
A G E N D A I T E M S U M M A R Y

Reference No: CB-105-1990

Draft No: 2

P r i n c e G e o r g e ' s

Meeting Date: 11/13/90

C o u n t y C o u n c i l

Requestor: P

Item Title: An Act for the purpose of permitting the Planning Board to approve private rights-of-way in the M-X-T and R-M Zones under certain conditions.

Sponsors P

Date Presented __/__/__ **Executive Action** 11/28/90 S

Committee Referral (1) 9/25/90 C.O.W. **Effective Date** 11/28/90

Committee Action (1) 10/2/90 FAV(A)

Date Introduced 9/25/90

Pub. Hearing Date (1) 11/13/90 10:30 AM

Council Action (1) 11/13/90 Enacted

Council Votes B_: A_, CA: A_, C_: N_, CI: --, MC: A_, M_: N_,
P_: A_, W_: A_, WI: A_, __: __, __: __, __: __

Pass/Fail P

Remarks _____

Drafter:

Resource Mary Lane

Personnel: Committee Director

LEGISLATIVE HISTORY

COMMITTEE-OF-THE-WHOLE REPORT

DATE: 10/2/90

Committee Vote: Favorable as amended, 3-1-2 (In favor: Council Members Bell, Pemberton and Wilson; in opposition: Council Member Castaldi; abstaining: Council Members MacKinnon and Mills).

Staff explained that this legislation allows the Planning Board to approve subdivisions in the M-X-T and the R-M Zones that include single-family detached or multifamily dwellings with private rights-of-way, provided seven requirements are met.

The Office of the County Attorney requested that the covenants referred to in requirement (iii) should be subject to approval by the County Attorney prior to recording. The Committee accepted this recommendation.

Councilwoman Pemberton requested that use of private rights-of-way be subject to the approval of the District Council. Staff reported that approval authority over these preliminary plans would probably require an amendment to State law. Regardless, this type of amendment would be a substantive change to the legislation, which had already been introduced and advertised for public hearing.

Gerard McDonough and Steve Gilbert, representing Port America, and Andre Gingles, representing Meridian, spoke in support of the legislation. They noted the advantages private roads could provide to their respective developments, and assured the Committee that issues such as long-term maintenance of the roads were sufficiently addressed in the legislation.

BACKGROUND INFORMATION/FISCAL IMPACT

(Includes reason for proposal, as well as any unique statutory requirements)

The Planning Board is currently permitted to approve preliminary plans of subdivision containing private roads in specific zones, under a number of circumstances. This legislation allows the Planning Board to approve subdivisions with private roads in the M-X-T and R-M Zones, to serve all types of dwelling units, provided seven conditions are met.