


**MEMORANDUM**

TO: County Council

FROM:  Michael Faden, Senior Legislative Attorney  
Jeff Zyontz, Legislative Attorney

SUBJECT: **Public Hearing:** 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, was introduced on December 10, 2013. A Planning, Housing and Economic Development Committee worksession will be scheduled at a later date.

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 introduced 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 7.

This packet contains:	<u>Circle #</u>
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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

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

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**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:*

1           **Sec. 1. Section 2-55 is amended as follows:**

**2-55. Functions.**

The Department of Transportation must:

2   \*    \*    \*

(f) review and approve transportation elements of development plans,  
including storm drainage and paving plans; grade establishment plans;  
[record plats;] utility plans; pre-preliminary, preliminary and site plans;  
and construction permits for any work in public space;

3   \*    \*    \*

4    *Approved:*

5    \_\_\_\_\_  
Craig L. Rice, President, County Council

\_\_\_\_\_  
Date

6    *Approved:*

7    \_\_\_\_\_  
Isiah Leggett, County Executive

\_\_\_\_\_  
Date

8    *This is a correct copy of Council action.*

9    \_\_\_\_\_  
Linda M. Lauer, Clerk of the Council

\_\_\_\_\_  
Date

## LEGISLATIVE REQUEST REPORT

Bill 31-13

### *Transportation – Review – Record Plats*

<b>DESCRIPTION:</b>	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.
<b>PROBLEM:</b>	Duplicative approval processes by the Planning Board and Department of Transportation results in delays of approved developments.
<b>GOALS AND OBJECTIVES:</b>	To streamline the County development approval process and reduce duplicative procedures.
<b>COORDINATION:</b>	Planning Board, Department of Permitting Services, Department of Transportation
<b>FISCAL IMPACT:</b>	To be requested.
<b>ECONOMIC IMPACT:</b>	To be requested.
<b>EVALUATION:</b>	To be requested.
<b>EXPERIENCE ELSEWHERE:</b>	To be researched.
<b>SOURCE OF INFORMATION:</b>	Michael Faden, Senior Legislative Attorney, 240-777-7905
<b>APPLICATION WITHIN MUNICIPALITIES:</b>	Applies to all areas where County has subdivision approval authority.
<b>PENALTIES:</b>	Not applicable



ROCKVILLE, MARYLAND

MEMORANDUM

January 22, 2014

TO: Craig Rice, President, County Council

FROM: Jennifer A. Hughes, Director, Office of Management and Budget  
Joseph F. Beach, Director, Department of Finance

SUBJECT: Council Bill 31-13, Transportation-Review-Record Plats

Please find attached the fiscal and economic impact statements for the above-referenced legislation.

JAH:fz

cc: Bonnie Kirkland, Assistant Chief Administrative Officer  
Lisa Austin, Offices of the County Executive  
Joy Nurmi, Special Assistant to the County Executive  
Patrick Lacefield, Director, Public Information Office  
Joseph F. Beach, Director, Department of Finance  
Michael Coveyou, Department of Finance  
Kevin Myers, Department of Finance  
Robert Hagedoorn, Department of Finance  
Arthur Holmes, Director, Department of Transportation  
Brady Goldsmith, Office of Management and Budget  
Alex Espinosa, Office of Management and Budget  
Felicia Zhang, Office of Management and Budget  
Naeem Mia, Office of Management and Budget

**Fiscal Impact Statement**  
**Council Bill 31-13**  
**Transportation – Review – Record Plats**

1. Legislative Summary.

Bill 31-13 would repeal the County department of Transportation's authority to approve record plats. The Department would still be able to review plats and provide comments to the Planning Board before it approves them.

2. An estimate of changes in County revenues and expenditures regardless of whether the revenues or expenditures are assumed in the recommended or approved budget. Includes source of information, assumptions, and methodologies used.

There are no known fiscal impacts. DOT will provide the same level of review.

3. Revenue and expenditure estimates covering at least the next 6 fiscal years.

There are no known fiscal impacts

4. An actuarial analysis through the entire amortization period for each bill that would affect retiree pension or group insurance costs.

NA

5. Later actions that may affect future revenue and expenditures if the bill authorizes future spending.

NA

6. An estimate of the staff time needed to implement the bill.

NA

7. An explanation of how the addition of new staff responsibilities would affect other duties.

NA

8. An estimate of costs when an additional appropriation is needed.

NA

9. A description of any variable that could affect revenue and cost estimates.

NA

10. Ranges of revenue or expenditures that are uncertain or difficult to project.

NA

11. If a bill is likely to have no fiscal impact, why that is the case.

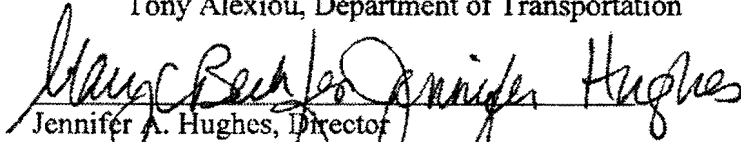
DOT will provide the same level of review on record plats.

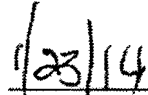
12. Other fiscal impacts or comments.

None

13. The following contributed to and concurred with this analysis:

Tony Alexiou, Department of Transportation

  
Jennifer A. Hughes, Director  
Office of Management and Budget

  
Date

**Economic Impact Statement  
Bill 31-13, Transportation – Review – Record Plats**

**Background:**

This legislation would repeal the County Department of Transportation's (DOT) authority to approve record plats. The removal does not affect more general provisions of County law enabling DOT to review record plats and provide comments to the Planning Board before approval.

**1. The sources of information, assumptions, and methodologies used.**

Not applicable

**2. A description of any variable that could affect the economic impact estimates.**

Not applicable

**3. The Bill's positive or negative effect, if any on employment, spending, saving, investment, incomes, and property values in the County.**

The Bill will have no effect on the County's economy because it will not cause a change in employment, spending, savings, investments, incomes, or property values.

**4. If a Bill is likely to have no economic impact, why is that the case?**

See paragraph 3.

**5. The following contributed to and concurred with this analysis: David Platt and Rob Hagedoorn, Finance.**

  
\_\_\_\_\_  
Joseph F. Beach, Director  
Department of Finance

12/17/13  
\_\_\_\_\_  
Date