

HOUSE BILL 285

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2000 Regular Session
0lr0185
CF 0lr0184

By: **The Speaker (Administration) and Delegates McIntosh and Shriver**

Introduced and read first time: January 28, 2000

Assigned to: Environmental Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 21, 2000

CHAPTER _____

1 AN ACT concerning

2 **Smart Codes - Models and Guidelines - Infill Development and Smart**
3 **Neighborhoods**

4 FOR the purpose of requiring the Maryland Office of Planning to draft certain model
5 land-use codes and guidelines for infill development and smart neighborhood
6 development; requiring the Office to circulate certain model land-use codes and
7 guidelines to other State agencies and departments and to work with local
8 governments, State agencies, and departments to develop incentives to
9 encourage the adoption and implementation of certain land-use model codes
10 and guidelines by local governments; providing that the incentives required to
11 be developed under this Act may not condition local government eligibility for
12 State funding on certain activities; defining certain terms; and generally
13 relating to certain land-use model codes and guidelines.

14 BY repealing and reenacting, with amendments,
15 Article - State Finance and Procurement
16 Section 5-7B-09
17 Annotated Code of Maryland
18 (1995 Replacement Volume and 1999 Supplement)

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

1 **Article - State Finance and Procurement**

2 5-7B-09.

3 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
4 INDICATED.5 (2) "INFILL DEVELOPMENT" MEANS NEW DEVELOPMENT IN A PRIORITY
6 FUNDING AREA ON VACANT, BYPASSED, AND UNDERUTILIZED LANDS WITHIN
7 EXISTING DEVELOPED AREAS.8 (3) "SMART NEIGHBORHOOD DEVELOPMENT" MEANS A
9 COMPREHENSIVELY PLANNED, COMPACT MIXED USE DEVELOPMENT WITHIN A
10 PRIORITY FUNDING AREA THAT INTEGRATES RESIDENTIAL, COMMERCIAL, OPEN
11 SPACE, AND PUBLIC USES.

12 [(a)] (B) The Office of Planning shall:

13 (1) establish a process for the review of projects by the appropriate State
14 agencies and the Office of Planning for compliance with this subtitle;15 (2) provide to each State agency and unit of State government the
16 location of priority funding areas; and17 (3) make available to each county, and to the public for review, copies of
18 maps illustrating:

19 (i) priority funding areas certified by the local governments; and

20 (ii) any comments by the Office of Planning on the areas certified.

21 [(b)] (C) By October 1, 1998, the Office of Planning shall complete surveys of
22 municipal, county, and State governments for infrastructure needs and shall
23 maintain a list of needed projects that includes information relating to the financial
24 capacity of the affected unit of government to undertake such projects.25 [(c)] (D) A copy of this list of projects shall be made available upon request to
26 members of the General Assembly, local government officials, and the general public.

27 (E) THE OFFICE OF PLANNING SHALL:

28 (1) DRAFT MODEL LAND-USE CODES FOR INFILL DEVELOPMENT AND
29 SMART NEIGHBORHOOD DEVELOPMENT;30 (2) DRAFT GUIDELINES TO PROVIDE LOCAL GOVERNMENTS WITH
31 INFORMATION ON INNOVATIVE PLANNING AND IMPLEMENTATION TECHNIQUES TO
32 ENCOURAGE AND FACILITATE INFILL DEVELOPMENT AND SMART NEIGHBORHOOD
33 DEVELOPMENT;34 (3) CIRCULATE THE MODELS AND GUIDELINES TO OTHER STATE
35 AGENCIES AND DEPARTMENTS; AND

1 (4) WORK WITH LOCAL GOVERNMENTS, STATE AGENCIES, AND
2 DEPARTMENTS TO DEVELOP INCENTIVES TO ENCOURAGE THE VOLUNTARY
3 ADOPTION AND IMPLEMENTATION BY LOCAL GOVERNMENTS OF THESE MODELS
4 AND GUIDELINES BY LOCAL GOVERNMENTS IMPLEMENTING THE INTENT OF THE
5 MODELS AND GUIDELINES REQUIRED TO BE DEVELOPED BY THE OFFICE OF
6 PLANNING UNDER THIS SECTION.

7 [(d)] (F) Each State agency subject to this subtitle shall report annually to the
8 Office of Planning on the implementation of this subtitle in a form approved by the
9 Office of Planning.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the incentives the
11 Maryland Office of Planning is required to develop under this Act may not condition
12 local government eligibility for State funding on local adoption of the models and
13 guidelines developed under this Act.

14 SECTION 2, 3. AND BE IT FURTHER ENACTED, That this Act shall take
15 effect July 1, 2000.