



BILL NO.: Senate Bill 835

TITLE: State Development Plan – Conflicts with a County or Municipal Corporation

POSITION: **SUPPORT**

DATE: March 13, 2012

COMMITTEE: Education, Health, and Environmental Affairs

CONTACT: Leslie Knapp Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** Senate Bill 835. The bill would clarify the scope and role of the State Development Plan (aka PlanMaryland).

SB 835 provides that if there is a conflict between the Plan and a local government concerning the identification of growth, preservation, or other planning areas in the Plan, the Maryland Department of Planning (MDP) and the local government shall meet in good faith and seek to resolve the conflict. If the conflict is not resolved, then the comprehensive plan, zoning laws, and local land use ordinances shall govern.

From its earliest official correspondence regarding PlanMaryland, MACo has been “cautiously supportive” of the Plan.¹ However, MACo has also expressed concern about the Plan’s potential scope and breadth. Both Governor Martin O’Malley and Secretary of Planning Richard Hall have stated publicly that the Plan is about coordinating State resources and funding. However, the criteria and benefits/drawbacks of the planning areas have not yet been finalized and MACo believes this bill sets reasonable parameters to ensure the Plan does not go beyond its stated purpose.

Under the current law for Priority Funding Areas (PFAs), the PFAs are selected by the local governments according to criteria established in statute. MDP has no approval authority over a local government’s PFA selections, but may comment on the selections and if the difference in opinion over the PFA is broad enough, the State may withhold discretionary spending. SB 835 essentially proposes that the basic PFA system be used for the designation of PlanMaryland planning areas.

SB 835 better defines the scope and parameters of the Plan’s planning areas, providing county governments with a level of comfort that is lacking with the current version of the Plan. Accordingly, MACo recommends the Committee issue a **FAVORABLE** report on SB 835.

¹ MACo letter to MDP Secretary Richard Hall, August 9, 2010.