

# HOUSE BILL 751

L3, L6

5lr2757

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By: **Delegate Schindler**

Introduced and read first time: January 27, 2025

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Municipalities – Annexed Land – Land Use and Density**

3 FOR the purpose of altering the restrictions on a municipality, for a period following an  
4 annexation of land, to authorize the development of certain annexed land for certain  
5 land uses or certain densities without obtaining the express approval of the county  
6 in which the municipality is located; altering the authority of a municipality to  
7 authorize certain land uses or certain densities for certain annexed land with the  
8 express approval of the county in which the municipality is located; and generally  
9 relating to the use, development, and zoning classification of land annexed by a  
10 municipality.

11 BY repealing and reenacting, with amendments,  
12 Article – Local Government  
13 Section 4–416  
14 Annotated Code of Maryland  
15 (2013 Volume and 2024 Supplement)

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

18 **Article – Local Government**

19 4–416.

20 (a) (1) Notwithstanding § 4–104(f) of this title, if an area is annexed to a  
21 municipality that has planning and zoning authority at the time of annexation, the  
22 municipality shall have exclusive jurisdiction over planning, subdivision control, and  
23 zoning in the area annexed.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) Paragraph (1) of this subsection does not grant any planning or zoning  
2 power or subdivision control to a municipality that is not authorized to exercise planning  
3 or zoning power or subdivision control at the time of annexation.

4           (b) Without the express approval of the county commissioners or county council  
5 of the county in which the municipality is located, for 5 years after an annexation by a  
6 municipality, the municipality may not allow development of the annexed land for land  
7 uses substantially different than the authorized use, or at a substantially higher density,  
8 not exceeding 50%, than could be granted for the proposed development, in accordance with  
9 the [zoning classification of the county] **LAND USE RECOMMENDATIONS IN THE**  
10 **COMPREHENSIVE PLAN OF THE COUNTY OR MUNICIPALITY** applicable at the time of  
11 the annexation.

12           (c) Notwithstanding § 4–204 of the Land Use Article and if the county expressly  
13 approves, the municipality may place the annexed land in a zoning classification that  
14 allows a land use or density different from the land use or density specified in the [zoning  
15 classification of the county or agency with planning and zoning jurisdiction over the land  
16 prior to its annexation] **LAND USE RECOMMENDATIONS IN THE COMPREHENSIVE PLAN**  
17 **OF THE COUNTY OR MUNICIPALITY** applicable at the time of the annexation.

18           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
19 October 1, 2025.