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

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

A BILL ENTITLED

1 AN ACT concerning

2 **Maryland-National Capital Park and Planning Commission - Prince**
3 **George's County - Subdivision Appeal**
4 **MC/PG 129-01**

5 FOR the purpose of providing that certain actions of the Maryland-National Capital
6 Park and Planning Commission relating to subdivision of land in Prince
7 George's County may be appealed only in accordance with certain regulations
8 under certain circumstances; making stylistic changes; providing for the content
9 of certain regulations; and generally relating to subdivision regulations and the
10 Maryland-National Capital Park and Planning Commission.

11 BY repealing and reenacting, with amendments,
12 Article 28 - Maryland-National Capital Park and Planning Commission
13 Section 7-116(g)
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 7-116.

20 (g) (1) [A final action by the Commission on any application for the
21 subdivision of land within 30 days after the action is taken by the Commission, may
22 be appealed by any] SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, WITHIN 30
23 DAYS AFTER THE FINAL ACTION IS TAKEN, ANY person aggrieved by [the action] A
24 FINAL ACTION BY THE COMMISSION ON ANY APPLICATION FOR THE SUBDIVISION OF
25 LAND, or [by] any person, municipality, corporation or association, whether or not
26 incorporated, which has appeared at the hearing in person, by attorney or in
27 [writing] WRITING, MAY APPEAL THE FINAL ACTION to the circuit court for the
28 [county which] COUNTY. THE CIRCUIT COURT may affirm or reverse the action

1 appealed from, or remand it to the Commission for further consideration. When an
2 appeal is [filed] FILED, the procedures described in § 8-105(b) of this article shall [be
3 applicable] APPLY to the Commission and other parties as [is] appropriate.

4 (2) IN PRINCE GEORGE'S COUNTY, IF THE SUBDIVISION REGULATIONS
5 PROVIDE FOR AN APPEAL TO THE DISTRICT COUNCIL, A FINAL ACTION BY THE
6 COMMISSION ON AN APPLICATION FOR THE SUBDIVISION OF LAND MAY BE
7 APPEALED ONLY IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS. THE
8 SUBDIVISION REGULATIONS GOVERNING APPEALS MAY INCLUDE APPEAL
9 PROCEDURES AND A STANDARD OF REVIEW.

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