

Department of Legislative Services
Maryland General Assembly
2024 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 131

(Delegate Stewart, *et al.*)

Environment and Transportation

Education, Energy, and the Environment

Housing Development Permit Applications - Local Reporting Requirements

This bill requires each local jurisdiction with at least 150,000 residents to annually report to the Department of Housing and Community Development (DHCD) and the Maryland Department of Planning (MDP) specified information relating to building or development permit applications considered by the local jurisdiction that include a residential housing component as part of the development. A local jurisdiction must make the report publicly available on its website.

Fiscal Summary

State Effect: DHCD and MDP can implement the bill with existing resources, as discussed below. Revenues are not affected.

Local Effect: Local government expenditures may increase in some jurisdictions, as discussed below.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires each local jurisdiction with at least 150,000 residents to report to DHCD and MDP, by July 1 each year, the following information for each building or development permit application considered by the local jurisdiction during the immediately preceding calendar year that includes a residential housing component as part of the development:

- the total number of complete applications received, issued, and rejected, by type;

- the net total number of residential units approved;
- the mean and median processing times for permit applications and the standard deviation from the mean;
- the amount of time spent processing applications, including the time spent by agencies reviewing applications, by applicants making edits, and any public notice or comment time periods;
- any type of expedited permit application process that the local jurisdiction employed to accelerate residential housing development projects;
- the total number of residential housing development projects that benefited from an expedited permit application process in the local jurisdiction and which type of expedited process was used; and
- any other information the jurisdiction considers relevant.

Pursuant to the existing definition under the Land Use Article, “local jurisdiction” means a county or municipal corporation and the territory within which its powers may be exercised.

A local jurisdiction must make the report required by the bill publicly available on its website unless it does not maintain a website, in which case the report must be made available through any other reasonable method. An announcement posted to a local jurisdiction’s website stating that a person should contact the relevant local department for access to the report does not meet this requirement. To the extent practicable, a local jurisdiction may submit and transmit the report required under the bill as part of another report required to be filed under the Land Use Article.

Current Law: A local planning commission must file an annual report with the local legislative body and the Secretary of Planning by July 1 of each year. Among other requirements, as specified, the report must (1) index and locate on a map any changes in development patterns, as specified; (2) contain recommendations for improving the planning and development process within the local jurisdiction; and (3) state which local laws or regulations have been adopted or changed to implement planning visions, as specified. In addition, for jurisdictions that issue 50 or more building permits for new residential units each year, the annual report must contain certain “measures and indicators,” including (1) the amount, share, and net density of growth inside and outside priority funding areas; (2) the creation of new lots and the issuance of residential and commercial building permits inside and outside priority funding areas; and (3) a development capacity analysis, updated every three years and whenever there is a significant change in zoning or land use patterns. MDP must [report](#) on the measures and indicators collected from the local jurisdictions each year.

State Fiscal Effect: Since the bill does not affirmatively require DHCD or MDP to analyze, report, or publish the data submitted by local jurisdictions, this analysis assumes the bill can be implemented with existing resources. MDP indicates that conducting analysis and research to produce a report from the data and/or make the data available as an interactive geographic information system map, would require additional part-time staff; however, these tasks are not required under the bill.

Local Fiscal Effect: Some local jurisdictions that are subject to the bill's requirements may incur programming costs to collect and report certain data under the bill. For example, Charles County expects to incur one-time programming costs of \$10,000 to create new fields/reports in their software, and Anne Arundel County has also indicated a potential need for programming changes.

Additional Comments: Based on information provided by MDP, the following counties (including Baltimore City) have at least 150,000 residents within the area of the county in which the county exercises planning and zoning authority (excluding any area of a county consisting of municipalities that exercise planning and zoning authority): Anne Arundel, Baltimore, Charles, Frederick, Harford, Howard, Montgomery, and Prince George's counties, and Baltimore City. No municipalities have at least 150,000 residents.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Anne Arundel, Baltimore, Cecil, Charles, Frederick, Montgomery, and Somerset counties; Maryland Association of Counties; Maryland Municipal League; Department of Housing and Community Development; Maryland Department of Planning; Department of Legislative Services

Fiscal Note History: First Reader - February 4, 2024
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