

2009 Planning Legislation

Smart Growth Goals, Measures, and Indicators and Implementation of Planning Visions

(SB 276/HB 295)

The Smart Growth Goals, Measures, and Indicators and Implementation of Planning Visions bill requires local planning commissions or boards to submit annual reports to local legislative bodies beginning July 1, 2011 that include specified smart growth measures and indicators and information on a local land use goal as part of the report. Charter counties are now required to submit an annual report beginning July 1, 2009. In addition to other planning and development information required under current law, the annual report must state which ordinances or regulations were adopted or changed to implement the State's planning visions. With the exception of jurisdictions that issue less than 50 building permits per year, the measure and indicators that must be reported on are the:

- amount and share of growth that is being located inside and outside the Priority Funding Area (PFA);
- net density of growth that is being located inside and outside the PFA;
- creation of new lots and the issuance of residential and commercial building permits inside and outside the PFA;
- development capacity analysis, updated once every 3 years or when there is a significant zoning or land use change; and
- number of acres preserved using local agricultural land preservation funding.

The bill establishes a statewide land use goal of increasing the current percentage of growth within the PFA and decreasing the percentage of growth outside the PFA. Recognizing that the 12 planning visions will not be realized unless local jurisdictions set their own goals to make incremental progress towards achieving a statewide land use goal, the General Assembly required local jurisdictions to develop a percentage goal towards achieving the statewide goal. The annual report filed by local jurisdictions must also include:

- local goal;
- time frame for achieving the local goal;
- resources necessary for infrastructure inside the PFA and land preservation outside the PFA; and
- any incremental progress made towards achieving that local goal.

MDP is required to develop measures and indicators that will be collected by the Department and decide which measures will be collected by the National Center for Smart Growth Research and Education. MDP is also authorized to adopt regulations.

By July 1, 2009, and after consultation with specified entities, the Task Force on the Future for Growth and Development must recommend additional measures and indicator information that should be collected.

The bill takes effect **June 1, 2009**.

Martin O'Malley
Governor

Anthony G. Brown
Lt. Governor



Richard Eberhart Hall
Secretary

Matthew J. Power
Deputy Secretary