

Subdivision Regulation Amendment No.: 18-01
Concerning: Minor Subdivisions – Ownership
Units

Draft No. & Date: 1 – 12/20/17

Introduced: January 16, 2018

Public Hearing:

Adopted:

Effective:

Ordinance No.:

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

Lead Sponsor: Councilmember Floreen

AN AMENDMENT to:

- 1) allow the creation of ownership units under certain additional circumstances; and
- 2) generally amend the provisions concerning the creation of ownership units

By amending

Montgomery County Code

Chapter 50. “Subdivision of Land”

Section 50.7. “Minor Subdivision”

Section 50.7.1. “Applicability”

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

- 24 d. any necessary cross easements, covenants, or other deed
25 restrictions necessary to implement all conditions of approval
26 are executed before recording the ownership plat; and
27 e. the ownership units are suitable for the type of development,
28 the use contemplated, and the available utilities and services.
- 29 2. Ownership units must be depicted on the ownership plat with metes
30 and bounds descriptions inside the boundary of the underlying lot as
31 shown on the record plat.
- 32 3. Private roads may not be delineated as a separate ownership unit on an
33 ownership plat.
- 34 4. No person can record an ownership plat, or sell any property with
35 reference to an ownership plat, until the plat has been approved by the
36 Board and recorded in the land records.
- 37 5. The Board may apply conditions to the approval of an ownership plat.
- 38 6. An ownership unit created under this section is not:
- 39 a. a change to any condition of approval for the subdivision that
40 created the lot in the original subdivision or [the site plan] any
41 approval required by Subsection 7.1.E.1.a; or
42 b. used to establish building setbacks or to establish conformance
43 with subdivision or zoning requirements.

44 * * *

45 **Sec. 3. Effective Date.** This amendment takes effect when it becomes law.

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47 *Approved:*

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50 _____
Isiah Leggett, County Executive

Date

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

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Megan Davey Limarzi, Esq.
Clerk of the Council

Date