

COUNTY ORDINANCE NO. 13-22

A BILL ENTITLED

AN ACT CONCERNING the Number of Lots Permitted on a Private Road in Queen Anne's County;

FOR THE PURPOSE of increasing from 5 to 7 the number of allowable lots on a private road in Queen Anne's County; and generally addressing the circumstances under which private roads will be allowed or public roads will be required;

BY AMENDING Sections 18:1-88 and 18:1-89 of the Code of Public Local Laws of Queen Anne's County, Maryland;

SECTION I

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that Sections 18:1-88 and 18:1-89 of the Code of Public Local Laws be amended to read as follows:

ARTICLE XV
Road Standards

. . .

§ 18:1-88. Public roads.

- A. General prohibition. Public road facilities are subject to review and approval by the Department of Public Works in accordance with Chapter 23 of the County Code.
- B. Basic characteristics. A public road is required if it provides direct frontage or access to ~~six~~ **eight** or more lots or existing parcels of land

§18:1-89. Private roads created after November 1987.

- A. General Prohibition. Private road facilities created after November 1987 are subject to review and approval by the Department of Public Works and may not be approved except as provided in this section.
- B. Basic characteristics. A private road may be allowed only if:
 - (1) It is designed and constructed in accordance with Chapter 23 of the County Code and ~~five~~

seven or fewer lots unless the Planning Commission approves greater than ~~five~~ seven lots and existing parcels of land have direct frontage or take access along the private road right-of-way; or

(2) It is permitted under one of the Master Plan districts and is designed in accordance with Chapter 23 of the County Code.

(3) The Planning Commission may approve greater than ~~five~~ seven lots on a private road with the following conditions: Added 8-9-2011 by Ord. No. 11-14]

(a) The road is constructed to public road standards and meets any other requirements from the Department of Public Works; and

(b) Access for fire and emergency services is maintained; and

(c) Public utility easements are provided; and

(d) A connectivity to public roads will be maintained; and

(e) A favorable recommendation from the Department of Public Works is provided; and

(f) Other conditions that the Planning Commission may impose based upon specific site conditions or other considerations

C. When authorized. If a private road meets the requirements of Subsection B of this section, a private road may be allowed by the Planning Commission if:

(1) A private road will be likely to assist in producing a superior quality of development; and

(2) Covenants satisfactory to the Planning Commission are provided to assure the road will be so constructed and maintained as to meet at least the standards herein required for the road's construction and the safety of those using the private road.

D. Requirements. . . .

SECTION II

BE IT ENACTED BY THE COUNTY COMMISSIONERS OF QUEEN ANNE'S COUNTY, MARYLAND that this Act shall take effect on the forty-sixth (46th) day following its enactment.

INTRODUCED BY: Commissioner Arentz

DATE: October 8, 2013

PUBLIC HEARING HELD: November 26, 2013 @ 6:15 p.m.

VOTE: 4 Yea 0 Nay

DATE OF ADOPTION: December 17, 2013

EFFECTIVE DATE: February 1, 2014