

COUNTY ORDINANCE NO. 11-14

A BILL ENTITLED

AN ACT CONCERNING Development of Greater than Five Lots on a Private Road;

FOR THE PURPOSE of allowing more than five lots on a private road under certain conditions; authorizing the Queen Anne’s County Planning Commission to approve more than five lots on a private road provided certain conditions are met; and establishing the conditions for approval of greater than five lots on a private road;

BY ADDING Section 18:1-89.B.(3) to Chapter 18 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 a new Section 18:1-89.B.(3) be added to the Code of Public Local Laws to read as follows:

**ARTICLE XV
Road Standards**

§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 or fewer lots and existing parcels of land have direct frontage or take access along the private road right-of-way.**
- (2) It is permitted under one of the Master Plan districts and is designed in accordance with Chapter 23 of the County Code; or**
- (3) The Planning Commission may approve greater than five lots on a private road with the following conditions:**
 - (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) the 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 FURTHER ENACTED that this Act shall take effect on the forty-sixth (46th) day following its enactment.

INTRODUCED BY: Commissioner Olds

DATE: June 14, 2011

PUBLIC HEARING HELD: July 26, 2011 @ 7:10 p.m.

VOTE: 5 Yea 0 Nay

DATE OF ADOPTION: August 9, 2011

EFFECTIVE DATE: September 24, 2011