

adequate public facilities exist for the subdivision plan; and generally relating to the recommendation authority of the County Executive over the subdivision process.

BY adding to

Article 28 - Maryland-National Capital Park and Planning
Commission
Section 7-117.1
Annotated Code of Maryland
(1983 Replacement Volume and 1985 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 28 - Maryland-National Capital Park and Planning
Commission

7-117.1.

(A) (1) IN MONTGOMERY COUNTY, THE SUBDIVISION REGULATIONS SHALL PROVIDE THAT PRIOR TO ACTION BY THE PLANNING BOARD A PRELIMINARY PLAN OF A SUBDIVISION SHALL BE REFERRED TO THE COUNTY EXECUTIVE FOR A DETERMINATION RECOMMENDATION AS TO WHETHER PUBLIC FACILITIES ARE ADEQUATE TO SUPPORT AND SERVICE THE AREA OF THE PROPOSED SUBDIVISION. (2) BASED ON CRITERIA DEVELOPED BY THE COUNTY EXECUTIVE AND APPROVED BY THE DISTRICT COUNCIL AND STANDARDS SET FORTH IN THE SUBDIVISION REGULATIONS OF MONTGOMERY COUNTY, THE COUNTY EXECUTIVE SHALL EITHER APPROVE OR DISAPPROVE RECOMMEND EITHER AN APPROVAL OR DISAPPROVAL OF THE PRELIMINARY PLAN AND RETURN IT TO THE COMMISSION. (3) ~~A SUBDIVISION PLAN MAY NOT BE APPROVED BY THE COMMISSION WITHOUT THE APPROVAL OF THE COUNTY EXECUTIVE AFFIRMING THAT THE PUBLIC FACILITIES ARE ADEQUATE TO SUPPORT AND SERVICE THE AREA OF THE PROPOSED SUBDIVISION.~~

~~(B) THE SUBDIVISION REGULATIONS ADOPTED BY THE DISTRICT COUNCIL AND IN EFFECT WITHIN MONTGOMERY COUNTY CONCERNING ADEQUATE PUBLIC FACILITIES ARE DEEMED TO HAVE BEEN ADOPTED IN ACCORDANCE WITH THIS SECTION EXCEPT THAT WHEREVER THE TERM "PLANNING BOARD" APPEARS THE TERM "COUNTY EXECUTIVE" SHALL BE SUBSTITUTED.~~

(e) (B) THIS SECTION APPLIES ONLY TO THE PLANS OF A SUBDIVISION THAT HAVE NOT RECEIVED PRELIMINARY PLANS OF SUBDIVISION APPROVAL BY THE PLANNING BOARD BEFORE DECEMBER 1, 1986.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect December 1, 1986.

Approved May 13, 1986.