

HOUSE BILL 892

L2

2lr0669

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

Introduced and read first time: February 9, 2012

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Prince George's County – Qualifying Municipal Corporations – Land Use**
3 **Decisions**

4 **PG 411–12**

5 FOR the purpose of authorizing a governing body of a certain municipal corporation by
6 resolution to exercise the powers of the Prince George's County Planning Board,
7 the zoning hearing examiner for Prince George's County, or the County Council
8 for Prince George's County, sitting as a district council, to make certain land
9 use decisions; subjecting the exercise of certain powers by the governing body of
10 a certain municipal corporation to the substantive and procedural requirements
11 and standards established in the Prince George's County zoning ordinance;
12 prohibiting a governing body of a certain municipal corporation from amending
13 the Prince George's County zoning ordinance or adopting a municipal zoning
14 ordinance; granting a certain party of record a right to seek judicial review of a
15 certain decision; defining a certain term; and generally relating to land use
16 decisions by governing bodies of municipal corporations in Prince George's
17 County.

18 BY adding to

19 Article 28 – Maryland–National Capital Park and Planning Commission
20 Section 8–112.5
21 Annotated Code of Maryland
22 (2010 Replacement Volume and 2011 Supplement)

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

25 **Article 28 – Maryland–National Capital Park and Planning Commission**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 8-112.5.

2 (A) IN THIS SECTION, "QUALIFYING MUNICIPAL CORPORATION" MEANS
3 A MUNICIPAL CORPORATION IN THE MARYLAND-WASHINGTON REGIONAL
4 DISTRICT IN PRINCE GEORGE'S COUNTY THAT HAS A POPULATION OF AT LEAST
5 20,000 ACCORDING TO THE MOST RECENT UNITED STATES CENSUS.

6 (B) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION,
7 A GOVERNING BODY OF A QUALIFYING MUNICIPAL CORPORATION MAY BY
8 RESOLUTION EXERCISE THE POWERS OF THE PRINCE GEORGE'S COUNTY
9 PLANNING BOARD, THE ZONING HEARING EXAMINER FOR PRINCE GEORGE'S
10 COUNTY, OR THE COUNTY COUNCIL FOR PRINCE GEORGE'S COUNTY, SITTING
11 AS A DISTRICT COUNCIL, TO MAKE LAND USE DECISIONS RELATING TO ANY
12 LAND WITHIN THE CORPORATE LIMITS OF THE MUNICIPAL CORPORATION.

13 (2) WHEN EXERCISING THE POWERS AUTHORIZED UNDER
14 PARAGRAPH (1) OF THIS SUBSECTION, THE GOVERNING BODY OF A QUALIFYING
15 MUNICIPAL CORPORATION SHALL BE SUBJECT TO THE SUBSTANTIVE AND
16 PROCEDURAL REQUIREMENTS AND STANDARDS ESTABLISHED IN THE PRINCE
17 GEORGE'S COUNTY ZONING ORDINANCE, INCLUDING THE REGULATIONS AND
18 MAPS.

19 (3) THE POWERS GRANTED UNDER THIS SECTION DO NOT
20 AUTHORIZE A GOVERNING BODY OF A QUALIFYING MUNICIPAL CORPORATION
21 TO:

22 (I) AMEND THE PRINCE GEORGE'S COUNTY ZONING
23 ORDINANCE; OR

24 (II) ADOPT A MUNICIPAL ZONING ORDINANCE.

25 (C) A PARTY OF RECORD TO AN ACTION OF A GOVERNING BODY OF A
26 QUALIFYING MUNICIPAL CORPORATION UNDER THIS SECTION MAY SEEK
27 JUDICIAL REVIEW OF THE FINAL DECISION OF THE GOVERNING BODY TO THE
28 CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2012.