



# Agenda Item Summary Report

<b>Meeting Date:</b> September 9, 2024	<b>Submitted by:</b> Michelle Bailey Hedgepeth, Town Administrator
<b>Item Title: Resolution 002-2025   Land Use Authority Resolution</b>	
<b>RESOLUTION 002-2025</b>   A Resolution of the Town of Bladensburg, Maryland, Supporting Legislative Initiatives that Re-establish Local Land Use Authority	
<b>Work Session Item [X ]</b> <b>Council Meeting Item [X]</b>	<b>Documentation Attached:</b> Resolution Draft Legislation
<b>Recommended Action:</b>	
Staff recommends the passage of this support resolution.	
<b>Item Summary:</b> As part of the next session, the legislature will review a bill on this matter. The legislation is similar to HB 1059, introduced during the 2024 session. If enacted, it would provide the following: <ul style="list-style-type: none"><li>• Municipalities that employ or have under contract a certified planner are deemed to be Qualifying Municipal Corporations and are granted powers to make land use decisions previously delegated to the Zoning Hearing Examiner, Planning Board, and District Council.</li><li>• Revise the Land Use Article concerning subdivision approval to specify that a Qualifying Municipal Corporation is authorized to approve subdivisions in addition to zoning actions.</li><li>• Exempts Qualifying Municipal Corporations from needing an agreement with the District Council before exercising land use authority.</li><li>• Exempts Qualifying Municipal Corporations from requiring an agreement with the District Council to exercise concurrent powers over zoning enforcement.</li><li>• Any Party of Record can request judicial review of any decision, including a subdivision decision.</li></ul> <p>The legislation does not grant authority to amend County Zoning Law or Adopt Municipal Zoning Law, and the municipal land use decisions would be subject to the standards and procedures established by County Zoning Law. Other municipalities may still enter into an agreement with the District Council in which the District Council may delegate powers related to (1) design standards; (2) parking and loading standards; (3) sign design standards; (4) lot size variances and setback and similar requirements; (5) landscaping requirements; (6) certification, revocation, and revision of nonconforming uses; (7) minor changes to approved special exceptions; (8) vacation of municipal rights-of-way; and (9) detailed site plans in certain limited situations.</p> <p>In short, this draft bill will allow municipalities of any size to make land use decisions if they employ or contract with a certified planner. As many of you know and have experienced, municipalities of all sizes across the State successfully carry out land use and full zoning authority. This bill would allow municipalities in Prince George's County to have land use authority while the County would continue to have zoning authority.</p> <p>The Town administrator will answer any question on this matter.</p>	
<b>Budgeted Item:</b> Yes [ ] No [ ] NA <b>Budgeted Amount:</b> <b>One-Time Cost:</b> NA <b>Ongoing Cost:</b> NA	<b>Continued Date:</b>
<b>Council Priority:</b> Yes [ ] No [ ]	<b>Approved Date:</b>