

HOUSE BILL 770

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HB 852/01 - CGM

2002 Regular Session  
2lr0622

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

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

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Committee Report: Favorable  
House action: Adopted  
Read second time: April 3, 2002

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CHAPTER \_\_\_\_\_

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:

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

2 8-112.4.

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

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

9 (i) Design standards;

10 (ii) Parking and loading standards;

11 (iii) Sign design standards;

12 (iv) Variances for lot size, setback requirements, and similar  
13 requirements; and

14 (v) Landscaping requirements, INCLUDING REQUESTS FOR  
15 COMPLIANCE ALTERNATIVES FROM THE PRINCE GEORGE'S COUNTY LANDSCAPE  
16 MANUAL.

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

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

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

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

