined and implementation of these requirements for the subject site is not practical. An additional point of vehicle entry could negatively impact vehicular and pedestrian safety, especially given the likelihood of cut-through traffic from the neighboring development could impact site circulation for residents/visitors entering or existing the subject property. In the interest of maintaining vehicular, pedestrian, and bicycle safety, implementation of cross access between adjoining developments should not be pursued. Specifically, vehicular cross access to adjoining sites should be waived, pursuant to Section 27-6206(e)(2)(c); pedestrian cross access to adjoining sites should be waived, pursuant to Section 27-6207(b)(2); and bicycle cross access to adjoining sites should be waived, pursuant to Section 27-6208(b)(2).

**(B) Walkway Standards.**

**Required pedestrian walkways shall:**

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

COMMENT: Acknowledged.

**27-6208. Bicycle Access and Circulation.**

**(a) Required Bicycle Access.**

**(1) Internal and Adjoining Bicycle Access**

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

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

**(B) Connections to any adjacent existing or planned (identified in the applicable Area Master Plan or Sector Plan, or in the Countywide Master Plan of Transportation) on-street or off-street bicycle facilities outside the development, or internal bicycle systems in adjacent developments;**

- (C) Connections to any designated or planned rail transit or bus stops and shelters (on-site or on an adjacent street);**
- (D) Connections to any recreational amenities internal to the development, such as open space.**

COMMENT: During the review of DET-2024-007 the amount and location of bike parking will be determined.

**(2) Required Bikeway Network Improvements**

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

COMMENT: During the review of DET-2024-007 the required bicycle improvements will be determined.

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

COMMENT: Acknowledged, and the applicant reserves the right to seek any such relief, as needed, during the review of DET-2024-007.

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

COMMENT: Acknowledged.

**(b) Bicycle Connectivity Between Developments.**

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

- (1) Any internal bicycle circulation system shall be designed and constructed to provide bicycle cross-access between it and any internal bicycle circulation system on adjoining parcels containing a multifamily, townhouse, nonresidential, or mixed-use development, or to the boundary of adjoining**

**vacant land zoned to allow townhouse, multifamily, nonresidential, or mixed-use development (including land in the Residential, Transit-Oriented/Activity Center, and Nonresidential base and PD zones).**

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

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

COMMENT: Pursuant to sub-subpart (2)(C), “[t]he Planning Director may waive or modify the requirement for bicycle cross-access on determining that such cross-access is impractical or undesirable for typical bicyclists' use due to the presence of topographic conditions, natural features, or safety factors. Undesirable conditions shall be defined as those limiting mobility for bicycles as a form of transportation, such as steep grades, narrow connections bounded on both sides by walls or embankments, or limited visibility when straight-line connections are not achievable.” The applicant is requesting a waiver since cross-access is impractical or undesirable due to the presence of topographic conditions, natural features, or safety factors. As mentioned above, it must be noted that the property to the east is developed and improved with a place of worship and the associated parking area that surrounds the existing church building. Safety factors restrict the ability to provide cross access. Pedestrian connectivity from the subject property to the neighboring site is provided via the existing sidewalk system along Central Avenue. This sidewalk system will ultimately tie into the proposed sidewalk and trail system located on the subject property. A vehicular connection between the two properties is unnecessary as it would not only create liability and operational issues for both properties, but also creates CPTED issues regarding inconsistencies in design elements, parking, natural features, obstacles, visual obstructions etc. Simply, cross access to neighboring development was examined and implementation of these requirements for the subject site is not practical. An additional point of vehicle entry could negatively impact vehicular and pedestrian safety, especially given the likelihood of cut-through traffic from the neighboring development could impact site circulation for residents/visitors entering or existing the subject property. In the interest of maintaining vehicular, pedestrian, and bicycle safety, implementation of cross access between adjoining developments should not be pursued. Specifically, vehicular cross access to adjoining sites should be waived, pursuant to Section 27-6206(e)(2)(c); pedestrian cross access to adjoining sites should be waived, pursuant to Section 27-6207(b)(2); and bicycle cross access to adjoining sites should be waived, pursuant to Section 27-6208(b)(2).

**(c) General Bikeway Layout and Design**

**(1) Off-Street Bicycle Facilities**

**Required bicycle paths shall:**

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

COMMENT: Any off-street bicycle facilities will be further vetted during the review of DET-2024-007.

**(2) On-Street Bicycle Facilities**

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

COMMENT: Acknowledged.

**(d) Waiver**

**The Planning Director may waive all or part of the standards in this Section for private streets if it is demonstrated that bicycle access and circulation is not needed in the proposed development due to an established bicycle facility already within or abutting the development, or that compliance with the required bicycle improvements is impracticable because topography, natural features, or the facilities or will create significant risks of harm to bicyclists.**

COMMENT: Acknowledged, and the applicant reserves the right to seek any such relief, as needed, during the review of DET-2024-007.

**SECTION 27-6400 – OPEN SPACE SET-ASIDES.**

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

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

**Open space set-aside requirements shall not replace requirements for open spaces, mandatory dedication of parkland, stormwater management, or other similar**



requirements imposed by any other Subtitle of the County Code. However, such requirements may be counted toward open-space set asides pursuant to Section 27-6404(b), below.

COMMENT: The proposed Open Space Set-Aside area for the proposed development in the RSF-65 zoned portion of the subject property is 20.3%, and the required area is 20%. The proposed Open Space Set-Aside area for the proposed development in the CGO zoned portion of the subject property is 21%, and the required area is 15%. This will be further reviewed with DET-2024-007.

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

(a) 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.

(1) No less than fifteen percent (15%) of the total required minimum open space set-aside area within a residential development outside the Transit-Oriented/Activity Center base and Transit-Oriented/Activity Center PD zones shall consist of active recreational areas.

(2) No less than fifty percent (50%) of the total required minimum open space set-aside area within the core area of a Transit-Oriented/Activity Center base or Transit-Oriented/Activity Center PD zone shall be a square, forecourt, or plaza.

(b) 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: This criteria will be further reviewed with DET-2024-007.

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

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

**(a) Location.**

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

COMMENT: The open spaces are located so as to be accessible and useable (passive and active) by the residents and patrons of the development. Additionally, the Central Ave Connector Trail is proposed to be extended and connected to the cul-de-sac and thus provides a connection from the single-family detached dwellings to the proposed playground area, reinforcing the connectivity and accessibility of amenities.

**(b) Configuration.**

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

COMMENT: This will be evaluated during the review of DET-2024-007.

**(c) Orientation of Adjacent Buildings.**

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

COMMENT: This will be evaluated during the review of DET-2024-007.

**(d) Prioritization of Open Space Set-Aside**

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

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

COMMENT: The open space set aside will be located and organized to include, protect, and enhance the environmental features on the subject property.

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

COMMENT: Not applicable, the property is located in the RSF-65 and CGO Zones.

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

- (1) Applicant calculates the sum amount of open space set-aside required for each individual industrial use or lot.**
- (2) The total sum of open space set-aside required may be placed on any portion of the area included in the calculation.**

COMMENT: Not applicable, the property is located in the RSF-65 and CGO Zones.

#### **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: This will be evaluated during the review of DET-2024-007.

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

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

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

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

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

COMMENT: Acknowledged.

#### **SECTION 27-6800 – ENVIRONMENTAL PROTECTION AND NOISE CONTROLS**

COMMENT: Filed in conjunction with PPS-2024-013, is the approved NRI-105-2024 and proposed TCP1. Regarding noise controls, the PPS shows the unmitigated 65 dBA Leq noise contour, which crosses through lots 1 and 36 adjacent to Hill Road. Those units will be oriented such that they front on Hill with side loaded garages and thus the rear yards will be shielded from excessive noise levels. The courtyards are also shielded by the multifamily buildings so no mitigation is anticipated.

## SECTION 27-61300 - AGRICULTURAL COMPATIBILITY STANDARDS

COMMENT: Not Applicable. The Subject Property is not located adjacent to an ongoing agricultural use or activity in the ROS, AG, and AR base zones.

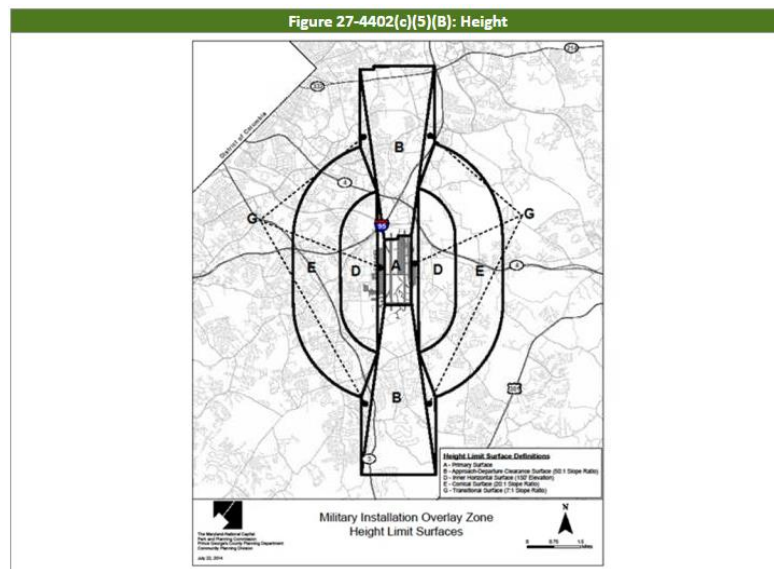
## SECTION 27-61400 – URBAN AGRICULTURAL COMPATIBILITY STANDARDS

COMMENT: Not applicable. The Subject Property is not located adjacent to an on-going urban agriculture use.

## VIII. MILITARY INSTALLATION OVERLAY ZONE

The Subject Property is located within the Military Installation Overlay Zone (MIOZ) pursuant to Section 27-4402(c). The MIOZ establishes standards of use, design, and construction for development in the vicinity of Joint Base Andrews impacted by air operations at the base. These standards are intended to promote the health, safety, and welfare of existing and future base-area residents, workers, and surrounding uses while allowing Joint Base Andrews to fulfill its mission. The MIOZ is based on three areas of constraint: noise, height, and accident potential.

Section 27-4402(c) applies to the review of all development approvals or permits for land or structures located within the MIOZ, regardless of the underlying zone or other overlay zone(s), unless exempted. The MIOZ is broken down by “impact areas” that established geographic boundaries regarding Height, Noise Intensity, and Safety Areas. The Property is located in the Height Impact Area, specifically, Surface B, as depicted below:



Section 27-4402(c)(5)(B)(iv)(bb)(II) provides, that properties within Surface B (Approach-Departure Clearance Surface), “Structures in this area shall not exceed a height (in feet) equivalent to 10 feet less than the height derived by dividing the distance between Surface A and nearest boundary of the subject property by 50. No structure shall exceed a height of 500 feet (elevation




774 feet) in this area.” Although the MIOZ standards will be evaluated during the review of DET-2024-007, the applicant contends that the proposed development will be in conformance with the height requirements of the MIOZ.


IX. CONCLUSION

For all of the above-stated reasons, and based on all of the supporting documents and evidence that has (or will be) submitted into the record for this matter, the Applicant respectfully requests approval of PPS-2024-013 and Type 1 Tree Conservation Plan conformance with the requirements of Subtitle 24 and Subtitle 27 of the Prince George’s County Code.

Respectfully submitted,

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Date: April 30, 2025  
(Third Pre-Acceptance Submittal)