

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

A BILL ENTITLED

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 parties of record; and generally
8 relating to land use hearings in Prince George's County and Montgomery County.

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

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

16 **Article – Land Use**

17 22–301.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

7 **(D) THE BOARD OF APPEALS, THE DISTRICT COUNCIL, OR AN**
8 **ADMINISTRATIVE OFFICE OR AGENCY SHALL PROVIDE NOTICE OF A HEARING FOR A**
9 **SPECIAL EXCEPTION TO ALL PARTIES OF RECORD.**

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