

HOUSE BILL 391

L5

8lr0484

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

Introduced and read first time: January 24, 2018

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 13, 2018

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County and Montgomery County – Special Exception Hearings**
3 **– Required Notice**

4 **PG/MC 102–18**

5 FOR the purpose of requiring, in Prince George's County and Montgomery County, the
6 board of appeals, the district council, or an administrative office or agency to provide
7 notice of a hearing for a special exception to ~~all~~ certain parties of record; and
8 generally relating to land use hearings in Prince George's County and Montgomery
9 County.

10 BY repealing and reenacting, with amendments,
11 Article – Land Use
12 Section 22–301
13 Annotated Code of Maryland
14 (2012 Volume and 2017 Supplement)

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

17 **Article – Land Use**

18 22–301.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) (1) A district council may adopt zoning laws that authorize the board of
 2 appeals, the district council, or an administrative office or agency designated by the district
 3 council to grant special exceptions and variances to the zoning laws on conditions that are
 4 necessary to carry out the purposes of this division.

5 (2) Any zoning law adopted under this subsection shall contain appropriate
 6 standards and safeguards to ensure that any special exception or variance that is granted
 7 is consistent with the general purposes and intent of the zoning laws.

8 (b) Subject to § 22–309 of this subtitle, an appeal from a decision of an
 9 administrative office or agency designated under this subtitle shall follow the procedure
 10 determined by the district council.

11 (c) The district council may authorize the board of appeals to interpret zoning
 12 maps or decide questions, such as the location of lot lines or district boundary lines, as the
 13 questions arise in the administration of zoning laws.

14 (D) ~~THE~~ **IN ADDITION TO ANY OTHER NOTICE REQUIREMENT, THE BOARD**
 15 **OF APPEALS, THE DISTRICT COUNCIL, OR AN ADMINISTRATIVE OFFICE OR AGENCY**
 16 **SHALL PROVIDE NOTICE OF A HEARING FOR A SPECIAL EXCEPTION TO ALL PARTIES**
 17 **OF RECORD, AS DEFINED IN LOCAL LAW.**

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
 19 October 1, 2018.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.