

Chapter 538

**(House Bill 391)**

AN ACT concerning

**Prince George’s County and Montgomery County – Special Exception Hearings  
– Required Notice**

**PG/MC 102–18**

FOR the purpose of requiring, in Prince George’s County and Montgomery County, the board of appeals, the district council, or an administrative office or agency to provide notice of a hearing for a special exception to ~~all~~ certain parties of record; and generally relating to land use hearings in Prince George’s County and Montgomery County.

BY repealing and reenacting, with amendments,  
Article – Land Use  
Section 22–301  
Annotated Code of Maryland  
(2012 Volume and 2017 Supplement)

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

**Article – Land Use**

22–301.

(a) (1) A district council may adopt zoning laws that authorize the board of appeals, the district council, or an administrative office or agency designated by the district council to grant special exceptions and variances to the zoning laws on conditions that are necessary to carry out the purposes of this division.

(2) Any zoning law adopted under this subsection shall contain appropriate standards and safeguards to ensure that any special exception or variance that is granted is consistent with the general purposes and intent of the zoning laws.

(b) Subject to § 22–309 of this subtitle, an appeal from a decision of an administrative office or agency designated under this subtitle shall follow the procedure determined by the district council.

(c) The district council may authorize the board of appeals to interpret zoning maps or decide questions, such as the location of lot lines or district boundary lines, as the questions arise in the administration of zoning laws.

**(D) ~~THE~~ IN ADDITION TO ANY OTHER NOTICE REQUIREMENT, THE BOARD OF APPEALS, THE DISTRICT COUNCIL, OR AN ADMINISTRATIVE OFFICE OR AGENCY SHALL PROVIDE NOTICE OF A HEARING FOR A SPECIAL EXCEPTION TO ALL PARTIES OF RECORD, AS DEFINED IN LOCAL LAW.**

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2018.

**Approved by the Governor, May 8, 2018.**