

The 1992 Act created the State Economic Growth, Resource Protection, and Planning Commission which has, among other things, expressed its intent to conduct a thorough examination of all planning and zoning enabling legislation that is found in Articles 66B, 28, and 25A of the Annotated Code. In its first annual report, the Commission stated that uniformity is necessary because "rapid growth and changes in planning practice have been accommodated through a series of piecemeal amendments...(to the aforementioned Articles)." House Bill 1088 would be a piecemeal amendment to Article 28 – precisely what the Commission wants to avoid.

Lastly, it has been suggested by proponents that the greatest benefit of House Bill 1088 would be to encourage special exception applications that are carefully planned and viable at the outset. While this is a laudable effort to achieve efficiency in matters of local government, I believe that it may unfairly preclude businesses or groups from applying out of the fear that even the slightest bit of controversy would jeopardize their chances of success. Repeated use of the supermajority mechanism to create such an efficiency pipeline would lead to a negative growth image that could ultimately have a detrimental effect on the economic health of Montgomery County.

For these reasons, I have vetoed House Bill 1088.

Sincerely,
William Donald Schaefer
Governor

House Bill No. 1088

AN ACT concerning

**Maryland–National Capital Park and Planning Commission – Montgomery County –
Zoning Regulations**

PG/MC 1–94

FOR the purpose of providing that, in Montgomery County, the District Council in its zoning regulations may require that a specified minimum number of votes is required for the board of appeals to adopt certain zoning resolutions relating to special exceptions; authorizing the council to enact certain voting requirements for certain uses; and making stylistic changes.

BY repealing and reenacting, with amendments,
Article 28 – Maryland–National Capital Park and Planning Commission
Section 8–110
Annotated Code of Maryland
(1990 Replacement Volume and 1993 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 28 – Maryland–National Capital Park and Planning Commission