

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

House Bill 1098 (Delegate Pitkin. *et al.*)

Environmental Matters

**Smart Growth - Transferable Development Rights - Commercial and Residential
Uses**

This bill amends the State zoning and planning law (Article 66B) to provide that a local transfer of development rights program must include the authorization to transfer development rights: (1) from an existing commercial use to another commercial use or other more intense use that is located in a priority funding area; and (2) from an existing residential use to another residential use or other more intense use that is located in a priority funding area.

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: If a local jurisdiction has a transfer of development rights program or creates one pursuant to its authority under current law, the bill could result in an increase in property tax revenues in priority funding areas to the extent that other or more intensive uses of properties in those areas increases the value of those properties. No effect on expenditures.

Small Business Effect: Potential minimal. To the extent that small businesses in priority funding areas are able to locate or expand their businesses as a result of the bill, those entities would benefit.

Analysis

Current Law: In order to encourage the preservation of natural resources and to facilitate

orderly growth and development in the State, the legislative body of a county or municipal corporation, including Baltimore City, that exercises authority granted by Article 66B may establish a program for the transfer of development rights.

Background: A program of transfer of development rights is one tool used by local jurisdictions to protect land from development.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Office of Planning; Maryland Department of the Environment; Baltimore City; Allegany, Montgomery, and Talbot counties; Town of Indian Head; Department of Legislative Services

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