

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1159 (Delegate Smigiel, *et al.*)
Environmental Matters

Land Use - Local Planning Commission Plans - Open Space

A local planning commission plan that provides for open spaces may not include areas with impervious surfaces (such as cul-de-sacs, highways, and parking lots) or areas with pervious surfaces that are unusable by the public for parks or recreational areas (such as sediment control ponds) as open spaces.

Fiscal Summary

State Effect: None.

Local Effect: The bill's changes could be handled with existing budgeted resources.

Small Business Effect: Minimal.

Analysis

Current Law: Article 66B, which is amended by the bill, governs zoning and planning in the State. Local planning commissions are required to develop and approve a plan that must: (1) be recommended to the local legislative body for adoption; and (2) 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.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland Department of Planning, Department of Natural Resources, Charles County, Montgomery County (Maryland-National Capital Park and Planning Commission), Prince George's County, Somerset County, Maryland Municipal League, Department of Legislative Services

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