

# HOUSE BILL 1045

L6

9lr2194  
CF 9lr3120

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By: **Delegate Lierman**

Introduced and read first time: February 8, 2019

Assigned to: Environment and Transportation

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## A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Comprehensive Plans – Housing Element**

3 FOR the purpose of requiring the planning commissions for certain local jurisdictions to  
4 include a housing element in the comprehensive plan for their respective  
5 jurisdictions; requiring the housing element in certain comprehensive plans to  
6 include a plan to address certain issues; and generally relating to the requirement  
7 of a housing element in comprehensive plans.

8 BY repealing and reenacting, with amendments,

9 Article – Land Use

10 Section 1–406 and 3–102

11 Annotated Code of Maryland

12 (2012 Volume and 2018 Supplement)

13 BY adding to

14 Article – Land Use

15 Section 1–407.1 and 3–114

16 Annotated Code of Maryland

17 (2012 Volume and 2018 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

19 That the Laws of Maryland read as follows:

20 **Article – Land Use**

21 1–406.

22 (a) (1) The planning commission for a charter county shall include in the  
23 comprehensive or general plan the visions under § 1–201 of this title and the following  
24 elements:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) a development regulations element;

2 (ii) **A HOUSING ELEMENT;**

3 **(III)** a sensitive areas element;

4 ~~[(iii)]~~ **(IV)** a transportation element; and

5 ~~[(iv)]~~ **(V)** a water resources element.

6 (2) If current geological information is available, the plan shall include a  
7 mineral resources element.

8 (b) The planning commission for a charter county may include in the plan a  
9 priority preservation area element developed in accordance with § 2–518 of the Agriculture  
10 Article.

11 **1–407.1.**

12 **THE HOUSING ELEMENT SHALL INCLUDE A PLAN TO ADDRESS:**

13 **(1) THE NEED FOR AFFORDABLE HOUSING WITHIN THE LOCAL**  
14 **JURISDICTION, INCLUDING LOW- AND MODERATE-INCOME HOUSING; AND**

15 **(2) IF APPLICABLE, THE IMPACTS OF GENTRIFICATION.**

16 3–102.

17 (a) (1) The planning commission for a local jurisdiction shall include in the  
18 comprehensive plan the following elements:

19 (i) a community facilities element;

20 (ii) an area of critical State concern element;

21 (iii) a goals and objectives element;

22 (iv) **A HOUSING ELEMENT;**

23 **(V)** a land use element;

24 ~~[(v)]~~ **(VI)** a development regulations element;

25 ~~[(vi)]~~ **(VII)** a sensitive areas element;

1                    [(vii)] (VIII) a transportation element; and

2                    [(viii)] (IX) a water resources element.

3                    (2) If current geological information is available, the plan shall include a  
4 mineral resources element.

5                    (3) The plan for a municipal corporation that exercises zoning authority  
6 shall include a municipal growth element.

7                    (4) The plan for a county that is located on the tidal waters of the State  
8 shall include a fisheries element.

9                    (b) (1) The planning commission for a local jurisdiction may include in the plan  
10 additional elements to advance the purposes of the plan.

11                    (2) The additional elements may include:

12                    (i) community renewal elements;

13                    (ii) conservation elements;

14                    (iii) flood control elements;

15                    (iv) [housing elements;

16                    (v)] natural resources elements;

17                    [(vi)] (V) pollution control elements;

18                    [(vii)] (VI) the general location and extent of public utilities; and

19                    [(viii)] (VII) a priority preservation area element developed in  
20 accordance with § 2-518 of the Agriculture Article.

21 **3-114.**

22                    **THE HOUSING ELEMENT SHALL INCLUDE A PLAN TO ADDRESS:**

23                    **(1) THE NEED FOR AFFORDABLE HOUSING WITHIN THE LOCAL**  
24 **JURISDICTION, INCLUDING LOW- AND MODERATE-INCOME HOUSING; AND**

25                    **(2) IF APPLICABLE, THE IMPACTS OF GENTRIFICATION.**

26                    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
27 October 1, 2019.