

Agenda Item #3
April 13, 2010

Introduction

MEMORANDUM

April 9, 2010

TO: County Council

FROM: Jeffrey L. Zyontz, Legislative Attorney

SUBJECT: **Introduction:** Subdivision Regulation Amendment (SRA) 10-01;
Public Utility Easements – Urban Roads

SRA 10-01, Public Utility Easements – Urban Roads, sponsored by the Councilmember Elrich, is scheduled to be introduced on April 13, 2010. A public hearing will be scheduled for June 15 at 1:30 p.m., if the Council approves the attached resolution.

SRA 10-01 would allow appropriate building setbacks along urban roads by prohibiting public utility easements. The Planning Board would have the authority to allow a public utility easement along an urban road if it finds that the resulting building setbacks are appropriate. The SRA is being introduced with a companion Bill. Bill 17-10 would allow public utilities to be located in the right-of-way of an urban road.

This packet contains:

SRA 10-01
Resolution

Circle #

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Ordinance No.:
Subdivision Regulation Amend. No.: 10-01
Concerning: Public Utility Easements –
Urban Roads
Revised: 4/1/10; Draft No. 1
Introduced: April 13, 2010
Public Hearing:
Adopted:
Effective:

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION OF
THE MARYLAND-WASHINGTON REGIONAL DISTRICT WITHIN
MONTGOMERY COUNTY, MARYLAND**

By: Councilmember Elrich

AN AMENDMENT to the Subdivision Regulations to:

Prohibit public utility easement along urban roads under certain circumstances.

By amending

Montgomery County Code
Chapter 50, Subdivision of Land
Section 50-40, Public utilities

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

ORDINANCE

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following ordinance:

Resolution No.: _____
Introduced: April 13, 2010
Adopted: _____

**COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND
SITTING AS THE DISTRICT COUNCIL FOR THAT PORTION
OF THE MARYLAND-WASHINGTON REGIONAL DISTRICT
WITHIN MONTGOMERY COUNTY, MARYLAND**

By: District Council

SUBJECT: Notice of Public Hearing on Subdivision Regulation Amendment 10-01

Background

1. §50-6A of the County Code requires that, within 30 days after any subdivision regulation amendment is introduced, the Council must by resolution set a date and time for public hearing on the proposed amendment.
2. Subdivision Regulation Amendment 10-01 was introduced on April 13, 2010.

Action

The County Council for Montgomery County, Maryland, sitting as the District Council for that portion of the Maryland-Washington Regional District in Montgomery County, Maryland, approves the following resolution:

Legal notice must be given of the public hearing to be held on June 15, 2010 at 1:30 p.m., in the Council Hearing Room, Stella Werner Council Office Building, Rockville, Maryland, to give the public an opportunity to comment on SRA 10-01.

This is a correct copy of Council action.

Linda M. Lauer, Clerk of the Council