

BY: Education, Health, and Environmental Affairs Committee

AMENDMENTS TO SENATE BILL 671

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in the sponsor line, strike “Senator Conway” and substitute “Senators Conway and Dyson”; in line 4, after the first “a” insert “certain”; in line 18, after “date;” insert “requiring certain local jurisdictions to incorporate certain growth tiers into a comprehensive plan according to a certain schedule notwithstanding certain provisions of this Act; requiring a local jurisdiction to make a certain statement regarding the failure to adopt a growth tier under certain circumstances; providing that certain growth tiers are not considered adopted for certain purposes under certain circumstances; providing that this Act does not prohibit a local jurisdiction from amending its comprehensive plan, certain laws, or certain ordinances or regulations at any time;”.

AMENDMENT NO. 2

On page 3, in line 6, strike “IN THE FIFTH YEAR” and substitute “AT LEAST ONCE WITHIN THE 5-YEAR PERIOD”; in line 9, after “PLAN” insert “, INCLUDING:”

(I) A SUMMARY OF THE DEVELOPMENT TRENDS CONTAINED IN THE PREVIOUS ANNUAL REPORTS FILED DURING THE PERIOD COVERED BY THE NARRATIVE;

(II) THE STATUS OF COMPREHENSIVE PLAN IMPLEMENTATION TOOLS SUCH AS ZONING AND ORDINANCES TO CARRY OUT THE PROVISIONS OF THE COMPREHENSIVE PLAN;

(III) IDENTIFICATION OF ANY CHANGES TO EXISTING PROGRAMS, ZONING ORDINANCES, REGULATIONS, OR FINANCING PROGRAMS

(Over)

NECESSARY TO ACHIEVE THE VISIONS AND GOALS OF THE COMPREHENSIVE PLAN DURING THE REMAINING PLANNING TIMEFRAME;

(IV) IDENTIFICATION OF ANY STATE OR FEDERAL LAWS, REGULATIONS, OR REQUIREMENTS THAT HAVE IMPEDED LOCAL SMART GROWTH INITIATIVES IDENTIFIED IN THE COMPREHENSIVE PLAN AND RECOMMENDATIONS TO REMOVE ANY IMPEDIMENTS;

(V) FUTURE LAND USE CHALLENGES AND ISSUES; AND

(VI) SCHEDULED, PLANNED, AND POTENTIAL UPDATES TO THE COMPREHENSIVE PLAN”.

AMENDMENT NO. 3

On page 5, after line 25, insert:

“SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Notwithstanding § 1-509 of the Land Use Article, as enacted by this Act, a local jurisdiction that, as of the effective date of this Act, has not incorporated the growth tiers under Title 1, Subtitle 5 of the Land Use Article into the comprehensive plan shall incorporate the growth tiers at the time that the local jurisdiction was scheduled to conduct its 6-year review of the comprehensive plan in accordance with § 1-509 of the Land Use Article as it was in effect on July 1, 2012.

(b) If a local jurisdiction does not incorporate all of the growth tiers into the comprehensive plan or an element of the plan in accordance with this section:

(1) the local jurisdiction shall state that a growth tier is not adopted;

and

(2) the growth tiers will not be considered as adopted for purposes of § 9-206 of the Environment Article.

SECTION 4. AND BE IT FURTHER ENACTED, That nothing in this Act prohibits a local jurisdiction from amending its comprehensive plan, zoning laws, or any other land use ordinance or regulation at any time.”;

and in line 26, strike “3.” and substitute “5.”.