

Department of Legislative Services

Maryland General Assembly

2002 Session

FISCAL NOTE

House Bill 771

(Prince George's County Delegation and Montgomery
County Delegation)

Commerce and Government Matters

**Prince George's County - Municipal Corporations - Planning Authority
PG/MC 116-02**

This bill authorizes specified municipal corporations in Prince George's County in the Maryland-Washington Regional District to elect to regulate planning and assume specified planning authority that currently rests with the Maryland-National Capital Park and Planning Commission (M-NCPPC) and the Prince George's County District Council. Initially, a municipal corporation must adopt all existing approved and adopted county plans, maps, ordinances, and regulations, but thereafter may amend or modify them. M-NCPPC and the District Council would retain the authority and obligation to develop and adopt a general plan and functional master plans. M-NCPPC, the Prince George's County Planning Board, and the District Council would retain the authority and obligation to approve building permits. A municipal corporation must submit proposed applications for preliminary plans of subdivision to M-NCPPC and the District Council for review and comment. The District Council would be required to approve local master plans or amendments.

The bill takes effect January 1, 2003.

Fiscal Summary

State Effect: The bill would not affect State operations or finances.

Local Effect: Municipalities choosing to use the authority provided by the bill could do so with existing budgeted resources. Prince George's County advises that the bill could result in an increase in litigation to sort out what would be the exclusive jurisdiction of a municipal corporation and what authority would remain with M-NCPPC and the District

Council. To the extent that the bill results in an increase in litigation, local expenditures would increase. Any such increase cannot be predicted at this time.

Small Business Effect: Minimal.

Analysis

Current Law: Planning and zoning authority affected by this bill currently lies with M-NCPPC and the District Council.

Background: The Maryland-Washington Regional District includes all municipalities within Prince George's County except for the City of Laurel. M-NCPPC is the agency in the Regional District that operates as the planning authority and develops plans governing areas within the Regional District. The District Council approves and amends those plans.

The number of municipalities that would be eligible to regulate planning under the bill is unknown; based on the 1990 census, only three municipalities in Prince George's County had a population of at least 10,000, which is one of the specified conditions. There are 26 municipalities in Prince George's County that fall within the Regional District.

Additional Information

Prior Introductions: HB 849 of 2001 was referred to the House Commerce and Government Matters Committee. The bill was withdrawn.

Cross File: None.

Information Source(s): Prince George's County, Maryland-National Capital Park and Planning Commission, Department of Legislative Services

Fiscal Note History: First Reader - March 10, 2002
lc/hlb

Analysis by: Christopher J. Kelter

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