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

Introduced and read first time: February 6, 2002
Assigned to: Commerce and Government Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County - Land Use Regulation - Delegation to Municipal**
3 **Corporations**
4 **PG/MC 115-02**

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

13 BY repealing and reenacting, with amendments,
14 Article 28 - Maryland-National Capital Park and Planning Commission
15 Section 8-112.4
16 Annotated Code of Maryland
17 (1997 Replacement Volume and 2001 Supplement)

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

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

21 8-112.4.

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

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

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

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

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

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

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2002.