

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1503 (Carroll County Delegation)
Economic Matters

Carroll County - District Planning Commission - Authorized

This bill authorizes the County Commissioners of Carroll County to enact a local law to divide the county into districts and establish one or more district planning commissions with the same powers and duties, with regard to the applicable district, as the county planning commission. The establishment of district planning commissions is in addition to the county planning commission.

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: The bill does not directly affect Carroll County finances since it only authorizes (and does not require) establishment of district planning commissions in the county, through local law; however, any such local law may have an administrative fiscal impact.

Small Business Effect: None.

Analysis

Bill Summary: The bill authorizes the County Commissioners of Carroll County to enact a local law to:

- divide the county into districts of any number, shape, or area it may determine;
- establish a process for the appointment of one or more district planning commissions to prepare and implement plans for a district; and
- provide for the (1) membership and term of a district planning commission and (2) abolishment of a district planning commission at any time and for any reason.

A district planning commission established under the bill – is in addition to the county planning commission appointed in accordance with Title 2 of the Land Use Article – and must:

- have the same powers and duties with regard to a district as the county planning commission;
- develop plans and regulations for the zoning, subdivision, and provision of facilities and services to the district for the orderly growth of the district;
- hold public hearings; and
- submit the proposed plans and regulations, including the full text of any zoning regulations and maps, to the county commissioners for approval.

Zoning regulations adopted for a district must be administered within the district in the same manner as all other land use regulations of the county or as otherwise provided in the district zone regulations.

Current Law:

Planning Commission – Title 2 of the Land Use Article

Pursuant to Title 2 of the Land Use Article, a local jurisdiction may establish by local law a planning commission with the powers and duties set forth in Division I of the Land Use Article. Except as otherwise provided in Division I, a planning commission established must:

- consist of three, five, or seven members, one of whom may be a member of the legislative body, who serves as an ex officio member concurrent with the member's legislative term;
- be appointed by the legislative body or the person designated as the appointing authority in the local law establishing the planning commission; and
- be appointed by the local executive and confirmed by the legislative body, if there is a single elected local executive.

Other statutory provisions, with respect a planning commission, specify, among other things, the (1) term of a commission member; (2) grounds and requirements for removal of a member by a legislative body; and (3) the filling of vacancies of an appointed member, and designation of alternate members to sit on the planning commission in the absence of any member of the commission.

Land Use

In General

The regulation of land use in the State, through planning and zoning, is implemented by local governments, subject to applicable State law. Planning and zoning authority is delegated by the State to local governments primarily under the Land Use Article and, for certain counties, the Express Powers Act (Title 10 of the Local Government Article).

Both the Land Use Article and Express Powers Act contain the State's policy statement that (1) the orderly development and use of land and structures requires comprehensive regulation through implementation of planning and zoning controls and (2) planning and zoning controls must be implemented by local government.

The Maryland Supreme Court distinguishes “planning” and “zoning” by describing planning as focused on the long-term development of a community with respect to land use, streets, parks, civic beauty, industrial and commercial undertakings, residential developments, and other matters, while zoning is focused on the territorial division of land within a jurisdiction and dedication of the divided areas to particular uses (*e.g.*, residential, commercial, industrial). See *Cnty. Council of Prince George's Cnty. v. Zimmer Dev. Co.*, 444 Md. 490, 505, 520 (2015). “Plans are developed to guide the implementation of land use controls and zoning in a rational way that is beneficial to the public.” *Id.* At 520.

Comprehensive Plans

Local jurisdictions must enact, adopt, amend, and execute a comprehensive plan; the plan must include planning principles and elements specified in statute and the jurisdiction's zoning laws must be consistent with the plan. Jurisdictions can also develop more detailed plans for specific areas within the jurisdiction. At least once every 10 years, each planning commission must review the comprehensive plan (or plans) and, if necessary, revise or amend the plan(s) to include all required elements and planning principles, to recommend for adoption by the local jurisdiction.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 836 (Carroll County Senators) - Education, Energy, and the Environment.

Information Source(s): Carroll County; Maryland Department of Planning; Department of Legislative Services

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Analysis by: Joanne E. Tetlow

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