

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1045

(Delegate Lierman, *et al.*)

Environment and Transportation

Education, Health, and Environmental Affairs

Land Use - Comprehensive Plans - Housing Element

This bill requires that a comprehensive plan adopted by a local jurisdiction must include a “housing element.” A housing element (1) must address the need for affordable housing within the local jurisdiction, including workforce housing and low-income housing, and (2) may include goals, objectives, policies, plans, and standards. The bill applies prospectively and may not be applied or interpreted to have any effect on any comprehensive or general plan adopted or enacted before the bill’s effective date. **The bill takes effect June 1, 2020.**

Fiscal Summary

State Effect: The bill does not materially affect State operations or finances.

Local Effect: Local governments can likely incorporate housing elements into future comprehensive plans using existing budgeted resources. Revenues are not affected.

Small Business Effect: Minimal.

Analysis

Current Law/Background: Local jurisdictions must enact, adopt, amend, and execute a comprehensive plan and the plan must include visions and elements specified in statute. At least once every 10 years, each planning commission must review the comprehensive plan and, if necessary, revise or amend the plan to include all of the required elements and visions.

Charter counties and Baltimore City are subject to different requirements than noncharter counties and municipalities with respect to what elements a comprehensive plan must include. Charter counties and Baltimore City must include in their comprehensive plans a development regulations element, a sensitive areas element, a transportation element, and a water resources element. If current geological information is available, the plan must include a mineral resources element. A plan also may include a priority preservation area element for agricultural and forest land preservation.

Noncharter counties and municipalities must include in their comprehensive plans a community facilities element, an area of critical State concern element, a goals and objectives element, a land use element, a development regulations element, a sensitive areas element, a transportation element, and a water resources element. If current geological information is available, the plan must include a mineral resources element. The plan for a municipal corporation that exercises zoning authority must include a municipal growth element, and the plan for a county that is located on the tidal waters of the State must include a fisheries element. Noncharter counties and municipalities may include additional elements in their plans, including housing elements. "Housing elements" are not specifically described in statute, however.

Additional Information

Prior Introductions: None.

Cross File: SB 917 (Senators Lam and Young) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland Association of Counties; Anne Arundel, Caroline, and Montgomery counties; cities of Bowie and Takoma Park; Maryland Municipal League; Maryland Department of Planning; Department of Legislative Services

Fiscal Note History: First Reader - March 1, 2019
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