

SENATE BILL 208

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P3

2000 Regular Session  
0lr0184  
CF 0lr0185

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By: **The President (Administration) and Senators Blount, Collins, Frosh,  
Hollinger, Miller, Pinsky, Sfikas, and Van Hollen**

Introduced and read first time: January 24, 2000  
Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 8, 2000

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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; defining certain terms; providing for the  
11 application of this Act; and generally relating to certain land-use model codes  
12 and guidelines.

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

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 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 OF THESE MODELS AND GUIDELINES BY LOCAL  
4 GOVERNMENTS.

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That nothing in this Act  
9 shall limit, expand, or otherwise change the authority of local jurisdictions, the  
10 Maryland-National Capital Park and Planning Commission, or the Washington  
11 Suburban Sanitary Commission to regulate planning, zoning, and subdivision, as  
12 provided in Article 23A, 25, 25A, 25B, 28, and 66B of the Code.

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