

Article 28 – Maryland–National Capital Park and Planning Commission

8–118.

(A) No permit for the erection of any building within a subdivision within the regional district may be issued unless the road giving access to the lot upon which the building is proposed to be located has the legal status of a public road or was dedicated to public use on May 24, 1939, or corresponds in its exact location with the road shown on a subdivision plat approved by the Commission or with a master plan of highways or plat adopted by the Commission, or is on a private right-of-way or easement approved as adequate by the governing body of the county in which the private right-of-way or easement is located OR AS PROVIDED IN SUBSECTION (B) OF THIS SECTION.

~~(B) IN PRINCE GEORGE’S COUNTY, THE GOVERNING BODY MAY:~~

~~(1) ESTABLISH STANDARDS TO DETERMINE IF A PRIVATE RIGHT OF WAY OR EASEMENT PROVIDES ADEQUATE ACCESS TO A LOT ON WHICH A BUILDING IS PROPOSED TO BE LOCATED; AND~~

~~(2) ADOPT ADMINISTRATIVE PROCEDURES FOR THE APPROVAL OF A PRIVATE RIGHT OF WAY OR EASEMENT THAT FULFILLS THE STANDARDS ESTABLISHED IN ACCORDANCE WITH ITEM (1) OF THIS SUBSECTION.~~

(B) THE GOVERNING BODY OF THE COUNTY IN WHICH THE PRIVATE RIGHT-OF-WAY OR EASEMENT IS LOCATED MAY BY LAW, ORDINANCE, OR REGULATION:

(1) ADOPT STANDARDS TO ASSURE THAT A PRIVATE RIGHT-OF-WAY OR EASEMENT IS ADEQUATE TO PROVIDE ACCESS TO A LOT ON WHICH A BUILDING IS PROPOSED TO BE LOCATED; AND

(2) DELEGATE TO THE EXECUTIVE BRANCH OR PLANNING BOARD THE AUTHORITY TO APPROVE A PRIVATE RIGHT-OF-WAY OR EASEMENT WHICH IS ADEQUATE UNDER ITEM (1) OF THIS SUBSECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1991.

Approved May 14, 1991.

CHAPTER 370

(House Bill 375)

AN ACT concerning

Maryland–National Capital Park and Planning Commission – Subdivision

Regulations – Fee in Lieu of Dedication