



**Frederick County
Government
Frederick, Maryland**

News Release

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GOVERNOR O'MALLEY AGREES TO "DE-FANG" PLANMARYLAND LEGISLATION

FREDERICK, MD – Maryland Governor Martin O'Malley today signed into law House Bill 1201/Senate Bill 532, "Department of Planning - State Development Plan - Use and Conflicts of Law." This legislation was the number one priority for Frederick County and the Maryland Rural Counties Coalition because of its challenge to local land use and authority.

The law clarifies the scope and limits of the State Development Plan, also referred to as "PlanMaryland."

The new law provides that the Plan may not be used to establish a new cause for state denial of projects, permits, or approvals or to deny mandated funding. It also 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 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.

President Blaine Young of the Frederick Board of County Commissioners stated, "From the earliest inception of 'PlanMaryland,' the board adamantly opposed the Plan and expressed concern about its potential scope and breadth. The Plan was the driving force for the creation of the Maryland Rural Counties Coalition, a partnership of Allegany, Washington, Frederick, Carroll and Cecil Counties to protect the rights and interests of Maryland's rural residents.

"Local land use decisions should be made by the elected individuals of the people who live, work, shop, commute and engage in recreation in our communities, and not some nameless, faceless government planners miles away in Baltimore City or Annapolis."

(more)

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The Frederick County Commissioners were concerned that if this law was not adopted, the Plan would eventually be expanded to become a litmus test for state permits and approvals.

President Young further noted, "The bills signed into law were an essential guarantee to local land use autonomy. I am pleased and quite proud that the 2012 General Assembly supported that the elected leadership of Frederick, Allegany, Washington, Carroll and Cecil Counties were able to de-fang what would have been an unprecedented usurpation of local authority."

Young went on to commend House Appropriations Committee Chairman Norman Conway (D-Worcester and Wicomico Counties) and Senate Finance Committee Chairman Charles "Mac" Middleton (D-Charles County) for their sponsorship and leadership in enacting this legislation.

The Maryland Rural Counties Coalition presented Chairman Conway and Chairman Middleton with certificates of recognition at the conclusion of the 2012 Session of the Maryland General Assembly, commending them for their leadership and efforts on behalf of Maryland's rural communities.

For more information, visit www.FrederickCountyMD.gov/legislative or contact Legislative Coordinator Ragen Cherney at 301-600-1049 or via e-mail at rcherney@FrederickCountyMD.gov.

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