

Bill No.: \_\_\_\_\_  
Requested: \_\_\_\_\_  
Committee: \_\_\_\_\_

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

A BILL ENTITLED

1 AN ACT concerning

2 **Montgomery County and Prince George’s County – Qualifying Municipal**  
3 **Corporation – Land Use**

4 **MC/PG 114–25**

5 FOR the purpose of authorizing a governing body of a qualifying municipal corporation by  
6 resolution to exercise the powers of the Prince George’s County Planning Board, the  
7 zoning hearing examiner for Prince George’s County, or the District Council for  
8 Prince George’s County to make specified land use decisions; subjecting the exercise  
9 of those powers to the substantive and procedural requirements and standards  
10 established in the Prince George’s County zoning law; providing for judicial review  
11 of certain actions; and generally relating to land use in Prince George’s County.

12 BY repealing and reenacting, with amendments,  
13 Article – Land Use  
14 Section 22–119  
15 Annotated Code of Maryland  
16 (2012 Volume and 2024 Supplement)

17 BY repealing and reenacting, without amendments,  
18 Article – Land Use  
19 Section 25–101 and 25–301

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.





1                   (3)    the disposition of fines imposed for violations cited by the municipal  
2 corporation;

3                   (4)    the resolution of disagreements between the municipal corporation and  
4 the county about the interpretation of zoning laws; and

5                   (5)    any other matter that the district council considers necessary for the  
6 proper exercise of the authority granted by this section.

7 25–101.

8           This title applies only in Prince George’s County.

9 25–301.

10           (a)    Except as otherwise provided in this section, the district council may provide  
11 that the governing body of a municipal corporation may exercise the powers of the district  
12 council as specified in this subtitle.

13           (b)    When exercising authority delegated under subsection (c) or (d) of this section,  
14 the governing body of a municipal corporation:

15                   (1)    shall be subject to the substantive and procedural requirements and  
16 standards established by the district council; and

17                   (2)    may not impose:

18                           (i)    with respect to general delegation under subsection (c) of this  
19 section, a different requirement or standard than the requirements or standards that would  
20 apply if the district council had not delegated its authority to the municipal corporation; or

21                           (ii)   with respect to delegation in a revitalization overlay zone under  
22 subsection (d) of this section, a stricter requirement or standard than the requirements or  
23 standards that would apply if the district council had not delegated its authority to the  
24 municipal corporation.

25           (c)    (1)    This subsection applies to land in a municipal corporation in the

1 regional district.

2 (2) The district council may delegate to the governing body of a municipal  
3 corporation the powers of the district council regarding:

4 (i) design standards;

5 (ii) parking and loading standards;

6 (iii) sign design standards;

7 (iv) lot size variances and setback and similar requirements;

8 (v) landscaping requirements;

9 (vi) certification, revocation, and revision of nonconforming uses;

10 (vii) minor changes to approved special exceptions;

11 (viii) vacation of municipal rights-of-way; and

12 (ix) except as provided in paragraph (3) of this subsection, all  
13 detailed site plans.

14 (3) The authority to delegate with regard to detailed site plans does not  
15 apply to detailed site plans:

16 (i) for a zone that requires detailed site plan approval by the district  
17 council;

18 (ii) that are required as a condition of approval of a zoning map  
19 amendment or a preliminary plan of subdivision;

20 (iii) for which the approval of a conceptual site plan or a preliminary  
21 plan of cluster subdivision is required; or

22 (iv) that are required for designated parcels as a specific condition of  
23 a sectional map amendment.

1 (d) (1) This subsection applies to a revitalization overlay zone created by the  
2 district council.

3 (2) For any portion of a revitalization overlay zone in a municipal  
4 corporation, the district council may delegate to the governing body of a municipal  
5 corporation the powers of the district council regarding:

- 6 (i) design standards;
- 7 (ii) parking and loading standards;
- 8 (iii) sign design standards;
- 9 (iv) lot size variances and setback and similar requirements; and
- 10 (v) landscaping requirements.

11 (3) The delegation of powers under paragraph (2) of this subsection may  
12 not impede a development that meets the requirements the district council sets for the  
13 revitalization overlay zone.

14 (4) For any portion of a revitalization overlay zone not within a municipal  
15 corporation, the district council may authorize the county planning board to approve:

- 16 (i) departures from parking and loading standards;
- 17 (ii) departures from design standards; and
- 18 (iii) any variance from the zoning laws.

19 **25-304.**

20 (A) IN THIS SECTION, “QUALIFYING MUNICIPAL CORPORATION” MEANS A  
21 MUNICIPAL CORPORATION IN THE REGIONAL DISTRICT IN THE COUNTY THAT HAS A  
22 POPULATION OF AT LEAST 15,000 ACCORDING TO THE MOST RECENT UNITED  
23 STATES CENSUS.

1           **(B) (1) SUBJECT TO PARAGRAPHS (2) AND (3) OF THIS SUBSECTION, A**  
2 **GOVERNING BODY OF A QUALIFYING MUNICIPAL CORPORATION MAY BY**  
3 **RESOLUTION EXERCISE THE POWERS OF THE COUNTY PLANNING BOARD, THE**  
4 **ZONING HEARING EXAMINER FOR THE COUNTY, OR THE DISTRICT COUNCIL TO MAKE**  
5 **LAND USE DECISIONS RELATING TO ANY LAND WITHIN THE CORPORATE LIMITS OF**  
6 **THE MUNICIPAL CORPORATION.**

7           **(2) WHEN EXERCISING THE POWERS AUTHORIZED UNDER**  
8 **PARAGRAPH (1) OF THIS SUBSECTION, THE GOVERNING BODY OF A QUALIFYING**  
9 **MUNICIPAL CORPORATION SHALL BE SUBJECT TO THE SUBSTANTIVE AND**  
10 **PROCEDURAL REQUIREMENTS AND STANDARDS ESTABLISHED IN THE COUNTY**  
11 **ZONING LAW, INCLUDING THE REGULATIONS AND MAPS.**

12           **(3) THE POWERS GRANTED UNDER THIS SECTION DO NOT AUTHORIZE**  
13 **A GOVERNING BODY OF A QUALIFYING MUNICIPAL CORPORATION TO:**

14                           **(I) AMEND THE COUNTY ZONING LAW; OR**

15                           **(II) ADOPT A MUNICIPAL ZONING LAW.**

16           **(4) WITHIN 30 DAYS AFTER THE DATE OF ADOPTION OF A**  
17 **RESOLUTION UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE GOVERNING BODY**  
18 **OF A QUALIFYING MUNICIPAL CORPORATION SHALL SUBMIT A COPY OF THE**  
19 **RESOLUTION TO THE DISTRICT COUNCIL.**

20           **(C) A PARTY OF RECORD TO AN ACTION OF A GOVERNING BODY OF A**  
21 **QUALIFYING MUNICIPAL CORPORATION UNDER THIS SECTION MAY SEEK JUDICIAL**  
22 **REVIEW OF THE FINAL DECISION OF THE GOVERNING BODY TO THE CIRCUIT COURT**  
23 **FOR PRINCE GEORGE’S COUNTY.**

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