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By: **Montgomery County and Prince George's County Delegations**

Introduced and read first time: February 11, 1999

Assigned to: Commerce and Government Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Land Use Regulation - Delegation to Municipal**  
3 **Corporations**  
4 **MC/PG 10-99**

5 FOR the purpose of authorizing the District Council for Prince George's County to  
6 delegate certain powers relating to detailed site plans and landscaping to the  
7 governing body of a municipal corporation within the Maryland-Washington  
8 Regional District in Prince George's County; providing that certain standards  
9 and requirements pertaining to land use regulation may not be substantially  
10 different from certain standards or requirements that would otherwise apply;  
11 and generally relating to authorization for the delegation of certain land use  
12 matters from the District Council of Prince George's County to municipal  
13 corporations in the county.

14 BY repealing and reenacting, with amendments,  
15 Article 28 - Maryland-National Capital Park and Planning Commission  
16 Section 8-112.4  
17 Annotated Code of Maryland  
18 (1997 Replacement Volume and 1998 Supplement)

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

21 **Article 28 - Maryland-National Capital Park and Planning Commission**

22 8-112.4.

23 (a) This section applies to any land within the corporate limits of a municipal  
24 corporation in the Maryland-Washington Regional District in Prince George's  
25 County.

26 (b) (1) Subject to [paragraph] PARAGRAPHS (2) AND (3) of this subsection,  
27 the District Council may provide that the governing body of a municipal corporation  
28 may exercise the powers of the District Council in regard to:

- 1 (i) Design standards;
- 2 (ii) DETAILED SITE PLANS;
- 3 (III) Parking and loading standards;
- 4 [(iii)] (IV) Sign design standards;
- 5 [(iv)] (V) Variances for lot size, setback requirements, and similar  
6 requirements; and
- 7 [(v)] (VI) Landscaping requirements, INCLUDING REQUESTS FOR  
8 COMPLIANCE ALTERNATIVES FROM THE PRINCE GEORGE'S COUNTY LANDSCAPE  
9 MANUAL.

10 (2) When exercising authority delegated under paragraph (1) of this  
11 subsection, the governing body of a municipal corporation shall be subject to the  
12 substantive and procedural requirements and standards established by the District  
13 Council.

14 (3) When exercising authority delegated under paragraph (1) of this  
15 subsection, the governing body of a municipal corporation may not impose any  
16 standard or requirement SUBSTANTIALLY different from standards or requirements  
17 that would apply had the District Council not delegated its authority to the municipal  
18 corporation.

19 (c) Any party to an action of the governing body of a municipal corporation  
20 under this section shall have the same right of appeal to the circuit court as the party  
21 would have if the action had been taken by the District Council.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 October 1, 1999.