

Chapter 110

**(House Bill 243)**

AN ACT concerning

**Land Use – Comprehensive and General Plans – Alteration of Elements**

FOR the purpose of altering the required elements of comprehensive and general plans for charter counties and other local jurisdictions; establishing requirements and guidelines for each element; requiring certain State agencies to provide charter counties and other local jurisdictions with assistance and information relevant to the preparation of each element; and generally relating to comprehensive and general plans.

BY renumbering

Article – Land Use

Section 1–414 through 1–418

to be Section 1–417 through 1–421, respectively

Annotated Code of Maryland

(2012 Volume and 2025 Supplement)

BY repealing and reenacting, with amendments,

Article – Land Use

Section 1–406 and 3–206

Annotated Code of Maryland

(2012 Volume and 2025 Supplement)

BY repealing

Article – Land Use

Section 1–407, 1–407.1, 1–408 through 1–412, and 3–102 through 3–114

Annotated Code of Maryland

(2012 Volume and 2025 Supplement)

BY adding to

Article – Land Use

Section 1–407 through 1–414 and 3–102 through 3–110

Annotated Code of Maryland

(2012 Volume and 2025 Supplement)

BY repealing and reenacting, without amendments,

Article – Land Use

Section 3–101

Annotated Code of Maryland

(2012 Volume and 2025 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 1–414 through 1–418 of Article – Land Use of the Annotated Code of Maryland be renumbered to be Section(s) 1–417 through 1–421, respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

**Article – Land Use**

1–406.

(a) [(1)] The planning commission for a charter county shall include in the comprehensive or general plan the [visions] **PLANNING PRINCIPLES** under § 1–201 of this title and the following elements:

- [(i)] (1) a [development regulations] **LAND** element;
- (2) **A TRANSPORTATION ELEMENT;**
- [(ii)] (3) a housing element;
- [(iii)] a sensitive areas element;]
- [(iv)] (4) [a transportation] **AN ECONOMY** element; [and]
- [(v)] (5) [a water resources] **AN EQUITY** element;
- (6) **A RESILIENCE ELEMENT;**
- (7) **A PLACE ELEMENT; AND**
- (8) **AN ECOLOGY ELEMENT.**

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

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

**(B) THE PLAN SHALL PROVIDE GOALS, OBJECTIVES, GUIDELINES, STANDARDS, AND STRATEGIES FOR THE ORDERLY AND BALANCED FUTURE ECONOMIC, SOCIAL, PHYSICAL, ENVIRONMENTAL, AND FISCAL DEVELOPMENT OF THE COUNTY.**

**(C) (1) THE PLANNING COMMISSION FOR A CHARTER COUNTY SHALL:**

**(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, DETERMINE THE APPROPRIATE FORMAT AND ORGANIZATIONAL STRUCTURE OF THE PLAN, PROVIDED THE ELEMENTS REQUIRED UNDER THIS SUBTITLE ARE ADDRESSED; AND**

**(II) DETERMINE WHETHER TO INCLUDE ADDITIONAL ELEMENTS IN THE PLAN.**

**(2) ELEMENTS MAY BE FORMATTED AS INDIVIDUAL CHAPTERS OR ADDRESSED IN MULTIPLE CHAPTERS.**

**(D) (1) EACH ELEMENT REQUIRED UNDER THIS SECTION SHALL:**

**(I) INCLUDE AND ADDRESS ALL REQUIRED SUBELEMENTS;**

**(II) BE INFORMED BY RELEVANT EXISTING AND ANTICIPATED FUTURE CONDITIONS AND STATE AND LOCAL PLANS; AND**

**(III) IDENTIFY THE NEEDS TO BE ADDRESSED AND THE GOALS TO BE ACHIEVED.**

**(2) (I) THE PLAN SHALL INCLUDE A STATEMENT OF GOALS AND OBJECTIVES, POLICIES, AND STANDARDS.**

**(II) THE STATEMENT SHALL:**

**1. SERVE AS A GUIDE FOR THE DEVELOPMENT AND ECONOMIC AND SOCIAL WELL-BEING OF THE COUNTY;**

**2. BE INFORMED BY INTERGOVERNMENTAL COORDINATION WITH ADJACENT JURISDICTIONS AND RELEVANT REGULATORY AUTHORITIES; AND**

**3. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IDENTIFY STRATEGIES TO BE IMPLEMENTED, INCLUDING APPROPRIATE RECOMMENDED DEVELOPMENT REGULATIONS, POLICIES, PROGRAMS, AND OTHER MECHANISMS TO ADDRESS THE NEEDS AND GOALS OF THE PLAN.**

**(3) THE DEVELOPMENT REGULATIONS, POLICIES, PROGRAMS, AND OTHER MECHANISMS INCLUDED IN THE PLAN SHALL ENCOURAGE:**

**(I) THE USE OF FLEXIBLE DEVELOPMENT REGULATIONS TO PROMOTE INNOVATIVE AND COST–SAVING SITE DESIGN, IMPLEMENT THE PLANNING PRINCIPLES, AND PROTECT THE ENVIRONMENT; AND**

**(II) WITHIN THE AREAS DESIGNATED FOR GROWTH IN THE PLAN:**

**1. PROMOTE ECONOMIC DEVELOPMENT THROUGH THE USE OF INNOVATIVE TECHNIQUES; AND**

**2. PROVIDE FOR THE STREAMLINED REVIEW OF APPLICATIONS FOR DEVELOPMENT, INCLUDING PERMIT REVIEW AND SUBDIVISION PLAT REVIEW.**

**(E) (1) IN PREPARING THE PLAN, THE PLANNING COMMISSION FOR A CHARTER COUNTY MAY REQUEST THE DEPARTMENT OF PLANNING TO FACILITATE STATE AGENCY ASSISTANCE WITH AVAILABLE DATA AND ANALYSIS.**

**(2) THE DEPARTMENT OF PLANNING SHALL PROVIDE GUIDELINES ON HOW TO ADDRESS THE ELEMENTS REQUIRED UNDER THIS SUBTITLE AND IDENTIFY BEST PRACTICES TO BE CONSIDERED.**

**[1–407.**

(a) The development regulations element shall include the planning commission’s recommendation for land development regulations to implement the plan.

(b) The development regulations element shall encourage:

(1) the use of flexible development regulations to promote innovative and cost–saving site design and protect the environment; and

(2) within the areas designated for growth in the plan:

(i) economic development through the use of innovative techniques;  
and

(ii) streamlined review of applications for development, including permit review and subdivision plat review.]

**1–407.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(1) OF THIS TITLE, THE LAND ELEMENT SHALL ADDRESS:**

**(1) THE GENERAL DISTRIBUTION, LOCATION, AND EXTENT OF USES OF THE LAND FOR HOUSING, BUSINESS, INDUSTRY, AGRICULTURE, RECREATION, EDUCATION, PUBLIC BUILDINGS AND GROUNDS, OPEN SPACE, AND OTHER CATEGORIES OF PUBLIC AND PRIVATE USES OF LAND APPROPRIATE TO THE COUNTY;**

**(2) DESIRED PATTERNS AND LOCATIONS OF GROWTH CONSIDERING EFFECTIVE AND EFFICIENT DELIVERY OF COMMUNITY FACILITIES AND PUBLIC SERVICES AND THE PROTECTION AND PRESERVATION OF VULNERABLE NATURAL AND HISTORIC RESOURCES;**

**(3) COMMUNITY FACILITIES IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION; AND**

**(4) IF APPLICABLE:**

**(I) MINERAL RESOURCES IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION; AND**

**(II) FISHERIES IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION.**

**(B) (1) THE LAND ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) THE MARYLAND THE BEAUTIFUL PLAN, AS DESCRIBED IN § 5-104 OF THE NATURAL RESOURCES ARTICLE;**

**(II) THE MARYLAND LAND PRESERVATION AND RECREATION PLAN, AS DESCRIBED IN § 5-906 OF THE NATURAL RESOURCES ARTICLE; AND**

**(III) THE STATEWIDE HISTORIC PRESERVATION PLAN, AS REQUIRED UNDER THE NATIONAL HISTORIC PRESERVATION ACT.**

**(2) THE DEPARTMENT OF PLANNING SHALL:**

**(I) PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE POPULATION AND DEMOGRAPHIC DATA FROM THE U.S. CENSUS BUREAU AND STATE-LEVEL LAND USE DATA; AND**

**(II) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE LAND ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(C) THE LAND ELEMENT MAY INCLUDE:**

**(1) DESIGNATION OF EXISTING AND PROPOSED LAND USE PATTERNS USING LAND USE MAPS THAT DEPICT THE TYPES OF USES WITH RANGES OF DENSITY OR INTENSITY;**

**(2) IDENTIFICATION OF AREAS OF FUTURE PLANNED MIXED-USE DEVELOPMENT FOR WHICH SPECIAL REGULATIONS MAY BE NECESSARY TO ENSURE DEVELOPMENT IN ACCORDANCE WITH THE PRINCIPLES AND STANDARDS OF THE COMPREHENSIVE PLAN;**

**(3) IDENTIFICATION AND DEPICTION OF HISTORIC DISTRICT BOUNDARIES AND HISTORICALLY SIGNIFICANT PROPERTIES MERITING PROTECTION; AND**

**(4) IDENTIFICATION OF AREAS OF RESOURCE PROTECTION AND PRESERVATION.**

**(D) (1) THE LAND ELEMENT SHALL INCLUDE A COMMUNITY FACILITIES SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.**

**(2) ON A SCHEDULE THAT EXTENDS AS FAR INTO THE FUTURE AS IS REASONABLE, THE COMMUNITY FACILITIES SUBELEMENT SHALL PROPOSE THE MOST APPROPRIATE AND DESIRABLE PATTERNS FOR THE GENERAL LOCATION, CHARACTER, SERVICE AREAS, AND EXTENT OF PUBLIC AND SEMIPUBLIC BUILDINGS, LAND, AND FACILITIES.**

**(3) THE COMMUNITY FACILITIES SUBELEMENT MAY INCLUDE:**

~~(I)~~ ~~PLACES OF WORSHIP;~~

~~(II)~~ (I) FIRE STATIONS;

~~(III)~~ HOSPITALS;

~~(IV)~~ (II) INSTITUTIONS;

~~(V)~~ (III) JAILS;

- ~~(VI)~~ (IV) LIBRARIES;
- ~~(VII)~~ (V) PARKS AND RECREATION AREAS;
- ~~(VIII)~~ (VI) POLICE STATIONS;
- ~~(IX)~~ (VII) SCHOOLS AND OTHER EDUCATIONAL FACILITIES;
- ~~(X)~~ (VIII) CULTURAL FACILITIES;
- ~~(XI)~~ (IX) SOCIAL WELFARE AND MEDICAL FACILITIES; AND
- ~~(XII)~~ (X) OTHER PUBLIC OFFICE OR ADMINISTRATIVE FACILITIES.

(E) (1) IF CURRENT GEOLOGICAL INFORMATION IS AVAILABLE, THE LAND ELEMENT SHALL INCLUDE A MINERAL RESOURCES SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.

(2) THE MINERAL RESOURCES SUBELEMENT SHALL IDENTIFY:

(I) UNDEVELOPED LAND THAT SHOULD BE KEPT IN ITS UNDEVELOPED STATE UNTIL THE LAND CAN BE USED TO ASSIST IN PROVIDING A CONTINUOUS SUPPLY OF MINERALS, AS DEFINED IN § 15-801 OF THE ENVIRONMENT ARTICLE; AND

(II) APPROPRIATE POSTEXCAVATION USES FOR THE LAND THAT ARE CONSISTENT WITH THE COUNTY’S LAND PLANNING PROCESS.

(3) THE MINERAL RESOURCES SUBELEMENT SHALL INCORPORATE LAND USE POLICIES AND RECOMMENDATIONS FOR REGULATIONS TO:

(I) BALANCE MINERAL RESOURCE EXTRACTION WITH OTHER LAND USES; AND

(II) PREVENT THE PREEMPTION OF MINERAL RESOURCES EXTRACTION BY OTHER USES TO THE EXTENT FEASIBLE.

(4) BEFORE THE PLAN IS ADOPTED, THE DEPARTMENT OF THE ENVIRONMENT SHALL REVIEW THE MINERAL RESOURCES SUBELEMENT TO DETERMINE WHETHER THE PROPOSED PLAN IS CONSISTENT WITH THE PROGRAMS AND GOALS OF THE DEPARTMENT.

**(F) (1) IF THE CHARTER COUNTY IS LOCATED ON THE TIDAL WATERS OF THE STATE, THE LAND ELEMENT SHALL INCLUDE A FISHERIES SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.**

**(2) THE FISHERIES SUBELEMENT SHALL DESIGNATE AREAS ON OR NEAR THE TIDAL WATERS FOR:**

**(I) LOADING, UNLOADING, AND PROCESSING FINFISH AND SHELLFISH; AND**

**(II) DOCKING AND MOORING COMMERCIAL FISHING BOATS AND VESSELS.**

**(3) THE AREAS DESIGNATED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE GEOGRAPHICALLY LOCATED TO:**

**(I) FACILITATE THE COMMERCIAL HARVESTING OF FINFISH AND SHELLFISH; AND**

**(II) ENSURE REASONABLE ACCESS TO THE WATERWAYS OF THE STATE BY COMMERCIAL WATERMEN.**

**(G) THE LAND ELEMENT MAY INCLUDE A PRIORITY PRESERVATION AREA SUBELEMENT DEVELOPED IN ACCORDANCE WITH § 2-518 OF THE AGRICULTURE ARTICLE.**

[1-407.1.

(a) (1) In this section the following words have the meanings indicated.

(2) “Affirmatively further fair housing” has the meaning stated in § 2-401 of the Housing and Community Development Article.

(3) “Area median income” has the meaning stated in § 4-1801 of the Housing and Community Development Article.

(4) “Low-income housing” means housing that is affordable for a household with an aggregate annual income that is below 60% of the area median income.

(5) “Workforce housing” has the meaning stated in § 4-1801 of the Housing and Community Development Article.

(b) A housing element may include goals, objectives, policies, plans, and standards.

(c) A housing element shall address the need for affordable housing within the county, including:

- (1) workforce housing; and
- (2) low-income housing.

(d) (1) A county has a duty to affirmatively further fair housing through the county's housing and urban development programs.

(2) The housing element of a comprehensive plan that is enacted or amended on or after January 1, 2025, shall include an assessment of fair housing to ensure that the county is affirmatively furthering fair housing.

(3) On request of a county, the Department of Planning, in consultation with the Department of Housing and Community Development, shall provide technical assistance for the purpose of developing the housing element of the comprehensive plan.

(4) This subsection does not require a county to take, or prohibit a county from taking, a specific action to affirmatively further fair housing.]

[1-408.

(a) (1) A sensitive areas element shall include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development.

(2) A charter county shall consider wildlife movement and habitat connectivity when enacting, adopting, amending, or executing a plan in accordance with § 1-405 of this subtitle.

(b) (1) Beginning October 1, 2013, the Department of Natural Resources shall provide a statewide forest resource inventory to local jurisdictions at least every 5 years, to be available for the local comprehensive plan review by local jurisdictions required under § 1-416(a) of this subtitle and § 3-301(a) of this article.

(2) The Department of Planning shall coordinate with the Department of Natural Resources and the State Highway Administration to provide each charter county with updated information on habitat connectivity concerns and current and planned wildlife crossings.

(c) Before the plan is adopted, the Department of the Environment and the Department of Natural Resources shall review the sensitive areas element to determine whether the proposed plan is consistent with the programs and goals of the departments.]

**1-408.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(2) OF THIS TITLE, THE TRANSPORTATION ELEMENT SHALL ADDRESS:**

**(1) A SAFE, BALANCED TRANSPORTATION SYSTEM FOR THE MOVEMENT OF PEOPLE AND GOODS;**

**(2) A RANGE OF SUSTAINABLE TRANSPORTATION CHOICES FOR FUTURE TRANSPORTATION NEEDS; AND**

**(3) COORDINATION WITH THE LAND ELEMENT TO ENSURE TRANSPORTATION EFFICIENCY FOR EXISTING AND PLANNED DEVELOPMENT.**

**(B) (1) THE TRANSPORTATION ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) THE MARYLAND TRANSPORTATION PLAN, AS DESCRIBED IN § 2-103.1 OF THE TRANSPORTATION ARTICLE;**

**(II) THE STATEWIDE 20-YEAR BICYCLE-PEDESTRIAN MASTER PLAN, AS DESCRIBED IN § 2-604 OF THE TRANSPORTATION ARTICLE; AND**

**(III) THE MARYLAND STATE FREIGHT PLAN, AS REQUIRED UNDER 49 U.S.C. § 70202.**

**(2) THE DEPARTMENT OF TRANSPORTATION SHALL:**

**(I) PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE STATE-LEVEL DATA; AND**

**(II) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE TRANSPORTATION ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(C) THE TRANSPORTATION ELEMENT MAY INCLUDE ALL TYPES OF:**

**(1) AIRWAYS;**

**(2) HIGHWAYS OR STREETS;**

**(3) RAILWAYS;**

**(4) WATERWAYS;**

**(5) ROUTINGS FOR MASS TRANSIT; AND**

**(6) TERMINALS FOR INDIVIDUALS, GOODS, AND VEHICLES RELATED TO AIRWAYS, HIGHWAYS, RAILWAYS, AND WATERWAYS.**

**(D) THE TRANSPORTATION ELEMENT SHALL:**

**(1) PROPOSE, ON A SCHEDULE THAT EXTENDS AS FAR INTO THE FUTURE AS IS REASONABLE, THE MOST APPROPRIATE AND DESIRABLE PATTERNS FOR:**

**(I) THE GENERAL LOCATION, CHARACTER, AND EXTENT OF CHANNELS, ROUTES, AND TERMINALS FOR TRANSPORTATION FACILITIES; AND**

**(II) THE CIRCULATION OF INDIVIDUALS AND GOODS;**

**(2) PROVIDE FOR BICYCLE AND PEDESTRIAN ACCESS AND TRAVELWAYS; AND**

**(3) INCLUDE AN ESTIMATE OF THE USE OF ANY PROPOSED IMPROVEMENT.**

[1-409.

(a) The transportation element may include all types of:

(1) airways;

(2) highways or streets;

(3) railways;

(4) waterways;

(5) routings for mass transit; and

(6) terminals for individuals, goods, and vehicles related to airways, highways, railways, and waterways.

(b) The transportation element shall:

(1) propose, on a schedule that extends as far into the future as is reasonable, the most appropriate and desirable patterns for:

(i) the general location, character, and extent of channels, routes, and terminals for transportation facilities; and

(ii) the circulation of individuals and goods;

(2) provide for bicycle and pedestrian access and travelways; and

(3) include an estimate of the use of any proposed improvement.]

**1-409.**

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

**(2) “AFFIRMATIVELY FURTHER FAIR HOUSING” HAS THE MEANING STATED IN § 2-401 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.**

**(3) “AREA MEDIAN INCOME” HAS THE MEANING STATED IN § 4-1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.**

**(4) “LOW-INCOME HOUSING” MEANS HOUSING THAT IS AFFORDABLE FOR A HOUSEHOLD WITH AN AGGREGATE ANNUAL INCOME THAT IS BELOW 60% OF THE AREA MEDIAN INCOME.**

**(5) “WORKFORCE HOUSING” HAS THE MEANING STATED IN § 4-1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.**

**(B) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(3) OF THIS TITLE, THE HOUSING ELEMENT SHALL ADDRESS:**

**(1) THE PROVISION OF AN ADEQUATE SUPPLY OF HOUSING TO ACCOMMODATE ALL CURRENT AND ANTICIPATED FUTURE RESIDENTS OF THE COUNTY;**

**(2) THE AGE, STRUCTURAL TYPE, VALUE, AND OCCUPANCY CHARACTERISTICS OF THE COUNTY’S HOUSING STOCK;**

**(3) THE ELIMINATION OF SUBSTANDARD DWELLING CONDITIONS;  
AND**

**(4) THE PROVISION OF ADEQUATE SITES FOR FUTURE HOUSING,  
INCLUDING AFFORDABLE HOUSING.**

**(C) (1) THE HOUSING ELEMENT SHALL BE INFORMED BY THE FOLLOWING  
STATE PLANS:**

**(I) THE FAIR HOUSING CHOICE AND RACIAL AND ECONOMIC  
HOUSING INTEGRATION REPORT, AS DESCRIBED IN § 2-302 OF THE HOUSING AND  
COMMUNITY DEVELOPMENT ARTICLE; AND**

**(II) THE STATE OF MARYLAND FIVE YEAR CONSOLIDATED  
PLAN, AS REQUIRED BY 24 C.F.R. § 91.300.**

**(2) (I) THE DEPARTMENT OF PLANNING SHALL:**

**1. PROVIDE A CHARTER COUNTY WITH THE BEST  
AVAILABLE HOUSING DATA FROM THE U.S. CENSUS BUREAU; AND**

**2. FACILITATE, TO THE EXTENT POSSIBLE, THE  
PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE HOUSING ELEMENT  
FROM OTHER STATE AND FEDERAL AGENCIES.**

**(II) THE DEPARTMENT OF HOUSING AND COMMUNITY  
DEVELOPMENT SHALL PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE  
STATE-LEVEL HOUSING DATA.**

**(D) A HOUSING ELEMENT MAY INCLUDE GOALS, OBJECTIVES, POLICIES,  
PLANS, AND STANDARDS.**

**(E) A HOUSING ELEMENT SHALL ADDRESS THE NEED FOR AFFORDABLE  
HOUSING WITHIN THE COUNTY, INCLUDING:**

**(1) WORKFORCE HOUSING; AND**

**(2) LOW-INCOME HOUSING.**

**(F) (1) A COUNTY HAS A DUTY TO AFFIRMATIVELY FURTHER FAIR  
HOUSING THROUGH THE COUNTY'S HOUSING AND URBAN DEVELOPMENT  
PROGRAMS.**

**(2) THE HOUSING ELEMENT OF A COMPREHENSIVE PLAN THAT IS ENACTED OR AMENDED ON OR AFTER JANUARY 1, 2025, SHALL INCLUDE AN ASSESSMENT OF FAIR HOUSING TO ENSURE THAT THE COUNTY IS AFFIRMATIVELY FURTHERING FAIR HOUSING FOR CURRENT AND FUTURE RESIDENTS.**

**(3) ON REQUEST OF A COUNTY, THE DEPARTMENT OF PLANNING, IN CONSULTATION WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, SHALL PROVIDE TECHNICAL ASSISTANCE FOR THE PURPOSE OF DEVELOPING THE HOUSING ELEMENT OF THE COMPREHENSIVE PLAN.**

**(4) THIS SUBSECTION DOES NOT REQUIRE A COUNTY TO TAKE, OR PROHIBIT A COUNTY FROM TAKING, A SPECIFIC ACTION TO AFFIRMATIVELY FURTHER FAIR HOUSING.**

[1-410.

(a) Considering available data provided by the Department of the Environment, the water resources element shall identify:

(1) drinking water and other water resources that will be adequate for the needs of existing and future development proposed in the land use element of the plan; and

(2) suitable receiving waters and land areas to meet stormwater management and wastewater treatment and disposal needs of existing and future development proposed in the land use element of the plan.

(b) The Department of the Environment shall:

(1) provide, on request of a local jurisdiction, technical assistance on the development of the water resources element; and

(2) review the water resources element to determine whether the proposed plan is consistent with the programs and goals of the Department reflected in the general water resources program required under § 5-203 of the Environment Article.]

**1-410.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(4) OF THIS TITLE, THE ECONOMY ELEMENT SHALL ADDRESS:**

**(1) THE ECONOMIC BASE, LABOR FORCE CHARACTERISTICS, AND LOCAL ECONOMIC DEVELOPMENT OPPORTUNITIES AND RESOURCES OF THE COUNTY;**

**(2) THE CATEGORIES OR TYPES OF BUSINESSES AND INDUSTRIES DESIRED IN THE COUNTY; AND**

**(3) THE COORDINATION OF INFORMATION ABOUT POPULATION TRENDS AND CHARACTERISTICS, NATURAL RESOURCES, COMMUNITY FACILITIES AND SERVICES, TRANSPORTATION, HOUSING, AND LAND USE SO THAT A STRATEGY FOR THE ECONOMIC WELL-BEING OF CURRENT AND NEW RESIDENTS OF THE COUNTY CAN BE DEVELOPED.**

**(B) (1) THE ECONOMY ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) THE STATE WORKFORCE DEVELOPMENT PLAN, AS REQUIRED UNDER THE FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY ACT FOR A 4-YEAR COMBINED STATE PLAN; AND**

**(II) THE MARYLAND STATE PLAN FOR POSTSECONDARY EDUCATION, AS DESCRIBED IN § 11-105 OF THE EDUCATION ARTICLE.**

**(2) (I) THE DEPARTMENT OF PLANNING SHALL:**

**1. PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE ECONOMIC DEVELOPMENT DATA FROM THE U.S. CENSUS BUREAU; AND**

**2. FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE ECONOMIC ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(II) THE DEPARTMENT OF COMMERCE SHALL PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE STATE-LEVEL DATA ON ECONOMIC DEVELOPMENT.**

**(III) THE DEPARTMENT OF LABOR SHALL PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE STATE-LEVEL DATA ON THE LABOR FORCE.**

**(C) THE ECONOMY ELEMENT MAY INCLUDE:**

**(1) AN ASSESSMENT OF ECONOMIC SECTORS TO DETERMINE WHETHER AVAILABLE JOBS ALIGN WITH LOCAL LABOR FORCE CHARACTERISTICS, COMMUTING PATTERNS, AND WAGES PAID, AND WHAT STRATEGIES COULD IMPROVE THE EXISTING ECONOMIC SITUATION;**

**(2) AN ANALYSIS OF EXISTING LOCAL ECONOMIC DEVELOPMENT PROGRAMS AND TOOLS, AND WHAT STRATEGIES ARE NEEDED TO FOSTER ECONOMIC DEVELOPMENT;**

**(3) AN ASSESSMENT OF ECONOMIC ASSETS, PROBLEMS, AND OPPORTUNITIES OF THE LOCAL ECONOMY IN A REGIONAL CONTEXT AND WHAT STRATEGIES ARE NEEDED TO POSITION THE LOCAL ECONOMY IN THE LARGER REGIONAL CONTEXT; AND**

**(4) AN ASSESSMENT OF COMMUNITY REDEVELOPMENT OPPORTUNITIES AND WHAT STRATEGIES AND PROGRAMS SHOULD BE PURSUED.**

[1-411.

(a) The mineral resources element shall identify:

(1) undeveloped land that should be kept in its undeveloped state until the land can be used to assist in providing a continuous supply of minerals, as defined in § 15-801(i) of the Environment Article; and

(2) appropriate postexcavation uses for the land that are consistent with the county's land planning process.

(b) A mineral resources element shall incorporate land use policies and recommendations for regulations:

(1) to balance mineral resource extraction with other land uses; and

(2) to the extent feasible, to prevent the preemption of mineral resources extraction by other uses.

(c) Before the plan is adopted, the Department of the Environment shall review the mineral resources element to determine whether the proposed plan is consistent with the programs and goals of the Department.]

1-411.

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

**(2) “ENVIRONMENTAL JUSTICE” HAS THE MEANING STATED IN § 1-701 OF THE ENVIRONMENT ARTICLE.**

**(3) “OVERBURDENED COMMUNITY” HAS THE MEANING STATED IN § 1-701 OF THE ENVIRONMENT ARTICLE.**

**(4) “UNDERSERVED COMMUNITY” HAS THE MEANING STATED IN § 1-701 OF THE ENVIRONMENT ARTICLE.**

**(B) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(5) OF THIS TITLE, THE EQUITY ELEMENT SHALL ADDRESS:**

**(1) THE NEEDS OF OVERBURDENED AND UNDERSERVED COMMUNITIES IN THE COUNTY; AND**

**(2) THE INTERESTS OF POPULATIONS IN THE COUNTY THAT TYPICALLY HAVE NOT PARTICIPATED IN THE PLANNING PROCESS.**

**(C) (1) THE EQUITY ELEMENT SHALL BE INFORMED BY THE ANNUAL REPORT OF THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES, AS DESCRIBED IN § 1-701 OF THE ENVIRONMENT ARTICLE.**

**(2) (I) THE DEPARTMENT OF PLANNING SHALL:**

**1. PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE POPULATION AND DEMOGRAPHIC DATA FROM THE U.S. CENSUS BUREAU; AND**

**2. FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE EQUITY ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(II) THE DEPARTMENT OF THE ENVIRONMENT SHALL PROVIDE A CHARTER COUNTY WITH DATA ON ENVIRONMENTAL JUSTICE.**

**(D) THE EQUITY ELEMENT MAY INCLUDE POTENTIAL STRATEGIES TO:**

**(1) PROMOTE BROADER CIVIC ENGAGEMENT IN THE PUBLIC DECISION-MAKING PROCESS;**

**(2) REDUCE THE UNIQUE OR COMPOUNDED HEALTH RISKS AND ENVIRONMENTAL PROBLEMS IN OVERBURDENED AND UNDERSERVED COMMUNITIES; AND**

**(3) PRIORITIZE IMPROVEMENTS AND PROGRAMS THAT ADDRESS THE NEEDS OF OVERBURDENED AND UNDERSERVED COMMUNITIES.**

[1-412.

(a) This section applies only to a charter county or a code county that was required before adopting home rule to designate in the comprehensive plan areas on or near the tidal waters of the State under § 3-113 of this article.

(b) The planning commission of a charter county that is located on the tidal waters of the State shall designate in the comprehensive plan areas on or near the tidal waters for:

- (1) loading, unloading, and processing finfish and shellfish; and
- (2) docking and mooring commercial fishing boats and vessels.

(c) The areas designated under subsection (b) of this section shall be geographically located to:

- (1) facilitate the commercial harvesting of finfish and shellfish; and
- (2) ensure reasonable access to the waterways of the State by commercial watermen.]

**1-412.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(6) OF THIS TITLE, THE RESILIENCE ELEMENT SHALL ADDRESS:**

**(1) THE COORDINATION OF LOCAL PREPAREDNESS EFFORTS TO IDENTIFY POTENTIAL THREATS FACING THE COUNTY WITH THE LONG-TERM STRATEGIES TO AVOID, REDUCE, AND RECOVER FROM CHANGING CONDITIONS AND ASSOCIATED DISASTERS; AND**

**(2) THE MUTUAL ASSISTANCE NEEDED AMONG STATE AND LOCAL PARTNERS TO:**

**(I) RESPOND TO THE CHALLENGES OF CHANGING CONDITIONS AND DISASTERS, INCLUDING HUMAN-CAUSED AND NATURAL HAZARDS; AND**

**(II) BUILD, ADVANCE, AND MAINTAIN CAPACITIES RELATED TO QUALITY OF LIFE, HEALTH AND WELL-BEING, DURABLE SYSTEMS, ECONOMIC VITALITY, HUMAN-MADE AND NATURE-BASED INFRASTRUCTURE, AND SUSTAINABLE ENVIRONMENTAL SYSTEMS.**

**(B) (1) THE RESILIENCE ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) THE STATE RESILIENCE STRATEGY, AS DESCRIBED IN § 14-1202 OF THE PUBLIC SAFETY ARTICLE; AND**

**(II) THE STATE OF MARYLAND HAZARD MITIGATION PLAN, AS REQUIRED UNDER 44 C.F.R. PART 201.**

**(2) THE DEPARTMENT OF PLANNING SHALL:**

**(I) PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE POPULATION, DEMOGRAPHIC, ECONOMIC DEVELOPMENT, AND HOUSING DATA FROM THE U.S. CENSUS BUREAU AND OTHER STANDARD SOURCES; AND**

**(II) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE RESILIENCE ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(C) THE RESILIENCE ELEMENT MAY INCLUDE:**

**(1) AN INVENTORY OF AREAS SUSCEPTIBLE TO NATURAL OR HUMAN-CAUSED HAZARDS, SUCH AS FLOODING, INCLUDING RIVERINE AND COASTAL FLOODING, SEA-LEVEL RISE, AND COASTAL STORM SURGE, WHICH INVENTORY MAY CONSIDER THE POTENTIAL DISASTER IMPACTS ON INDIVIDUALS, COMMUNITIES, INSTITUTIONS, BUSINESSES, ECONOMIC DEVELOPMENT, PUBLIC INFRASTRUCTURE AND FACILITIES, AND PUBLIC HEALTH, SAFETY, AND WELFARE;**

**(2) AN INVENTORY OF EXISTING RESILIENCY CONDITIONS THAT PROMOTE RESILIENT PLANNING, DESIGN, AND DEVELOPMENT, AND THAT MAY BE COORDINATED WITH OTHER JURISDICTIONS AND STATE AGENCIES; AND**

**(3) RECOMMENDED STRATEGIES AND POLICIES:**

**(I) TO PROTECT SUSCEPTIBLE AREAS AND RESOURCES AND MITIGATE RISKS TO PUBLIC SAFETY, CRITICAL INFRASTRUCTURE, HISTORIC STRUCTURES, PUBLIC INVESTMENTS, AND OTHER COMMUNITY RESOURCES; AND**

**(II) THAT ARE INTENDED TO:**

**1. REDUCE RISKS ASSOCIATED WITH IDENTIFIED HAZARDS;**

2. ADAPT TO CHANGING CONDITIONS; AND
3. PROMOTE QUICKER RECOVERY AFTER A DISASTER.

1-413.

(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(7) OF THIS TITLE, THE PLACE ELEMENT SHALL:

(1) ~~PLAN, DESIGN, AND PROGRAM~~ PLAN NEW OR REVITALIZED PUBLIC SPACES TO STRENGTHEN COMMUNITY COHESION WHILE CONTRIBUTING TO PUBLIC HEALTH, CONNECTING PEOPLE WITH CULTURAL HERITAGE, CONSERVING NATURAL RESOURCES, IMPROVING RESILIENCE, AND STRENGTHENING THE LOCAL ECONOMY; AND

(2) PROMOTE THE ACTIVE CARE AND MAINTENANCE OF PUBLIC SPACES BY THE PEOPLE WHO LIVE AND WORK THERE, SUPPORTING THE CONTINUATION OF LOCAL WAYS OF LIFE AND CULTURAL MEMORIES.

(B) (1) THE PLACE ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:

(i) THE MARYLAND LAND PRESERVATION AND RECREATION PLAN, AS DESCRIBED IN § 5-906 OF THE NATURAL RESOURCES ARTICLE; AND

(ii) THE STATEWIDE HISTORIC PRESERVATION PLAN, AS REQUIRED UNDER THE NATIONAL HISTORIC PRESERVATION ACT.

(2) THE DEPARTMENT OF PLANNING SHALL:

(i) PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE POPULATION, DEMOGRAPHIC, ECONOMIC DEVELOPMENT, AND HOUSING DATA FROM THE U.S. CENSUS BUREAU AND OTHER STANDARD SOURCES; AND

(ii) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE PLACE ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.

(C) THE PLACE ELEMENT MAY INCLUDE:

(1) AN INVENTORY OF GATHERING PLACES FOR SOCIAL INTERACTIONS AND CENTERS OF ECONOMIC ACTIVITY;

**(2) AN ANALYSIS OF PUBLIC SPACES TO IDENTIFY THOSE OF UNIQUE CULTURAL AND HISTORICAL SIGNIFICANCE; AND**

**(3) RECOMMENDED STRATEGIES, POLICIES, AND PROGRAMS TO BUILD SOCIAL COHESION AND COMMUNITY ENGAGEMENT.**

**1-414.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(8) OF THIS TITLE, THE ECOLOGY ELEMENT SHALL ADDRESS:**

**(1) THE PROTECTION OF THE ENVIRONMENT AND NATURAL RESOURCES, INCLUDING AGRICULTURAL RESOURCES, MINERAL RESOURCES, AND WATER AND AIR QUALITY;**

**(2) THE PROTECTION OF SIGNIFICANT ARCHITECTURAL, SCENIC, CULTURAL, HISTORICAL, OR ARCHAEOLOGICAL RESOURCES;**

**(3) THE CONSERVATION, USE, AND PROTECTION OF NATURAL RESOURCES;**

**(4) THE PRESERVATION AND ENHANCEMENT OF PRIME AGRICULTURAL LAND AND STRATEGIES TO ENCOURAGE THE COMPATIBILITY OF LAND USE WITH AGRICULTURAL AND FORESTRY OPERATIONS;**

**(5) THE PROTECTION OF A RELIABLE SUPPLY OF WATER AND ITS USES AND LIMITATIONS;**

**(6) PREVENTING THE DEGRADATION OF THE ABOVE RESOURCES DUE TO FUTURE DEVELOPMENT PATTERNS PROPOSED IN THE LAND ELEMENT;**

**(7) GREENHOUSE GAS EMISSIONS FROM ANY ADDITIONAL VEHICLE MILES TRAVELED LIKELY TO RESULT FROM FUTURE DEVELOPMENT PATTERNS PROPOSED IN THE LAND ELEMENT;**

**(8) SENSITIVE AREAS IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION; AND**

**(9) WATER RESOURCES IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION.**

**(B) (1) THE ECOLOGY ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) MARYLAND'S CLIMATE POLLUTION REDUCTION PLAN, AS DESCRIBED IN § 2-1205 OF THE ENVIRONMENT ARTICLE;**

**(II) THE MARYLAND LAND PRESERVATION AND RECREATION PLAN, AS DESCRIBED IN § 5-906 OF THE NATURAL RESOURCES ARTICLE; AND**

**(III) THE STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN, AS REQUIRED UNDER THE FEDERAL LAND AND WATER CONSERVATION FUND ACT OF 1965.**

**(2) THE DEPARTMENT OF PLANNING SHALL:**

**(I) PROVIDE A CHARTER COUNTY WITH THE BEST AVAILABLE POPULATION, DEMOGRAPHIC, ECONOMIC DEVELOPMENT, AND HOUSING DATA FROM THE U.S. CENSUS BUREAU AND OTHER STANDARD SOURCES; AND**

**(II) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE ECOLOGY ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(C) THE ECOLOGY ELEMENT MAY INCLUDE:**

**(1) AN INVENTORY OF NATURAL, HISTORICAL, AND ENVIRONMENTALLY SENSITIVE RESOURCES;**

**(2) AN EVALUATION OF THE ISSUES, PROBLEMS, AND OPPORTUNITIES ASSOCIATED WITH THESE RESOURCES; AND**

**(3) STRATEGIES AND POLICIES FOR THE APPROPRIATE USE, PRESERVATION, AND PROTECTION OF THESE RESOURCES THAT ARE CONSISTENT WITH THE STRATEGIES AND POLICIES ESTABLISHED FOR OTHER PLAN ELEMENTS.**

**(D) (1) THE ECOLOGY ELEMENT SHALL INCLUDE A SENSITIVE AREAS SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.**

**(2) THE SENSITIVE AREAS SUBELEMENT SHALL:**

**(I) INCLUDE GOALS, OBJECTIVES, PRINCIPLES, POLICIES, AND STANDARDS DESIGNED TO PROTECT SENSITIVE AREAS FROM THE ADVERSE EFFECTS OF DEVELOPMENT;**

**(II) BE INFORMED BY CURRENT STATE AND FEDERAL REQUIREMENTS REGARDING THE PROTECTION OF SENSITIVE AREAS; AND**

**(III) INDICATE WHAT ADDITIONAL MEASURES, IF ANY, THE CHARTER COUNTY PROPOSES TO IMPLEMENT BEYOND THE REQUIREMENTS DESCRIBED IN SUBPARAGRAPH (II) OF THIS PARAGRAPH.**

**(3) A CHARTER COUNTY SHALL CONSIDER WILDLIFE MOVEMENT AND HABITAT CONNECTIVITY WHEN ENACTING, ADOPTING, AMENDING, OR EXECUTING A PLAN IN ACCORDANCE WITH § 1-405 OF THIS SUBTITLE.**

**(4) (I) THE DEPARTMENT OF NATURAL RESOURCES SHALL PROVIDE A CHARTER COUNTY WITH A STATEWIDE FOREST RESOURCE INVENTORY AT LEAST EVERY 5 YEARS, TO BE AVAILABLE FOR THE LOCAL COMPREHENSIVE PLAN REVIEW BY THE CHARTER COUNTY REQUIRED UNDER § 1-419(A) OF THIS SUBTITLE.**

**(II) THE DEPARTMENT OF PLANNING SHALL COORDINATE WITH THE DEPARTMENT OF NATURAL RESOURCES AND THE STATE HIGHWAY ADMINISTRATION TO PROVIDE EACH CHARTER COUNTY WITH UPDATED INFORMATION ON HABITAT CONNECTIVITY CONCERNS AND CURRENT AND PLANNED WILDLIFE CROSSINGS.**

**(5) BEFORE THE PLAN IS ADOPTED, THE DEPARTMENT OF THE ENVIRONMENT AND THE DEPARTMENT OF NATURAL RESOURCES SHALL REVIEW THE SENSITIVE AREAS SUBELEMENT TO DETERMINE WHETHER THE PROPOSED PLAN IS CONSISTENT WITH THE PROGRAMS AND GOALS OF THE DEPARTMENTS.**

**(E) (1) THE ECOLOGY ELEMENT SHALL INCLUDE A WATER RESOURCES SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.**

**(2) CONSIDERING AVAILABLE DATA PROVIDED BY THE DEPARTMENT OF THE ENVIRONMENT, THE WATER RESOURCES SUBELEMENT SHALL IDENTIFY:**

**(I) DRINKING WATER AND OTHER WATER RESOURCES THAT WILL BE ADEQUATE FOR THE NEEDS OF EXISTING AND FUTURE DEVELOPMENT PROPOSED IN THE LAND ~~USE~~ ELEMENT OF THE PLAN; AND**

**(II) SUITABLE RECEIVING WATERS AND LAND AREAS TO MEET STORMWATER MANAGEMENT AND WASTEWATER TREATMENT AND DISPOSAL NEEDS OF EXISTING AND FUTURE DEVELOPMENT PROPOSED IN THE LAND ELEMENT OF THE PLAN.**

**(3) THE DEPARTMENT OF THE ENVIRONMENT SHALL:**

**(I) PROVIDE, ON REQUEST OF A CHARTER COUNTY, TECHNICAL ASSISTANCE ON THE DEVELOPMENT OF THE WATER RESOURCES SUBELEMENT; AND**

**(II) REVIEW THE WATER RESOURCES SUBELEMENT TO DETERMINE WHETHER THE PROPOSED PLAN IS CONSISTENT WITH THE PROGRAMS AND GOALS OF THE DEPARTMENT OF THE ENVIRONMENT REFLECTED IN THE GENERAL WATER RESOURCES PROGRAM REQUIRED UNDER § 5-203 OF THE ENVIRONMENT ARTICLE.**

**1-415. RESERVED.**

**1-416. RESERVED.**

3-101.

(a) A local jurisdiction shall enact, adopt, amend, and execute a plan in accordance with this division.

(b) A municipal corporation may be included as part of a county plan under this division if:

(1) the legislative body of the municipal corporation, by resolution directed to the legislative body of the county where the municipal corporation is located, indicates the intention to participate in the county plan; and

(2) the legislative body of the county approves the resolution.

[3-102.

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

- (i) a community facilities element;
- (ii) an area of critical State concern element;
- (iii) a goals and objectives element;
- (iv) a housing element;
- (v) a land use element;
- (vi) a development regulations element;

- (vii) a sensitive areas element;
- (viii) a transportation element; and
- (ix) a water resources element.

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

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

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

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

(2) The additional elements may include:

- (i) community renewal elements;
- (ii) conservation elements;
- (iii) flood control elements;
- (iv) natural resources elements;
- (v) pollution control elements;
- (vi) the general location and extent of public utilities; and

(vii) a priority preservation area element developed in accordance with § 2-518 of the Agriculture Article.]

### **3-102.**

**(A) THE PLANNING COMMISSION FOR A LOCAL JURISDICTION SHALL INCLUDE IN THE COMPREHENSIVE PLAN THE FOLLOWING ELEMENTS:**

- (1) A LAND ELEMENT;**
- (2) A TRANSPORTATION ELEMENT;**
- (3) A HOUSING ELEMENT;**

- (4) AN ECONOMY ELEMENT;**
- (5) AN EQUITY ELEMENT;**
- (6) A RESILIENCE ELEMENT;**
- (7) A PLACE ELEMENT; AND**
- (8) AN ECOLOGY ELEMENT.**

**(B) THE PLAN SHALL PROVIDE GOALS, OBJECTIVES, GUIDELINES, STANDARDS, AND STRATEGIES FOR THE ORDERLY AND BALANCED FUTURE ECONOMIC, SOCIAL, PHYSICAL, ENVIRONMENTAL, AND FISCAL DEVELOPMENT OF THE LOCAL JURISDICTION.**

**(C) (1) THE PLANNING COMMISSION FOR A LOCAL JURISDICTION SHALL:**

**(I) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, DETERMINE THE APPROPRIATE FORMAT AND ORGANIZATIONAL STRUCTURE OF THE PLAN, PROVIDED THE ELEMENTS REQUIRED UNDER THIS SUBTITLE ARE ADDRESSED; AND**

**(II) DETERMINE WHETHER TO INCLUDE ADDITIONAL ELEMENTS IN THE PLAN.**

**(2) ELEMENTS MAY BE FORMATTED AS INDIVIDUAL CHAPTERS OR ADDRESSED IN MULTIPLE CHAPTERS.**

**(D) (1) EACH ELEMENT REQUIRED UNDER THIS SECTION SHALL:**

**(I) INCLUDE AND ADDRESS ALL REQUIRED SUBELEMENTS;**

**(II) BE INFORMED BY RELEVANT EXISTING AND ANTICIPATED FUTURE CONDITIONS AND STATE AND LOCAL PLANS; AND**

**(III) IDENTIFY THE NEEDS TO BE ADDRESSED AND THE GOALS TO BE ACHIEVED.**

**(2) (I) THE PLAN SHALL INCLUDE A STATEMENT OF GOALS AND OBJECTIVES, PRINCIPLES, POLICIES, AND STANDARDS.**

**(II) THE STATEMENT SHALL:**

**1. SERVE AS A GUIDE FOR THE DEVELOPMENT AND ECONOMIC AND SOCIAL WELL-BEING OF THE LOCAL JURISDICTION;**

**2. BE INFORMED BY INTERGOVERNMENTAL COORDINATION WITH THE ADJACENT JURISDICTIONS AND RELEVANT REGULATORY AUTHORITIES; AND**

**3. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, IDENTIFY STRATEGIES TO BE IMPLEMENTED, INCLUDING APPROPRIATE RECOMMENDED DEVELOPMENT REGULATIONS, POLICIES, PROGRAMS, AND OTHER MECHANISMS TO ADDRESS THE NEEDS AND GOALS OF THE PLAN.**

**(3) THE DEVELOPMENT REGULATION POLICIES, PROGRAMS, AND OTHER MECHANISMS INCLUDED IN THE PLAN SHALL ENCOURAGE:**

**(I) THE USE OF FLEXIBLE DEVELOPMENT REGULATIONS TO PROMOTE INNOVATIVE AND COST-SAVING SITE DESIGN, IMPLEMENT THE PLANNING PRINCIPLES, AND PROTECT THE ENVIRONMENT; AND**

**(II) WITHIN THE AREAS DESIGNATED FOR GROWTH IN THE PLAN:**

**1. PROMOTE ECONOMIC DEVELOPMENT THROUGH THE USE OF INNOVATIVE TECHNIQUES; AND**

**2. PROVIDE FOR THE STREAMLINED REVIEW OF APPLICATIONS FOR DEVELOPMENT, INCLUDING PERMIT REVIEW AND SUBDIVISION PLAT REVIEW.**

**(E) (1) IN PREPARING THE PLAN, THE PLANNING COMMISSION FOR A LOCAL JURISDICTION MAY REQUEST THE DEPARTMENT OF PLANNING TO FACILITATE STATE AGENCY ASSISTANCE WITH AVAILABLE DATA AND ANALYSIS.**

**(2) THE DEPARTMENT OF PLANNING SHALL PROVIDE GUIDELINES ON HOW TO ADDRESS THE ELEMENTS REQUIRED UNDER THIS SUBTITLE AND IDENTIFY BEST PRACTICES TO BE CONSIDERED.**

[3-103.

(a) The development regulations element shall include the planning commission's recommendation for land development regulations to implement the plan.

(b) The development regulations element shall encourage:

(1) the use of flexible development regulations to promote innovative and cost-saving site design and protect the environment; and

(2) within the areas designated for growth in the plan:

(i) economic development through the use of innovative techniques;  
and

(ii) streamlined review of applications for development, including permit review and subdivision plat review.]

### **3-103.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(1) OF THIS ARTICLE, THE LAND ELEMENT SHALL ADDRESS:**

**(1) THE GENERAL DISTRIBUTION, LOCATION, AND EXTENT OF USES OF THE LAND FOR HOUSING, BUSINESS, INDUSTRY, AGRICULTURE, RECREATION, EDUCATION, PUBLIC BUILDINGS AND GROUNDS, OPEN SPACE, AND OTHER CATEGORIES OF PUBLIC AND PRIVATE USES OF LAND APPROPRIATE TO THE LOCAL JURISDICTION;**

**(2) DESIRED PATTERNS AND LOCATIONS OF GROWTH CONSIDERING EFFECTIVE AND EFFICIENT DELIVERY OF COMMUNITY FACILITIES AND PUBLIC SERVICES, AND THE PROTECTION AND PRESERVATION OF VULNERABLE NATURAL AND HISTORICAL RESOURCES;**

**(3) COMMUNITY FACILITIES IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION; AND**

**(4) IF APPLICABLE:**

**(I) MUNICIPAL GROWTH IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION;**

**(II) MINERAL RESOURCES IN ACCORDANCE WITH SUBSECTION (F) OF THIS SECTION; AND**

**(III) FISHERIES IN ACCORDANCE WITH SUBSECTION (G) OF THIS SECTION.**

**(B) (1) THE LAND ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) THE MARYLAND THE BEAUTIFUL PLAN, AS DESCRIBED IN § 5-104 OF THE NATURAL RESOURCES ARTICLE;**

**(II) THE MARYLAND LAND PRESERVATION AND RECREATION PLAN, AS DESCRIBED IN § 5-906 OF THE NATURAL RESOURCES ARTICLE; AND**

**(III) THE STATEWIDE HISTORIC PRESERVATION PLAN, AS REQUIRED UNDER THE NATIONAL HISTORIC PRESERVATION ACT.**

**(2) THE DEPARTMENT OF PLANNING SHALL:**

**(I) PROVIDE A LOCAL JURISDICTION WITH THE BEST AVAILABLE POPULATION AND DEMOGRAPHIC DATA FROM THE U.S. CENSUS BUREAU AND STATE-LEVEL LAND USE DATA; AND**

**(II) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE LAND ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(C) THE LAND ELEMENT MAY INCLUDE:**

**(1) DESIGNATION OF EXISTING AND PROPOSED LAND USE PATTERNS USING LAND USE MAPS THAT DEPICT THE TYPES OF USES WITH RANGES OF DENSITY OR INTENSITY;**

**(2) IDENTIFICATION OF AREAS OF FUTURE PLANNED MIXED-USE DEVELOPMENT FOR WHICH SPECIAL REGULATIONS MAY BE NECESSARY TO ENSURE DEVELOPMENT IN ACCORD WITH THE PRINCIPLES AND STANDARDS OF THE COMPREHENSIVE PLAN;**

**(3) IDENTIFICATION AND DEPICTION OF HISTORIC DISTRICT BOUNDARIES AND HISTORICALLY SIGNIFICANT PROPERTIES MERITING PROTECTION;**

**(4) IDENTIFICATION OF AREAS OF RESOURCE PROTECTION AND PRESERVATION; AND**

**(5) THE FOLLOWING PUBLIC AND PRIVATE LAND USES:**

(I) AGRICULTURAL;

(II) COMMERCIAL;

(III) FORESTRY, IN ACCORDANCE WITH § 5-101 OF THE NATURAL RESOURCES ARTICLE;

(IV) INDUSTRIAL;

(V) RECREATIONAL; AND

(VI) RESIDENTIAL.

(D) (1) THE LAND ELEMENT SHALL INCLUDE A COMMUNITY FACILITIES SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.

(2) ON A SCHEDULE THAT EXTENDS AS FAR INTO THE FUTURE AS IS REASONABLE, THE COMMUNITY FACILITIES SUBELEMENT SHALL PROPOSE THE MOST APPROPRIATE AND DESIRABLE PATTERNS FOR THE GENERAL LOCATION, CHARACTER, AND EXTENT OF PUBLIC AND SEMIPUBLIC BUILDINGS, LAND, AND FACILITIES.

(3) THE COMMUNITY FACILITIES SUBELEMENT MAY INCLUDE:

~~(I)~~ ~~PLACES OF WORSHIP;~~

~~(II)~~ (I) FIRE STATIONS;

~~(III)~~ ~~HOSPITALS;~~

~~(IV)~~ (II) INSTITUTIONS;

~~(V)~~ (III) JAILS;

~~(VI)~~ (IV) LIBRARIES;

~~(VII)~~ (V) PARKS AND RECREATION AREAS;

~~(VIII)~~ (VI) POLICE STATIONS;

~~(IX)~~ (VII) SCHOOLS AND OTHER EDUCATIONAL FACILITIES;

~~(X)~~ (VIII) CULTURAL FACILITIES;

~~(XI)~~ (IX) SOCIAL WELFARE AND MEDICAL FACILITIES; AND

~~(XII)~~ (X) OTHER PUBLIC OFFICE OR ADMINISTRATIVE FACILITIES.

(E) (1) IF THE PLAN COVERS A MUNICIPAL CORPORATION, THE LAND ELEMENT SHALL INCLUDE A MUNICIPAL GROWTH SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.

(2) THE MUNICIPAL GROWTH SUBELEMENT SHALL INCLUDE:

(I) THE MUNICIPAL CORPORATION’S:

1. FUTURE MUNICIPAL GROWTH AREAS OUTSIDE THE EXISTING CORPORATE LIMITS;

2. PAST GROWTH PATTERNS; AND

3. CAPACITY OF LAND AREAS AVAILABLE FOR DEVELOPMENT, REDEVELOPMENT, AND IN-FILL;

(II) THE LAND AREA NEEDED TO SATISFY DEMAND FOR DEVELOPMENT AT DENSITIES CONSISTENT WITH LONG-TERM DEVELOPMENT POLICY;

(III) THE RELATIONSHIP OF THE LONG-TERM DEVELOPMENT POLICY TO A VISION OF THE MUNICIPAL CORPORATION’S FUTURE CHARACTER;

(IV) RURAL BUFFERS AND TRANSITION AREAS;

(V) PROTECTION OF SENSITIVE AREAS THAT COULD BE IMPACTED BY DEVELOPMENT PLANNED WITHIN THE PROPOSED MUNICIPAL GROWTH AREA;

(VI) POPULATION GROWTH PROJECTIONS;

(VII) PUBLIC SERVICES AND INFRASTRUCTURE NEEDED TO ACCOMMODATE GROWTH WITHIN THE PROPOSED MUNICIPAL GROWTH AREAS, INCLUDING THOSE NECESSARY FOR:

1. LIBRARIES;

2. RECREATION;
3. WATER AND SEWERAGE FACILITIES;
4. PUBLIC SAFETY, INCLUDING EMERGENCY MEDICAL RESPONSE;
5. STORMWATER MANAGEMENT SYSTEMS SUFFICIENT TO ENSURE WATER QUALITY BOTH INSIDE AND OUTSIDE THE PROPOSED MUNICIPAL GROWTH AREA; AND

6. PUBLIC SCHOOLS SUFFICIENT TO ACCOMMODATE STUDENT POPULATION CONSISTENT WITH STATE RATED CAPACITY STANDARDS ESTABLISHED BY THE INTERAGENCY COMMISSION ON SCHOOL CONSTRUCTION;

(VIII) ANY BURDEN ON SERVICES AND INFRASTRUCTURE FOR WHICH THE MUNICIPAL CORPORATION WOULD BE RESPONSIBLE FOR DEVELOPMENT IN AREAS NEAR TO AND OUTSIDE OF THE PROPOSED MUNICIPAL GROWTH AREA; AND

(IX) ANTICIPATED FINANCING MECHANISMS TO SUPPORT NECESSARY PUBLIC SERVICES AND INFRASTRUCTURE.

(3) ON REQUEST OF A MUNICIPAL CORPORATION, THE DEPARTMENT OF PLANNING SHALL PROVIDE TECHNICAL ASSISTANCE FOR THE PURPOSES OF DEVELOPING THE MUNICIPAL GROWTH SUBELEMENT OF THE COMPREHENSIVE PLAN.

(F) (1) IF CURRENT GEOLOGICAL INFORMATION IS AVAILABLE, THE LAND ELEMENT SHALL INCLUDE A MINERAL RESOURCES SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.

(2) THE MINERAL RESOURCES SUBELEMENT SHALL IDENTIFY:

(I) UNDEVELOPED LAND THAT SHOULD BE KEPT IN ITS UNDEVELOPED STATE UNTIL THE LAND CAN BE USED TO ASSIST IN PROVIDING A CONTINUOUS SUPPLY OF MINERALS, AS DEFINED IN § 15-801 OF THE ENVIRONMENT ARTICLE; AND

(II) APPROPRIATE POSTEXCAVATION USES FOR THE LAND THAT ARE CONSISTENT WITH THE COUNTY'S LAND PLANNING PROCESS.

**(3) THE MINERAL RESOURCES SUBELEMENT SHALL INCORPORATE LAND USE POLICIES AND RECOMMENDATIONS FOR REGULATIONS TO:**

**(I) BALANCE MINERAL RESOURCE EXTRACTION WITH OTHER LAND USES; AND**

**(II) PREVENT THE PREEMPTION OF MINERAL RESOURCES EXTRACTION BY OTHER USES TO THE EXTENT FEASIBLE.**

**(4) BEFORE THE PLAN IS ADOPTED, THE DEPARTMENT OF THE ENVIRONMENT SHALL REVIEW THE MINERAL RESOURCES SUBELEMENT TO DETERMINE WHETHER THE PROPOSED PLAN IS CONSISTENT WITH THE PROGRAMS AND GOALS OF THE DEPARTMENT.**

**(G) (1) IF THE LOCAL JURISDICTION IS LOCATED ON THE TIDAL WATERS OF THE STATE, THE LAND ELEMENT SHALL INCLUDE A FISHERIES SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.**

**(2) THE FISHERIES SUBELEMENT SHALL DESIGNATE AREAS ON OR NEAR THE TIDAL WATERS FOR:**

**(I) LOADING, UNLOADING, AND PROCESSING FINFISH AND SHELLFISH; AND**

**(II) DOCKING AND MOORING COMMERCIAL FISHING BOATS AND VESSELS.**

**(3) THE AREAS DESIGNATED UNDER PARAGRAPH (2) OF THIS SUBSECTION SHALL BE GEOGRAPHICALLY LOCATED TO:**

**(I) FACILITATE THE COMMERCIAL HARVESTING OF FINFISH AND SHELLFISH; AND**

**(II) ENSURE REASONABLE ACCESS TO THE WATERWAYS OF THE STATE BY COMMERCIAL WATERMEN.**

**(H) THE LAND ELEMENT MAY INCLUDE A PRIORITY PRESERVATION AREA SUBELEMENT DEVELOPED IN ACCORDANCE WITH § 2-518 OF THE AGRICULTURE ARTICLE.**

[3-104.

(a) (1) A sensitive areas element shall include the goals, objectives, principles, policies, and standards designed to protect sensitive areas from the adverse effects of development.

(2) A local jurisdiction shall consider wildlife movement and habitat connectivity when enacting, adopting, amending, or executing a plan in accordance with § 3–101 of this subtitle.

(b) (1) Beginning October 1, 2013, the Department of Natural Resources shall provide a statewide forest resource inventory to local jurisdictions at least every 5 years, to be available for the local comprehensive plan review by local jurisdictions required under §§ 1–416(a) and 3–301(a) of this article.

(2) The Department of Planning shall coordinate with the Department of Natural Resources and the State Highway Administration to provide each local jurisdiction with updated information on habitat connectivity concerns and current and planned wildlife crossings.

(c) Before the plan is adopted, the Department of the Environment and the Department of Natural Resources shall review the sensitive areas element to determine whether the proposed plan is consistent with the programs and goals of the departments.]

### **3–104.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1–201(B)(2) OF THIS ARTICLE, THE TRANSPORTATION ELEMENT SHALL ADDRESS:**

**(1) A SAFE, BALANCED TRANSPORTATION SYSTEM FOR THE MOVEMENT OF PEOPLE AND GOODS;**

**(2) A RANGE OF SUSTAINABLE TRANSPORTATION CHOICES FOR FUTURE TRANSPORTATION NEEDS; AND**

**(3) COORDINATION WITH THE LAND ELEMENT TO ENSURE TRANSPORTATION EFFICIENCY FOR EXISTING AND PLANNED DEVELOPMENT.**

**(B) (1) THE TRANSPORTATION ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) THE MARYLAND TRANSPORTATION PLAN, AS DESCRIBED IN § 2–103.1 OF THE TRANSPORTATION ARTICLE;**

**(II) THE STATEWIDE 20–YEAR BICYCLE–PEDESTRIAN MASTER PLAN, AS DESCRIBED IN § 2–604 OF THE TRANSPORTATION ARTICLE; AND**

**(III) THE MARYLAND STATE FREIGHT PLAN, AS REQUIRED UNDER 49 U.S.C. § 70202.**

**(2) THE DEPARTMENT OF TRANSPORTATION SHALL:**

**(I) PROVIDE THE LOCAL JURISDICTION WITH THE BEST AVAILABLE STATE-LEVEL DATA; AND**

**(II) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE TRANSPORTATION ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(C) THE TRANSPORTATION ELEMENT MAY INCLUDE ALL TYPES OF:**

**(1) AIRWAYS;**

**(2) HIGHWAYS OR STREETS;**

**(3) RAILWAYS;**

**(4) WATERWAYS;**

**(5) ROUTINGS FOR MASS TRANSIT; AND**

**(6) TERMINALS FOR INDIVIDUALS, GOODS, AND VEHICLES RELATED TO AIRWAYS, HIGHWAYS, RAILWAYS, AND WATERWAYS.**

**(D) THE TRANSPORTATION ELEMENT SHALL:**

**(1) PROPOSE, ON A SCHEDULE THAT EXTENDS AS FAR INTO THE FUTURE AS IS REASONABLE, THE MOST APPROPRIATE AND DESIRABLE PATTERNS FOR:**

**(I) THE GENERAL LOCATION, CHARACTER, AND EXTENT OF CHANNELS, ROUTES, AND TERMINALS FOR TRANSPORTATION FACILITIES; AND**

**(II) THE CIRCULATION OF INDIVIDUALS AND GOODS;**

**(2) PROVIDE FOR BICYCLE AND PEDESTRIAN ACCESS AND TRAVELWAYS; AND**

**(3) INCLUDE AN ESTIMATE OF THE USE OF ANY PROPOSED IMPROVEMENT.**

**[3–105.**

(a) The transportation element may include all types of:

- (1) airways;
- (2) highways or streets;
- (3) railways;
- (4) waterways;
- (5) routings for mass transit; and

(6) terminals for individuals, goods, and vehicles related to airways, highways, railways, and waterways.

(b) The transportation element shall:

(1) propose, on a schedule that extends as far into the future as is reasonable, the most appropriate and desirable patterns for:

(i) the general location, character, and extent of channels, routes, and terminals for transportation facilities; and

(ii) the circulation of individuals and goods;

(2) provide for bicycle and pedestrian access and travelways; and

(3) include an estimate of the use of any proposed improvement.]

**3–105.**

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

**(2) “AFFIRMATIVELY FURTHER FAIR HOUSING” HAS THE MEANING STATED IN § 2–401 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.**

**(3) “AREA MEDIAN INCOME” HAS THE MEANING STATED IN § 4–1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.**

(4) “LOW-INCOME HOUSING” MEANS HOUSING THAT IS AFFORDABLE FOR A HOUSEHOLD WITH AN AGGREGATE ANNUAL INCOME THAT IS BELOW 60% OF THE AREA MEDIAN INCOME.

(5) “WORKFORCE HOUSING” HAS THE MEANING STATED IN § 4-1801 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE.

(B) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(3) OF THIS ARTICLE, THE HOUSING ELEMENT SHALL ADDRESS:

(1) THE PROVISION OF AN ADEQUATE SUPPLY OF HOUSING TO ACCOMMODATE ALL CURRENT AND ANTICIPATED FUTURE RESIDENTS OF THE LOCAL JURISDICTION;

(2) THE AGE, STRUCTURAL TYPE, VALUE, AND OCCUPANCY CHARACTERISTICS OF THE LOCAL JURISDICTION’S HOUSING STOCK;

(3) THE ELIMINATION OF SUBSTANDARD DWELLING CONDITIONS;  
AND

(4) THE PROVISION OF ADEQUATE SITES FOR FUTURE HOUSING, INCLUDING AFFORDABLE HOUSING.

(C) (1) ~~THE HOUSING ELEMENT SHALL BE INFORMED BY THE MARYLAND HOUSING NEEDS ASSESSMENT & 10-YEAR STRATEGIC PLAN FOLLOWING STATE PLANS:~~

(I) THE FAIR HOUSING CHOICE AND RACIAL AND ECONOMIC HOUSING INTEGRATION REPORT, AS DESCRIBED IN § 2-302 OF THE HOUSING AND COMMUNITY DEVELOPMENT ARTICLE; AND

(II) THE STATE OF MARYLAND FIVE YEAR CONSOLIDATED PLAN, AS REQUIRED BY 24 C.F.R. § 91.300.

(2) (I) THE DEPARTMENT OF PLANNING SHALL:

1. PROVIDE A LOCAL JURISDICTION WITH THE BEST AVAILABLE HOUSING DATA FROM THE U.S. CENSUS BUREAU; AND

2. FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE HOUSING ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.

**(II) THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT SHALL PROVIDE THE LOCAL JURISDICTION WITH THE BEST AVAILABLE STATE-LEVEL HOUSING DATA.**

**(D) A HOUSING ELEMENT MAY INCLUDE GOALS, OBJECTIVES, POLICIES, PLANS, AND STANDARDS.**

**(E) A HOUSING ELEMENT SHALL ADDRESS THE NEED FOR AFFORDABLE HOUSING WITHIN THE LOCAL JURISDICTION, INCLUDING:**

**(1) WORKFORCE HOUSING; AND**

**(2) LOW-INCOME HOUSING.**

**(F) (1) A LOCAL JURISDICTION HAS A DUTY TO AFFIRMATIVELY FURTHER FAIR HOUSING THROUGH THE LOCAL JURISDICTION'S HOUSING AND URBAN DEVELOPMENT PROGRAMS.**

**(2) THE HOUSING ELEMENT OF A COMPREHENSIVE PLAN THAT IS ENACTED OR AMENDED ON OR AFTER JANUARY 1, 2023, SHALL INCLUDE AN ASSESSMENT OF FAIR HOUSING TO ENSURE THAT THE LOCAL JURISDICTION IS AFFIRMATIVELY FURTHERING FAIR HOUSING.**

**(3) ON REQUEST OF A LOCAL JURISDICTION, THE DEPARTMENT OF PLANNING, IN CONSULTATION WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, SHALL PROVIDE TECHNICAL ASSISTANCE FOR THE PURPOSE OF DEVELOPING THE HOUSING ELEMENT OF THE COMPREHENSIVE PLAN.**

**(4) THIS SUBSECTION DOES NOT REQUIRE A LOCAL JURISDICTION TO TAKE, OR PROHIBIT A LOCAL JURISDICTION FROM TAKING, A SPECIFIC ACTION TO AFFIRMATIVELY FURTHER FAIR HOUSING.**

[3-106.

(a) Considering available data provided by the Department of the Environment, the water resources element shall identify:

(1) drinking water and other water resources that will be adequate for the needs of existing and future development proposed in the land use element of the plan; and

(2) suitable receiving waters and land areas to meet stormwater management and wastewater treatment and disposal needs of existing and future development proposed in the land use element of the plan.

(b) The Department of the Environment shall:

(1) provide, on request of a local jurisdiction, technical assistance on the development of the water resources element; and

(2) review the water resources element to determine whether the proposed plan is consistent with the programs and goals of the Department reflected in the general water resources program required under § 5–203 of the Environment Article.]

**3–106.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1–201(B)(4) OF THIS ARTICLE, THE ECONOMY ELEMENT SHALL ADDRESS:**

**(1) THE ECONOMIC BASE, LABOR FORCE CHARACTERISTICS, AND LOCAL ECONOMIC DEVELOPMENT OPPORTUNITIES AND RESOURCES OF THE LOCAL JURISDICTION;**

**(2) THE CATEGORIES OR TYPES OF BUSINESSES AND INDUSTRIES DESIRED IN THE LOCAL JURISDICTION; AND**

**(3) THE COORDINATION OF INFORMATION ABOUT POPULATION TRENDS AND CHARACTERISTICS, NATURAL RESOURCES, COMMUNITY FACILITIES AND SERVICES, TRANSPORTATION, HOUSING, AND LAND USE SO THAT A STRATEGY FOR THE ECONOMIC WELL-BEING OF THE LOCAL JURISDICTION CAN BE DEVELOPED.**

**(B) (1) THE ECONOMY ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) THE STATE WORKFORCE DEVELOPMENT PLAN, AS REQUIRED UNDER THE FEDERAL WORKFORCE INNOVATION AND OPPORTUNITY ACT FOR A 4-YEAR COMBINED STATE PLAN; AND**

**(II) THE MARYLAND STATE PLAN FOR POSTSECONDARY EDUCATION, AS DESCRIBED IN § 11–105 OF THE EDUCATION ARTICLE.**

**(2) (I) THE DEPARTMENT OF PLANNING SHALL:**

**1. PROVIDE THE LOCAL JURISDICTION WITH THE BEST AVAILABLE ECONOMIC DEVELOPMENT DATA FROM THE U.S. CENSUS BUREAU; AND**

**2. FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE ECONOMIC ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(II) THE DEPARTMENT OF COMMERCE SHALL PROVIDE A LOCAL JURISDICTION WITH THE BEST AVAILABLE STATE-LEVEL DATA ON ECONOMIC DEVELOPMENT.**

**(III) THE MARYLAND DEPARTMENT OF LABOR SHALL PROVIDE A LOCAL JURISDICTION WITH THE BEST AVAILABLE STATE-LEVEL DATA ON THE LABOR FORCE.**

**(C) THE ECONOMY ELEMENT MAY INCLUDE:**

**(1) AN ASSESSMENT OF ECONOMIC SECTORS TO DETERMINE WHETHER AVAILABLE JOBS ALIGN WITH LOCAL LABOR FORCE CHARACTERISTICS, COMMUTING PATTERNS, AND WAGES PAID, AND WHAT STRATEGIES COULD IMPROVE THE EXISTING ECONOMIC SITUATION;**

**(2) AN ANALYSIS OF EXISTING LOCAL ECONOMIC DEVELOPMENT PROGRAMS AND TOOLS AND WHAT STRATEGIES ARE NEEDED TO FOSTER ECONOMIC DEVELOPMENT;**

**(3) AN ASSESSMENT OF ECONOMIC ASSETS, PROBLEMS, AND OPPORTUNITIES OF THE LOCAL ECONOMY IN A REGIONAL CONTEXT AND WHAT STRATEGIES ARE NEEDED TO POSITION THE LOCAL ECONOMY IN THE LARGER REGIONAL CONTEXT; AND**

**(4) AN ASSESSMENT OF COMMUNITY REDEVELOPMENT OPPORTUNITIES AND WHAT STRATEGIES AND PROGRAMS SHOULD BE PURSUED.**

[3-107.

(a) The mineral resources element shall identify:

(1) undeveloped land that should be kept in its undeveloped state until the land can be used to assist in providing a continuous supply of minerals, as defined in § 15-801(i) of the Environment Article; and

(2) appropriate postexcavation uses for the land that are consistent with the county's land planning process.

(b) A mineral resources element shall incorporate land use policies and recommendations for regulations:

- (1) to balance mineral resource extraction with other land uses; and
- (2) to the extent feasible, to prevent the preemption of mineral resources extraction by other uses.

(c) Before the plan is adopted, the Department of the Environment shall review the mineral resources element to determine whether the proposed plan is consistent with the programs and goals of the Department.]

### **3-107.**

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

**(2) “ENVIRONMENTAL JUSTICE” HAS THE MEANING STATED IN § 1-701 OF THE ENVIRONMENT ARTICLE.**

**(3) “OVERBURDENED COMMUNITY” HAS THE MEANING STATED IN § 1-701 OF THE ENVIRONMENT ARTICLE.**

**(4) “UNDERSERVED COMMUNITY” HAS THE MEANING STATED IN § 1-701 OF THE ENVIRONMENT ARTICLE.**

**(B) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(5) OF THIS ARTICLE, THE EQUITY ELEMENT SHALL ADDRESS:**

**(1) THE NEEDS OF OVERBURDENED AND UNDERSERVED COMMUNITIES IN THE LOCAL JURISDICTION; AND**

**(2) POPULATIONS IN THE LOCAL JURISDICTION THAT TYPICALLY HAVE NOT PARTICIPATED IN THE PLANNING PROCESS.**

**(C) (1) THE EQUITY ELEMENT SHALL BE INFORMED BY THE ANNUAL REPORT OF THE COMMISSION ON ENVIRONMENTAL JUSTICE AND SUSTAINABLE COMMUNITIES, AS DESCRIBED IN § 1-701 OF THE ENVIRONMENT ARTICLE.**

**(2) (I) THE DEPARTMENT OF PLANNING SHALL:**

**1. PROVIDE THE LOCAL JURISDICTION WITH THE BEST AVAILABLE POPULATION AND DEMOGRAPHIC DATA FROM THE U.S. CENSUS BUREAU; AND**

**2. FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE EQUITY ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(II) THE DEPARTMENT OF THE ENVIRONMENT SHALL PROVIDE A LOCAL JURISDICTION WITH DATA ON ENVIRONMENTAL JUSTICE.**

**(D) THE EQUITY ELEMENT MAY INCLUDE POTENTIAL STRATEGIES TO:**

**(1) PROMOTE BROADER CIVIC ENGAGEMENT IN THE PUBLIC DECISION-MAKING PROCESS;**

**(2) REDUCE THE UNIQUE OR COMPOUNDED HEALTH RISKS IN OVERBURDENED AND UNDERSERVED COMMUNITIES; AND**

**(3) PRIORITIZE IMPROVEMENTS AND PROGRAMS THAT ADDRESS THE NEEDS OF OVERBURDENED AND UNDERSERVED COMMUNITIES.**

[3-108.

(a) On a schedule that extends as far into the future as is reasonable, a community facilities element shall propose the most appropriate and desirable patterns for the general location, character, and extent of public and semipublic buildings, land, and facilities.

(b) A community facilities element may include:

- (1) places of worship;
- (2) fire stations;
- (3) hospitals;
- (4) institutions;
- (5) jails;
- (6) libraries;
- (7) parks and recreation areas;
- (8) police stations;

- (9) schools and other educational facilities;
- (10) cultural facilities;
- (11) social welfare and medical facilities; and
- (12) other public office or administrative facilities.]

**3-108.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(6) OF THIS ARTICLE, THE RESILIENCE ELEMENT SHALL ADDRESS:**

**(1) THE COORDINATION OF LOCAL PREPAREDNESS EFFORTS TO IDENTIFY POTENTIAL THREATS FACING THE LOCAL JURISDICTION WITH THE LONG-TERM STRATEGIES TO AVOID, REDUCE, AND RECOVER FROM CHANGING CONDITIONS AND ASSOCIATED DISASTERS; AND**

**(2) THE MUTUAL ASSISTANCE NEEDED AMONG STATE AND LOCAL PARTNERS TO RESPOND TO THE CHALLENGES OF CHANGING CONDITIONS AND DISASTERS, INCLUDING HUMAN-CAUSED AND NATURAL HAZARDS, AND TO BUILD, ADVANCE, AND MAINTAIN CAPACITIES RELATED TO QUALITY OF LIFE, HEALTH AND WELL-BEING, DURABLE SYSTEMS, ECONOMIC VITALITY, HUMAN-MADE AND NATURE-BASED INFRASTRUCTURE, AND SUSTAINABLE ENVIRONMENTAL SYSTEMS.**

**(B) (1) THE RESILIENCE ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) THE STATE RESILIENCE STRATEGY, AS DESCRIBED IN § 14-1202 OF THE PUBLIC SAFETY ARTICLE; AND**

**(II) THE STATE OF MARYLAND HAZARD MITIGATION PLAN, AS REQUIRED UNDER 44 C.F.R. PART 201.**

**(2) THE DEPARTMENT OF PLANNING SHALL:**

**(I) PROVIDE A LOCAL JURISDICTION WITH THE BEST AVAILABLE POPULATION, DEMOGRAPHIC, ECONOMIC DEVELOPMENT, AND HOUSING DATA FROM THE U.S. CENSUS BUREAU AND OTHER STANDARD SOURCES; AND**

**(II) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE RESILIENCE ELEMENT FROM OTHER STATE AGENCIES.**

**(C) THE RESILIENCE ELEMENT MAY INCLUDE:**

**(1) AN INVENTORY OF AREAS SUSCEPTIBLE TO A NATURAL OR HUMAN-CAUSED HAZARD, SUCH AS FLOODING, INCLUDING RIVERINE AND COASTAL FLOODING, SEA-LEVEL RISE, AND COASTAL STORM SURGE, WHICH INVENTORY MAY CONSIDER THE POTENTIAL DISASTER IMPACTS ON INDIVIDUALS, COMMUNITIES, INSTITUTIONS, BUSINESSES, ECONOMIC DEVELOPMENT, PUBLIC INFRASTRUCTURE AND FACILITIES, AND PUBLIC HEALTH, SAFETY, AND WELFARE;**

**(2) AN INVENTORY OF EXISTING RESILIENCE CONDITIONS THAT PROMOTE RESILIENT PLANNING, DESIGN, AND DEVELOPMENT, AND THAT MAY BE COORDINATED WITH OTHER JURISDICTIONS AND STATE AGENCIES; AND**

**(3) RECOMMENDED STRATEGIES AND POLICIES:**

**(I) TO PROTECT SUSCEPTIBLE AREAS AND RESOURCES AND MITIGATE RISKS TO PUBLIC SAFETY, CRITICAL INFRASTRUCTURE, HISTORIC STRUCTURES, PUBLIC INVESTMENTS, AND OTHER COMMUNITY RESOURCES; AND**

**(II) THAT ARE INTENDED TO:**

- 1. REDUCE RISKS ASSOCIATED WITH IDENTIFIED HAZARDS;**
- 2. ADAPT TO CHANGING CONDITIONS; AND**
- 3. PROMOTE QUICKER RECOVERY AFTER A DISASTER.**

[3-109.

The areas of critical State concern element shall include the planning commission's recommendations for the determination, identification, and designation of areas within the local jurisdiction that are of critical State concern.]

**3-109.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(7) OF THIS ARTICLE, THE PLACE ELEMENT SHALL:**

**(1) ~~PLAN, DESIGN, AND PROGRAM PLAN~~ NEW OR REVITALIZED PUBLIC SPACES TO STRENGTHEN COMMUNITY COHESION WHILE CONTRIBUTING TO PUBLIC HEALTH, CONNECTING PEOPLE WITH CULTURAL HERITAGES, CONSERVING**

**NATURAL RESOURCES, IMPROVING RESILIENCE, AND STRENGTHENING THE LOCAL ECONOMY; AND**

**(2) PROMOTE THE ACTIVE CARE AND MAINTENANCE OF PUBLIC SPACES BY THE PEOPLE WHO LIVE AND WORK THERE, SUPPORTING THE CONTINUATION OF LOCAL WAYS OF LIFE AND CULTURAL MEMORIES.**

**(B) (1) THE PLACE ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(I) THE MARYLAND LAND PRESERVATION AND RECREATION PLAN, AS DESCRIBED IN § 5-906 OF THE NATURAL RESOURCES ARTICLE; AND**

**(II) THE STATEWIDE HISTORIC PRESERVATION PLAN, AS REQUIRED UNDER THE NATIONAL HISTORIC PRESERVATION ACT.**

**(2) THE DEPARTMENT OF PLANNING SHALL:**

**(I) PROVIDE A LOCAL JURISDICTION WITH THE BEST AVAILABLE POPULATION, DEMOGRAPHIC, ECONOMIC DEVELOPMENT, AND HOUSING DATA FROM THE U.S. CENSUS BUREAU AND OTHER STANDARD SOURCES; AND**

**(II) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE PLACE ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.**

**(C) THE PLACE ELEMENT MAY INCLUDE:**

**(1) AN INVENTORY OF GATHERING PLACES FOR SOCIAL INTERACTIONS AND CENTERS OF ECONOMIC ACTIVITY;**

**(2) AN ANALYSIS OF PUBLIC SPACES TO IDENTIFY THOSE OF UNIQUE CULTURAL AND HISTORICAL SIGNIFICANCE; AND**

**(3) RECOMMENDED STRATEGIES, POLICIES, AND PROGRAMS TO BUILD SOCIAL COHESION AND COMMUNITY ENGAGEMENT.**

[3-110.

(a) The goals and objectives element shall include a statement of goals and objectives, principles, policies, and standards.

(b) The statement shall serve as a guide for the development and economic and social well-being of the local jurisdiction.]

**3-110.**

**(A) IN ADDITION TO IMPLEMENTING THE PLANNING PRINCIPLE IN § 1-201(B)(8) OF THIS ARTICLE, THE ECOLOGY ELEMENT SHALL ADDRESS:**

**(1) THE PROTECTION OF THE ENVIRONMENT AND NATURAL RESOURCES, INCLUDING AGRICULTURAL RESOURCES, MINERAL RESOURCES, AND WATER AND AIR QUALITY;**

**(2) THE PROTECTION OF SIGNIFICANT ARCHITECTURAL, SCENIC, CULTURAL, HISTORICAL, OR ARCHAEOLOGICAL RESOURCES;**

**(3) THE CONSERVATION, USE, AND PROTECTION OF NATURAL RESOURCES;**

**(4) THE PRESERVATION AND ENHANCEMENT OF PRIME AGRICULTURAL LAND AND STRATEGIES TO ENCOURAGE THE COMPATIBILITY OF LAND USE WITH AGRICULTURAL OPERATIONS;**

**(5) THE PROTECTION OF A RELIABLE SUPPLY OF WATER AND ITS USES AND LIMITATIONS;**

**(6) PREVENTING THE DEGRADATION OF THE ABOVE RESOURCES DUE TO FUTURE DEVELOPMENT PATTERNS PROPOSED IN THE LAND ELEMENT;**

**(7) GREENHOUSE GAS EMISSIONS FROM ANY ADDITIONAL VEHICLE MILES TRAVELED LIKELY TO RESULT FROM FUTURE DEVELOPMENT PATTERNS PROPOSED IN THE LAND ELEMENT;**

**(8) SENSITIVE AREAS IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION; AND**

**(9) WATER RESOURCES IN ACCORDANCE WITH SUBSECTION (E) OF THIS SECTION.**

**(B) (1) THE ECOLOGY ELEMENT SHALL BE INFORMED BY THE FOLLOWING STATE PLANS:**

**(i) MARYLAND'S CLIMATE POLLUTION REDUCTION PLAN, AS DESCRIBED IN § 2-1205 OF THE ENVIRONMENT ARTICLE;**

(II) THE MARYLAND LAND PRESERVATION AND RECREATION PLAN, AS DESCRIBED IN § 5-906 OF THE NATURAL RESOURCES ARTICLE; AND

(III) THE STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN, AS REQUIRED UNDER THE FEDERAL LAND AND WATER CONSERVATION FUND ACT OF 1965.

(2) THE DEPARTMENT OF PLANNING SHALL:

(I) PROVIDE A LOCAL JURISDICTION WITH THE BEST AVAILABLE POPULATION, DEMOGRAPHIC, ECONOMIC DEVELOPMENT, AND HOUSING DATA FROM THE U.S. CENSUS BUREAU AND OTHER STANDARD SOURCES; AND

(II) FACILITATE, TO THE EXTENT POSSIBLE, THE PROVISION OF DATA RELEVANT TO THE PREPARATION OF THE ECOLOGY ELEMENT FROM OTHER STATE AND FEDERAL AGENCIES.

(C) THE ECOLOGY ELEMENT MAY INCLUDE:

(1) AN INVENTORY OF NATURAL, HISTORICAL, AND ENVIRONMENTALLY SENSITIVE RESOURCES;

(2) AN EVALUATION OF THE ISSUES, PROBLEMS, AND OPPORTUNITIES ASSOCIATED WITH THE RESOURCES; AND

(3) STRATEGIES AND POLICIES FOR THE APPROPRIATE USE, PRESERVATION AND PROTECTION OF THESE RESOURCES THAT ARE CONSISTENT WITH THE STRATEGIES AND POLICIES ESTABLISHED FOR OTHER PLAN ELEMENTS.

(D) (1) THE ECOLOGY ELEMENT SHALL INCLUDE A SENSITIVE AREAS SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.

(2) THE SENSITIVE AREAS SUBELEMENT SHALL:

(I) INCLUDE GOALS, OBJECTIVES, PRINCIPLES, POLICIES, AND STANDARDS DESIGNED TO PROTECT SENSITIVE AREAS FROM THE ADVERSE EFFECTS OF DEVELOPMENT;

(II) BE INFORMED BY CURRENT STATE AND FEDERAL REQUIREMENTS REGARDING THE PROTECTION OF SENSITIVE AREAS; AND

**(III) INDICATE WHAT ADDITIONAL MEASURES, IF ANY, THE LOCAL JURISDICTION PROPOSES TO IMPLEMENT BEYOND THE REQUIREMENTS DESCRIBED IN ITEM (II) OF THIS PARAGRAPH.**

**(3) A LOCAL JURISDICTION SHALL CONSIDER WILDLIFE MOVEMENT AND HABITAT CONNECTIVITY WHEN ENACTING, ADOPTING, AMENDING, OR EXECUTING A PLAN IN ACCORDANCE WITH § 3-101 OF THIS SUBTITLE.**

**(4) (I) THE DEPARTMENT OF NATURAL RESOURCES SHALL PROVIDE A LOCAL JURISDICTION WITH A STATEWIDE FOREST RESOURCE INVENTORY AT LEAST EVERY 5 YEARS, TO BE AVAILABLE FOR THE LOCAL COMPREHENSIVE PLAN REVIEW BY LOCAL JURISDICTIONS REQUIRED UNDER § 3-301(A) OF THIS TITLE.**

**(II) THE DEPARTMENT OF PLANNING SHALL COORDINATE WITH THE DEPARTMENT OF NATURAL RESOURCES AND THE STATE HIGHWAY ADMINISTRATION TO PROVIDE EACH LOCAL JURISDICTION WITH UPDATED INFORMATION ON HABITAT CONNECTIVITY CONCERNS AND CURRENT AND PLANNED WILDLIFE CROSSINGS.**

**(5) BEFORE THE PLAN IS ADOPTED, THE DEPARTMENT OF THE ENVIRONMENT AND THE DEPARTMENT OF NATURAL RESOURCES SHALL REVIEW THE SENSITIVE AREAS SUBELEMENT TO DETERMINE WHETHER THE PROPOSED PLAN IS CONSISTENT WITH THE PROGRAMS AND GOALS OF THE DEPARTMENTS.**

**(E) (1) THE ECOLOGY ELEMENT SHALL INCLUDE A WATER RESOURCES SUBELEMENT IN ACCORDANCE WITH THIS SUBSECTION.**

**(2) CONSIDERING AVAILABLE DATA PROVIDED BY THE DEPARTMENT OF THE ENVIRONMENT, THE WATER RESOURCES SUBELEMENT SHALL IDENTIFY:**

**(I) DRINKING WATER AND OTHER WATER RESOURCES THAT WILL BE ADEQUATE FOR THE NEEDS OF EXISTING AND FUTURE DEVELOPMENT PROPOSED IN THE LAND ELEMENT OF THE PLAN; AND**

**(II) SUITABLE RECEIVING WATERS AND LAND AREAS TO MEET STORMWATER MANAGEMENT AND WASTEWATER TREATMENT AND DISPOSAL NEEDS OF EXISTING AND FUTURE DEVELOPMENT PROPOSED IN THE LAND ELEMENT OF THE PLAN.**

**(3) THE DEPARTMENT OF THE ENVIRONMENT SHALL:**

**(I) PROVIDE, ON REQUEST OF A LOCAL JURISDICTION, TECHNICAL ASSISTANCE ON THE DEVELOPMENT OF THE WATER RESOURCES SUBELEMENT; AND**

**(II) REVIEW THE WATER RESOURCES SUBELEMENT TO DETERMINE WHETHER THE PROPOSED PLAN IS CONSISTENT WITH THE PROGRAMS AND GOALS OF THE DEPARTMENT OF THE ENVIRONMENT REFLECTED IN THE GENERAL WATER RESOURCES PROGRAM REQUIRED UNDER § 5-203 OF THE ENVIRONMENT ARTICLE.**

[3-111.

(a) On a schedule that extends as far into the future as is reasonable, the land use element shall propose the most appropriate and desirable patterns for the general location, character, extent, and interrelationship of the uses of public and private land.

(b) The land use element may include the following public and private land uses:

- (1) agricultural;
- (2) commercial;
- (3) forestry, in accordance with § 5-101 of the Natural Resources Article;
- (4) industrial;
- (5) recreational; and
- (6) residential.]

[3-112.

(a) The municipal growth element shall include:

- (1) the municipal corporation's:
  - (i) future municipal growth areas outside the existing corporate limits;
  - (ii) past growth patterns;
  - (iii) capacity of land areas available for development, redevelopment, and in-fill;

(2) the land area needed to satisfy demand for development at densities consistent with long-term development policy;

(3) the relationship of the long-term development policy to a vision of the municipal corporation's future character;

(4) rural buffers and transition areas;

(5) protection of sensitive areas that could be impacted by development planned within the proposed municipal growth area;

(6) population growth projections;

(7) public services and infrastructure needed to accommodate growth within the proposed municipal growth areas, including those necessary for:

(i) libraries;

(ii) recreation;

(iii) water and sewerage facilities;

(iv) public safety, including emergency medical response;

(v) stormwater management systems sufficient to ensure water quality both inside and outside the proposed municipal growth area; and

(vi) public schools sufficient to accommodate student population consistent with State rated capacity standards established by the Interagency Commission on School Construction;

(8) any burden on services and infrastructure for which the municipal corporation would be responsible for development in areas near to and outside of the proposed municipal growth area; and

(9) anticipated financing mechanisms to support necessary public services and infrastructure.

(b) On request of a municipal corporation, the Department of Planning shall provide technical assistance for the purposes of developing the municipal growth element of the comprehensive plan.]

[3-113.

(a) The planning commission of a county that is located on the tidal waters of the State shall designate in the comprehensive plan areas on or near the tidal waters for:

- (1) loading, unloading, and processing finfish and shellfish; and
- (2) docking and mooring commercial fishing boats and vessels.

(b) The areas designated under subsection (a) of this section shall be geographically located to:

- (1) facilitate the commercial harvesting of finfish and shellfish; and
- (2) ensure reasonable access to the waterways of the State by commercial watermen.]

[3–114.

(a) (1) In this section the following words have the meanings indicated.

(2) “Affirmatively further fair housing” has the meaning stated in § 2–401 of the Housing and Community Development Article.

(3) “Area median income” has the meaning stated in § 4–1801 of the Housing and Community Development Article.

(4) “Low–income housing” means housing that is affordable for a household with an aggregate annual income that is below 60% of the area median income.

(5) “Workforce housing” has the meaning stated in § 4–1801 of the Housing and Community Development Article.

(b) A housing element may include goals, objectives, policies, plans, and standards.

(c) A housing element shall address the need for affordable housing within the local jurisdiction, including:

- (1) workforce housing; and
- (2) low–income housing.

(d) (1) Local jurisdictions have a duty to affirmatively further fair housing through their housing and urban development programs.

(2) The housing element of a comprehensive plan that is enacted or amended on or after January 1, 2023, shall include an assessment of fair housing to ensure that the local jurisdiction is affirmatively furthering fair housing.

(3) On request of a local jurisdiction, the Department of Planning, in consultation with the Department of Housing and Community Development, shall provide technical assistance for the purpose of developing the housing element of the comprehensive plan.

(4) This subsection does not require a local jurisdiction to take, or prohibit a local jurisdiction from taking, a specific action to affirmatively further fair housing.]

3–206.

(a) (1) When developing a municipal growth [element] **SUBELEMENT** of the comprehensive plan, a municipal corporation shall consult with the counties in which the municipal corporation is located.

(2) A municipal corporation shall provide a copy of a municipal growth [element] **SUBELEMENT** to the counties in which the municipal corporation is located before approval of the element.

(b) (1) The municipal corporation shall accept comments from the counties for 30 days after providing a copy of the municipal growth [element] **SUBELEMENT** to the counties in which the municipal corporation is located.

(2) Within 30 days following the close of the comment period under paragraph (1) of this subsection, the counties and the municipal corporation shall meet and confer regarding the municipal growth [element] **SUBELEMENT**.

(3) On request of either party, the county and the municipal corporation shall employ an appropriate mediation and conflict resolution service to facilitate the meeting and conferral under this subsection.

(c) (1) A municipal corporation and the counties in which the municipal corporation is located may enter into a joint planning agreement in order to coordinate implementation of a municipal growth [element] **SUBELEMENT**.

(2) A joint planning agreement shall consider the municipal growth [element] **SUBELEMENT** required under Subtitle 1 of this title.

SECTION 3. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the General Assembly, cross–references and terminology rendered incorrect by this Act. The publisher shall adequately describe any correction that is made in an editor’s note following the section affected.

SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall be construed to apply only prospectively and may not be applied or interpreted to have any effect on or application to a county or municipal corporation that amends, revises, readopts, or modifies a comprehensive plan, or that begins the process of amending, revising, readopting, or modifying a comprehensive plan, before the effective date of this Act.

SECTION ~~4~~ 5. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2026.

**Approved by the Governor, April 14, 2026.**