

Department of Legislative Services  
Maryland General Assembly  
2000 Session

FISCAL NOTE  
Revised

House Bill 1206 (Delegate Schisler)

Environmental Matters

---

**Smart Growth - Visions - Adequate Public Facilities**

---

This bill requires a local planning commission, through its comprehensive plan required under the State zoning and planning law (Article 66B), to implement the vision that adequate public facilities and infrastructure under the control of the county or municipal corporation are available or planned in areas where growth is to occur. The bill also adds another element to the State Economic Growth, Resource Protection, and Planning Policy by providing that adequate public facilities and infrastructure are available or planned in areas where growth is to occur.

---

**Fiscal Summary**

**State Effect:** Because the bill only provides that it is State policy that adequate public facilities are available or planned in areas where growth is to occur, it does not directly affect State operations or finances. Should State facilities be improved or added in order to support future growth, expenditures could increase. Any such increase cannot be reliably estimated at this time.

**Local Effect:** Minimal.

**Small Business Effect:** Minimal.

---

**Analysis**

**Current Law:** Article 66B governs zoning and planning in the State. Local planning commissions are required to develop and approve a plan which must be recommended to the local legislative body for adoption and which must serve as a guide to public and private actions and decisions relating to development. The plan, at a minimum, must contain a

statement of goals and standards, a land use plan element, a transportation plan element, a community facilities plan element, a mineral resources plan element under specified conditions, recommendations for land development regulations, recommendations for the designation of areas of critical concern, and a sensitive area element. These requirements do not apply to local jurisdictions within the Maryland-Washington Regional District.

**Background:** Twelve local jurisdictions in Maryland currently operate under an Adequate Public Facilities Ordinance (APFO), which limits growth to the existence of adequate public facilities. Proposed projects are analyzed for adequacy of existing facilities on a project-by-project basis. The Maryland Office of Planning is currently examining methods to use computer modeling to address adequate public facility analyses on a larger scale.

**Local Fiscal Effect:** Because local jurisdictions are already required to implement the vision that development is concentrated in suitable areas and that funding mechanisms achieve that vision, the bill does not necessarily require them to do anything more than revise the next version of the comprehensive plan to include the bill's vision. The 12 jurisdictions that already have APFOs would certainly not be affected by this bill. Should a local jurisdiction decide to adopt an APFO as a result of this bill, costs related to funding the improvement of facilities in areas of proposed development could occur. Any such costs cannot be reliably estimated at this time, but would not be a direct result of this bill.

---

### Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Maryland Department of Transportation, Maryland Office of Planning, Department of Legislative Services

**Fiscal Note History:** First Reader - February 24, 2000  
ncs/jr Revised - Enrolled Bill - April 18, 2000

---

Analysis by: Lesley Frymier

Direct Inquiries to:  
John Rixey, Coordinating Analyst  
(410) 946-5510  
(301) 970-5510