

**Department of Legislative Services**  
Maryland General Assembly  
2006 Session

**FISCAL AND POLICY NOTE**

House Bill 86 (Delegate Smigiel)  
Environmental Matters

---

**Planning Commissions and Boards of Zoning Appeals - Members - Residency Requirement**

---

This bill requires a member of a planning commission or board of zoning appeals to maintain a permanent residence within the area over which the commission or board has jurisdiction.

The bill is prospective only and takes effect for members appointed or reappointed on or after the effective date.

---

**Fiscal Summary**

**State Effect:** None.

**Local Effect:** The residency requirement would not have a fiscal impact on the operations of planning commissions or boards of zoning appeals.

**Small Business Effect:** None.

---

**Analysis**

**Current Law:** State law provides that a planning commission consists of three, five, or seven members. The members are appointed by the local legislative body or by the person designated as the appointing power in the ordinance creating the commission. A board of zoning appeals consists of three members appointed by the local executive and confirmed by the local legislative body. Numerous counties have adopted local laws that

require commission or board members to be residents, including Baltimore, Caroline, Howard, Queen Anne's, and St. Mary's counties.

---

### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Governor's Office, Baltimore City, Talbot County, Department of Legislative Services

**Fiscal Note History:** First Reader - January 19, 2006  
nas/ljm

---

Analysis by: Karen S. Benton

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510