

**SB0276/464038/2**

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 276

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 2, after “Growth” insert “Goals,”; in the same line, after “Measures” insert a comma; in line 4, strike “requiring” and substitute “making”; in the same line, after “certain” insert “provisions concerning a certain annual report applicable to certain”; in the same line, strike “to file an annual report” and substitute “; requiring a certain annual report to be filed on or before a certain date”; in line 5, strike “local jurisdictions” and substitute “a certain annual report”; in the same line, after “include” insert “certain”; strike beginning with “smart” in line 5 down through “about” in line 6; in line 6, strike “the” and substitute “certain”; in line 7, strike “in a certain annual report” and substitute “; making certain findings concerning land use goals; providing for a certain statewide land use goal; requiring certain local jurisdictions to develop a certain goal towards achieving a certain statewide land use goal; requiring a certain annual report to include certain measures and indicators; exempting certain municipal corporations from certain requirements to establish a certain local goal and to include certain information in a certain annual report”; in line 7, strike “requiring” and substitute “authorizing”; in line 8, after “adopt” insert “certain”; in the same line, strike “before a certain date on the” and substitute “concerning the submission and transmission of”; in the same line, after “indicators” insert “in a certain annual report”; in line 9, strike “requiring a planning commission to hold a hearing on the annual report;”; strike beginning with “consider” in line 10 down through “indicators” in line 11 and substitute “perform certain duties regarding the collection of certain measures and indicators by certain persons; requiring the Department, in consultation with the National Center for Smart Growth, to prepare a certain annual report”; in line 13, strike the second “the” and substitute “a certain”; in line 14, after “assistance” insert “to local jurisdictions under certain circumstances; requiring the National Center, in consultation with the Department, to display certain information on a certain website; defining certain terms”; and in line 14, after “reports” insert “and smart growth goals, measures, and indicators”.

(Over)

AMENDMENT NO. 2

On page 2, after line 14, insert:

“WHEREAS, The National Center for Smart Growth Research and Education at the University of Maryland College Park was established to provide leadership and State assistance through research, education, and service on issues pertinent to Smart Growth and is a repository for State, local, and comparative national data on land use issues and regularly collects data from the State, local governments, and other states, the federal government, and the private sector; and”.

AMENDMENT NO. 3

On page 3, in line 5 and on page 4, in line 1, in each instance, strike “**MEASURES**” and substitute “**SMART GROWTH GOALS, MEASURES,**”.

On page 4, in line 15, strike “**MARCH**” and substitute “**JULY**”.

On page 5, strike beginning with “**(1)**” in line 9 down through “**(E)**” in line 19; in line 22, strike “**(F)**” and substitute “**(E)**”; after line 25, insert:

**“(3) THE DEPARTMENT OF PLANNING MAY SUBMIT COMMENTS ON THE REPORT.”;**

in line 27, after “**(A)**” insert “**(1)**”; in the same line, strike the comma and substitute “**THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**”

**(2) “NATIONAL CENTER” MEANS THE NATIONAL CENTER FOR SMART GROWTH RESEARCH AND EDUCATION AT THE UNIVERSITY OF MARYLAND COLLEGE PARK.**

**(3)**;

in the same line, strike “PRIORITY” and substitute “PRIORITY”; after line 28, insert:

**“(B) (1) THE GENERAL ASSEMBLY FINDS THAT:**

**(I) IN ADDITION TO REPORTING ON PAST LAND USE INDICATORS AND MEASURES, LOCAL JURISDICTIONS SHOULD STRIVE TO ACHIEVE FUTURE LAND USE GOALS THAT IMPLEMENT AND ACHIEVE THE VISIONS IN § 1.01 OF THIS ARTICLE;**

**(II) A STATEWIDE LAND USE GOAL THAT EMBODIES THE VISIONS IN § 1.01 OF THIS ARTICLE AND SMART AND SUSTAINABLE GROWTH SHOULD BE ESTABLISHED;**

**(III) THE VISIONS IN § 1.01 OF THIS ARTICLE WILL NOT BE REALIZED UNLESS LOCAL JURISDICTIONS SET THEIR OWN GOAL TO MAKE INCREMENTAL PROGRESS TOWARDS ACHIEVING A STATEWIDE LAND USE GOAL; AND**

**(IV) RESOURCES ARE NECESSARY TO ACHIEVE A STATEWIDE GOAL, INCLUDING FUNDING NECESSARY FOR INFRASTRUCTURE INSIDE THE PRIORITY FUNDING AREAS AND LAND PRESERVATION OUTSIDE THE PRIORITY FUNDING AREAS.**

**(2) (I) THE STATEWIDE LAND USE GOAL IS TO INCREASE THE CURRENT PERCENTAGE OF GROWTH LOCATED WITHIN THE PRIORITY FUNDING AREAS AND TO DECREASE THE PERCENTAGE OF GROWTH LOCATED OUTSIDE THE PRIORITY FUNDING AREAS.**

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**(II) LOCAL JURISDICTIONS SHALL DEVELOP A PERCENTAGE GOAL TOWARDS ACHIEVING THE STATEWIDE GOAL.**;

in line 29, strike “(B)” and substitute “(C)”;

in the same line, strike “PARAGRAPH (2)” and substitute “**PARAGRAPHS (2) AND (3)**”; in line 31, strike “INFORMATION ON” and substitute “**THE FOLLOWING**”; and strike beginning with the comma in line 31 down through “SECTION.” in line 33 and substitute “:

**(I) THE AMOUNT AND SHARE OF GROWTH THAT IS BEING LOCATED INSIDE AND OUTSIDE THE PRIORITY FUNDING AREAS;**

**(II) THE NET DENSITY OF GROWTH THAT IS BEING LOCATED INSIDE AND OUTSIDE THE PRIORITY FUNDING AREAS;**

**(III) THE CREATION OF NEW LOTS AND THE ISSUANCE OF RESIDENTIAL AND COMMERCIAL BUILDING PERMITS INSIDE AND OUTSIDE THE PRIORITY FUNDING AREAS;**

**(IV) THE DEVELOPMENT CAPACITY ANALYSIS, UPDATED ONCE EVERY 3 YEARS OR WHEN THERE IS A SIGNIFICANT CHANGE IN ZONING OR LAND USE PATTERNS;**

**(V) THE NUMBER OF ACRES PRESERVED USING LOCAL AGRICULTURAL LAND PRESERVATION FUNDING, IF APPLICABLE; AND**

**(VI) THE FOLLOWING INFORMATION ON ACHIEVING THE STATEWIDE GOAL STATED UNDER SUBSECTION (B)(2) OF THIS SECTION:**

**1. THE LOCAL GOAL;**

**2. THE TIMEFRAME FOR ACHIEVING THE LOCAL GOAL;**

**3. THE RESOURCES NECESSARY FOR INFRASTRUCTURE INSIDE THE PRIORITY FUNDING AREAS AND LAND PRESERVATION OUTSIDE THE PRIORITY FUNDING AREAS; AND**

**4. ANY INCREMENTAL PROGRESS MADE TOWARDS ACHIEVING THE LOCAL GOAL.**

**(2) IF ALL LAND WITHIN THE BOUNDARIES OF A MUNICIPAL CORPORATION IS A PRIORITY FUNDING AREA, THE MUNICIPAL CORPORATION IS NOT REQUIRED TO:**

**(I) ESTABLISH A LOCAL GOAL FOR ACHIEVING THE STATEWIDE GOAL STATED UNDER SUBSECTION (B)(2) OF THIS SECTION; OR**

**(II) INCLUDE INFORMATION IN THE ANNUAL REPORT ON A LOCAL GOAL AS REQUIRED UNDER PARAGRAPH (1)(IX) OF THIS SUBSECTION.**

**(3)**.

On page 6, in line 1, strike “(2)” and substitute “(I)”; in lines 2 and 6, in each instance, after “PERMITS” insert “**FOR NEW RESIDENTIAL UNITS**”; in line 3, after “INDICATORS” insert “**LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION**”; in line 4, strike “(3)” and substitute “(II)”; in line 7, strike “(C)” and substitute “(D)”; in the same line, strike “THE” and substitute “**IN ACCORDANCE WITH TITLE 2, SUBTITLE 5 AND TITLE 10, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE, THE**”; in the same line, strike “SHALL” and substitute “**MAY**”; strike beginning with “IDENTIFY” in line 8 down through “INCLUDE” in line 9 and substitute “**DETAIL THE**”

(Over)

MANNER IN WHICH THE MEASURES AND INDICATORS REQUIRED UNDER SUBSECTION (C) OF THIS SECTION ARE SUBMITTED AND TRANSMITTED"; strike beginning with "WHEN" in line 11 down through "JURISDICTION" in line 22 and substitute:

**"THE DEPARTMENT OF PLANNING SHALL:**

**(I) DEVELOP MEASURES AND INDICATORS THAT WILL BE COLLECTED BY THE DEPARTMENT; AND**

**(II) CONSIDER WHICH MEASURES OR INDICATORS CAN BE COLLECTED BY THE NATIONAL CENTER**";

and strike in their entirety lines 23 through 31, inclusive, and substitute:

**"(E) ON OR BEFORE JANUARY 1 OF EACH YEAR, THE DEPARTMENT OF PLANNING, IN CONSULTATION WITH THE NATIONAL CENTER, SHALL SUBMIT A REPORT TO THE GOVERNOR AND GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE MEASURES AND INDICATORS COLLECTED UNDER THIS SECTION."**

On page 7, strike in their entirety lines 1 through 11, inclusive; in line 13, after "governments" insert ", the National Center for Smart Growth Research and Education at the University of Maryland College Park,"; in line 17, strike "the identification of" and substitute "additional"; in the same line, after "that" insert "the State, the National Center, or"; in line 18, after "collect" insert "in the following categories of information:"

(1) Housing choices, including affordability;

- (2) The impact of growth on the environment, including land, air, and water;
- (3) The fiscal cost of growth;
- (4) The job and housing balance;
- (5) The impact of transportation on growth;
- (6) The impact of growth on business, including job creation, fiscal impact, agribusiness, tourism, and forestry; and
- (7) The impact of growth on cultural and historic resources”;

strike beginning with the colon in line 19 down through “(2)” in line 22; in line 22, after “BayStat” insert “, the National Center,”; in line 27, after “The” insert “first”; in the same line, after “report” insert “that includes measures and indicators, as”; in line 28, strike “March” and substitute “July”; and after line 28, insert:

“(e) The National Center, in consultation with the Department of Planning, shall display the information collected in accordance with this Act on the National Center’s Maryland Smart Growth Measures and Indicators website.”.