HOUSE BILL 818

L5 3lr0816

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

Introduced and read first time: February 8, 2023 Assigned to: Environment and Transportation

A BILL ENTITLED

1	AN ACT concerning
2 3	Prince George's County – Maryland–Washington Regional District – Standing to Request Review of Zoning and Land Use Decisions
4	MC/PG 107–23
5 6 7 8 9 10 11 12	FOR the purpose of altering the list of persons that may request judicial review of a final decision of the Prince George's County District Council; altering the list of persons that may request the district council to review a decision of a zoning hearing examiner or the planning board of Prince George's County; altering the circumstances under which a certain person may request the district council to review a decision of a zoning hearing examiner or the planning board of Prince George's County; and generally relating to reviews of zoning decisions in Prince George's County.
13 14 15 16 17	BY repealing and reenacting, with amendments, Article – Land Use Section 22–407(a)(1) and 23–401 Annotated Code of Maryland (2012 Volume and 2022 Supplement)
18 19 20 21 22	BY repealing Article – Land Use Section 25–212 Annotated Code of Maryland (2012 Volume and 2022 Supplement)
23 24	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Land Use

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

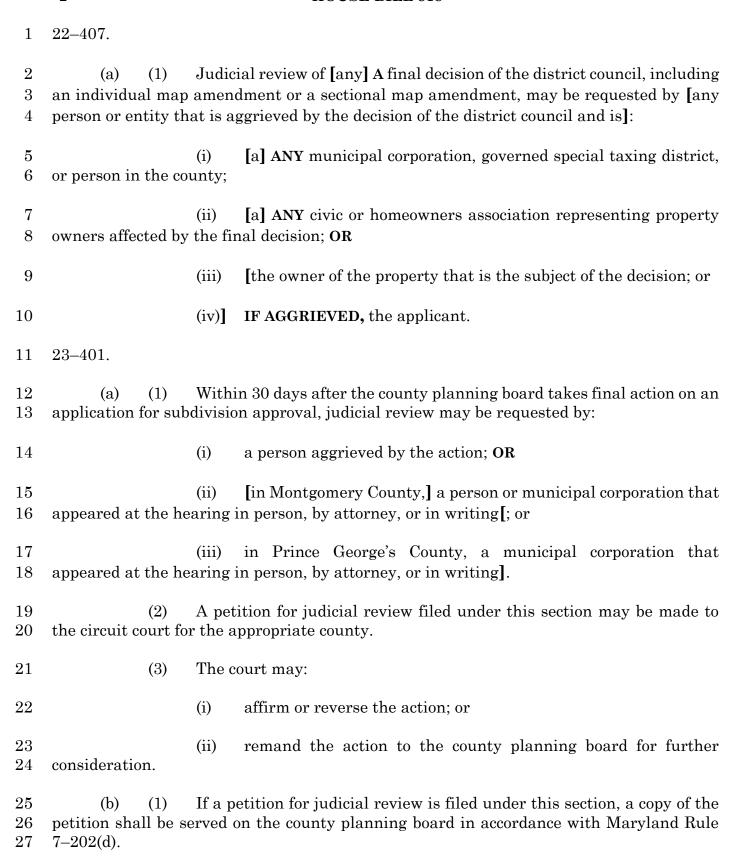
[Brackets] indicate matter deleted from existing law.

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(2)



On receiving a copy of the petition, the county planning board shall:

1 promptly give notice of the petition to all parties to the (i) 2 proceeding before it; and 3 (ii) within 30 days after the filing of the petition, file with the circuit 4 court: 5 the originals or certified copies of all papers and evidence 1. 6 presented to the county planning board in the proceeding before it; and 7 2. a copy of its opinion and resolution deciding the 8 application. 9 Any party to the proceeding in the circuit court aggrieved by the (3)judgment of the court may appeal from the judgment to the Court of Special Appeals. 10 **(4)** The review proceedings provided by this section are exclusive. 11 [25–212. 12 13 In Prince George's County, a person may make a request to the district council for the review of a decision of the zoning hearing examiner or the county planning board only 14 15 if: 16 (1) the person is an aggrieved person that appeared at the hearing before 17 the zoning hearing examiner or county planning board in person, by an attorney, or in 18 writing; and 19 (2) the review is expressly authorized under this division.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect

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October 1, 2023.