

**MEMORANDUM**

TO: County Council

FROM: <sup>MF</sup> Michael Faden, Senior Legislative Attorney  
<sup>SP</sup> Jeff Zyontz, Legislative Attorney

SUBJECT: **Introduction:** Bill 31-13, Transportation – Review – Record Plats

Bill 31-13, Transportation – Review – Record Plats, sponsored by Councilmember Riemer, Council Vice-President Leventhal and Councilmember Floreen, is scheduled to be introduced on December 10, 2013. A public hearing is tentatively scheduled for February 4, 2014 at 1:30 p.m.

Bill 31-13 would repeal the County Department of Transportation’s authority to approve record plats. The Department would still be able, under more general provisions of County law (including Code §2-55(b)), to review record plats and provide comments to the Planning Board before it approves them. For background on why Councilmember Riemer plans to introduce this Bill and the related Subdivision Regulation Amendment 13-03, see the sponsor’s memo and attached Council staff memo, which are shown in the packet for Item 3C.

This packet contains:	<u>Circle #</u>
Bill 31-13	1
Legislative Request Report	3

Bill No. 31-13  
Concerning: Transportation – Review -  
Record Plats  
Revised: 11-4-13 Draft No. 1  
Introduced: December 10, 2013  
Expires: March 10, 2015  
Enacted: \_\_\_\_\_  
Executive: \_\_\_\_\_  
Effective: \_\_\_\_\_  
Sunset Date: None  
Ch. \_\_\_\_\_, Laws of Mont. Co. \_\_\_\_\_

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

---

By: Councilmember Riemer, Council Vice-President Leventhal and Councilmember Floreen

---

**AN ACT** to:

- (1) revise the Department of Transportation's authority with respect to approval of record plats; and
- (2) generally amend the law governing the Department of Transportation's review of development plans and related actions.

By amending

Montgomery County Code  
Chapter 2, Administration  
Section 2-55

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

*The County Council for Montgomery County, Maryland approves the following Act:*



## LEGISLATIVE REQUEST REPORT

Bill 31-13

### *Transportation – Review – Record Plats*

**DESCRIPTION:** Repeals the County Department of Transportation's authority to approve record plats. The Department would still be able, under more general provisions of County law (including Code §2-55(b)), to review record plats and provide comments to the Planning Board before it approves them.

**PROBLEM:** Duplicative approval processes by the Planning Board and Department of Transportation results in delays of approved developments.

**GOALS AND OBJECTIVES:** To streamline the County development approval process and reduce duplicative procedures.

**COORDINATION:** Planning Board, Department of Permitting Services, Department of Transportation

**FISCAL IMPACT:** To be requested.

**ECONOMIC IMPACT:** To be requested.

**EVALUATION:** To be requested.

**EXPERIENCE ELSEWHERE:** To be researched.

**SOURCE OF INFORMATION:** Michael Faden, Senior Legislative Attorney, 240-777-7905

**APPLICATION WITHIN MUNICIPALITIES:** Applies to all areas where County has subdivision approval authority.

**PENALTIES:** Not applicable