

Approved May 22, 1997.

**CHAPTER 694**

**(House Bill 767)**

AN ACT concerning

**Zoning and Planning – Subdivision Plat and Site Plan Approval – Delegation**

FOR the purpose of authorizing a planning commission to delegate to certain persons the approval of certain subdivision plats and site plans in accordance with certain criteria adopted by ordinance under certain circumstances; making stylistic changes; and generally relating to subdivision and site plan approval.

BY repealing and reenacting, with amendments,

Article 66B – Zoning and Planning

Section 5.02

Annotated Code of Maryland

(1995 Replacement Volume and 1996 Supplement)

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

**Article 66B – Zoning and Planning**

5.02.

(A) [Whenever] IF a local legislative body [shall have] HAS adopted the transportation element of the plan of the territory within its subdivision jurisdiction or part [thereof] OF THE TERRITORY, and [shall have] HAS filed a certified copy of [such] THAT plan in the office of clerk of the circuit court of the county in which [such] THE territory or part is [located]:

(1) A] LOCATED, A plat of a subdivision of land within [such] THE territory or part may not be filed or recorded until it [shall have] HAS been approved by the planning commission and [such] THE approval entered in writing on the plat by the chairman or secretary of the [commission; and] COMMISSION.

(B) [(2) If a plat of a subdivision of land within the territory or part contains 5 or less lots, sites, or other divisions of land, the] THE planning commission may authorize [the chairman of the planning commission, ] the zoning administrator[, ] or an equivalent administrative official to approve [the plat of the] subdivision PLATS AND SITE PLANS UNDER SUBSECTION (A) OF THIS SECTION IN ACCORDANCE WITH NONDISCRETIONARY CRITERIA ADOPTED AND SPECIFIED BY ORDINANCE. The approval shall be entered in writing on the plat.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.