

HOUSE BILL 3

C9

(PRE-FILED)

4r0896
CF 4r1464

By: **Delegate Stewart**

Requested: October 9, 2023

Introduced and read first time: January 10, 2024

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Expedited Development Review Processes for Affordable Housing –**
3 **Requirements**

4 FOR the purpose of requiring local jurisdictions to establish and implement an expedited
5 development review process for certain proposed affordable housing developments;
6 establishing a good-faith waiver for local jurisdictions that cannot implement an
7 expedited development review process; and generally relating to expedited
8 development review processes for affordable housing developments.

9 BY adding to

10 Article – Land Use
11 Section 7–105
12 Annotated Code of Maryland
13 (2012 Volume and 2023 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
15 That the Laws of Maryland read as follows:

16 **Article – Land Use**

17 **7–105.**

18 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**
19 **INDICATED.**

20 **(2) “AFFORDABLE HOUSING DEVELOPMENT” MEANS A RESIDENTIAL**
21 **DEVELOPMENT WHERE AT LEAST 50% OF THE DWELLING UNITS ARE RESERVED**
22 **FOR INDIVIDUALS WHOSE HOUSEHOLD INCOME IS LESS THAN OR EQUAL TO 80% OF**
23 **THE AREA MEDIAN INCOME.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) “EXPEDITED DEVELOPMENT REVIEW PROCESS” MEANS AN**
2 **EXPEDITED PROCESS FOR:**

3 **(I) PLANNING REVIEW; OR**

4 **(II) THE CONSIDERATION OF ZONING CHANGES.**

5 **(B) (1) A LOCAL JURISDICTION SHALL ESTABLISH AND IMPLEMENT AN**
6 **EXPEDITED DEVELOPMENT REVIEW PROCESS FOR PROPOSED AFFORDABLE**
7 **HOUSING DEVELOPMENTS.**

8 **(2) AS PART OF AN EXPEDITED DEVELOPMENT REVIEW PROCESS, A**
9 **COUNTY MAY:**

10 **(I) SHORTEN THE LENGTH OF PROCESSING TIME FOR AN**
11 **APPLICATION;**

12 **(II) PRIORITIZE AN APPLICATION AHEAD OF OTHER**
13 **APPLICATIONS;**

14 **(III) PROVIDE A CONSOLIDATED APPLICATION PROCESS FOR**
15 **ALL PROJECT PERMITS REGARDLESS OF THE AGENCY ISSUING THE PERMIT;**

16 **(IV) ACCEPT A SELF-CERTIFIED PROPOSED PLAN SUBMISSION**
17 **FROM A QUALIFIED ARCHITECT OR ENGINEER CERTIFYING THAT THE PROPOSED**
18 **PLAN COMPLIES WITH APPLICABLE CODES AND STANDARDS;**

19 **(V) PROVIDE ENHANCED CUSTOMER SUPPORT FOR**
20 **APPLICATIONS; OR**

21 **(VI) IMPLEMENT ANY OTHER PROCESS DETERMINED BY THE**
22 **LOCAL JURISDICTION TO EXPEDITE THE REVIEW OF AFFORDABLE HOUSING**
23 **DEVELOPMENT APPLICATIONS.**

24 **(C) THE EXPEDITED DEVELOPMENT REVIEW PROCESS SHALL APPLY TO:**

25 **(1) A CHARITABLE ORGANIZATION PROPOSING TO DEVELOP**
26 **AFFORDABLE HOUSING ON LAND OWNED BY THE ORGANIZATION; AND**

27 **(2) A PUBLIC HOUSING AUTHORITY PROPOSING TO DEVELOP**
28 **AFFORDABLE HOUSING ON LAND OWNED BY A CHARITABLE ORGANIZATION OR A**
29 **GOVERNMENTAL ENTITY.**

1 **(D) (1) A LOCAL JURISDICTION MAY REQUEST A WAIVER FROM THE**
2 **DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT IF THE LOCAL**
3 **JURISDICTION HAS A GOOD-FAITH BELIEF THAT IT CANNOT MEET THE**
4 **REQUIREMENTS OF THIS SECTION.**

5 **(2) THE DEPARTMENT OF HOUSING AND COMMUNITY**
6 **DEVELOPMENT MAY GRANT A WAIVER REQUESTED UNDER THIS SUBSECTION ONLY**
7 **IF THE DEPARTMENT FINDS THAT THE LOCAL JURISDICTION HAS A LEGITIMATE**
8 **IMPEDIMENT PREVENTING THE LOCAL JURISDICTION FROM IMPLEMENTING AN**
9 **EXPEDITED DEVELOPMENT REVIEW PROCESS.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 July 1, 2024.