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

Introduced and read first time: February 9, 2001
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 20, 2001

CHAPTER _____

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Changes to**
3 **Public Property - Commission Review**
4 **MC/PG 105-01**

5 FOR the purpose of requiring the Maryland-National Capital Park and Planning
6 Commission to adopt, after appropriate public hearings, uniform standards of
7 review for reviewing changes to public property located in the regional district;
8 requiring a notice of the adoption of the standards for review to be published in
9 a certain manner; and generally relating to the Maryland-National Capital
10 Park and Planning Commission.

11 BY repealing and reenacting, with amendments,
12 Article 28 - Maryland-National Capital Park and Planning Commission
13 Section 7-112
14 Annotated Code of Maryland
15 (1997 Replacement Volume and 2000 Supplement)

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

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

19 7-112.

20 When the Commission has adopted a master plan of highways of the regional
21 district and has certified the plan to the County Council and clerk of the Circuit Court

1 of Montgomery County and to the Board of County Commissioners and clerk of the
2 Circuit Court of Prince George's County, thereafter no road, park, or other public way
3 or ground, no public (including federal) buildings or structures, and no public utility,
4 whether publicly or privately owned, shall be located, constructed, or authorized in
5 the regional district until and unless the proposed location, character, grade, and
6 extent thereof has been submitted to and approved by the Commission. In case of
7 disapproval, the Commission shall communicate its reasons to the State, federal,
8 county, municipal, or district board, body, or official proposing to locate, construct, or
9 authorize such public way, ground, building, structure, or utility. Thereupon the
10 board, body, or official in its discretion may overrule the disapproval and proceed. The
11 widening, extension, relocation, narrowing, vacation, abandonment, change of use of
12 any road, park, or other public way or ground in the regional district, or the
13 acquisition or sale of any land in the regional district by any public board, body, or
14 official shall be subject to similar submission and approval; and the failure to approve
15 may be similarly overruled. The failure of the Commission to act within 60 days from
16 and after the date of official submission to it shall be deemed an approval, unless a
17 longer period be granted by the submitting board, body, or official. AFTER
18 APPROPRIATE PUBLIC HEARINGS, THE COMMISSION SHALL ADOPT UNIFORM
19 STANDARDS OF REVIEW TO BE FOLLOWED IN REVIEWING CHANGES TO PUBLIC
20 PROPERTY LOCATED IN THE REGIONAL DISTRICT. THE COMMISSION SHALL PUBLISH
21 A ~~SUMMARY NOTICE OF THE ADOPTION~~ OF THE STANDARDS OF REVIEW IN ONE
22 NEWSPAPER OF ~~COUNTYWIDE CIRCULATION~~ RECORD THAT IS PUBLISHED IN EACH
23 COUNTY. THE NOTICE SHALL INCLUDE A SUMMARY OF THE PURPOSE OF THE
24 STANDARDS AND THE REVIEW PROCESS. THE NOTICE ALSO SHALL IDENTIFY A
25 LOCATION AND A PHONE NUMBER TO CONTACT FOR A COMPLETE COPY OF THE
26 STANDARDS OF REVIEW.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2001.