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October 1st Deadline Looms for New Elements in Comprehensive Plans

If your jurisdiction has yet to comply with new comprehensive land use plan requirements, you are urged to act. Chapter 381 of the 2006 Laws of Maryland (House Bill 1141) requires a local comprehensive plan to contain several new elements in addition to those already required under State law. The new comprehensive plan elements include a water resources plan element and, for municipal corporations that exercise zoning authority, a municipal growth element. The “sensitive areas” element in your current comprehensive plan also may be affected by Chapter 381.

According to the law, a county or municipal corporation that is not in compliance by October 1, 2009 will be prohibited from changing the zoning classification of a property until the new requirements are met. Furthermore, after October 1, 2009, the annexation plans of a municipal corporation must be consistent with the new municipal growth element.

Need more time? A provision of the law allows the Maryland Department of Planning (“MDP”) to grant an extension for “good cause” beyond the October 1 deadline. A maximum of up to two 6-month extensions may be granted; however, according to a MDP spokesperson, an extension request cannot be granted unless it is received before the October 1 deadline.

If you have questions whatsoever about the new comprehensive plan elements or would like assistance in this area, please contact Elissa D. Levan, Esq. (410-659-4974 or elevan@fblaw.com) or Victor K. Tervala, Esq. (410-659-4984 or vtervala@fblaw.com).

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