



Senate Bill 443

Land Use – Local Governments – Comprehensive Planning and Zoning Cycles

MACo Position: **SUPPORT**

Date: February 19, 2013

To: Education, Health, and Environmental Affairs
Committee

From: Leslie Knapp Jr.

The Maryland Association of Counties (MACo) **SUPPORTS** SB 443. The bill would move a local government's comprehensive planning and zoning cycle from a 6-year cycle to a 10-year cycle and, to the extent practicable, make the cycle coincide with the release of data from the United States decennial census. The transition schedule would be set by a workgroup formed by the Maryland Department of Planning (MDP), MACo, and the Maryland Municipal League.









The bill would also require a "check-up" at the five year point of a comprehensive plan's adoption – a local planning commission would have to include a narrative of the implementation status of the comprehensive plan as part of the annual report that local governments must submit to MDP. A jurisdiction would retain the right to amend its comprehensive plan or zoning at any point in time.

There are two primary reasons to move to a 10-year cycle. First, local comprehensive plans are largely based on data released by the census and it is only logical to better align comprehensive plan development with the release of the census data.

Second, given the significant number of new land use mandates and requirements that have been placed on counties since 2006 (see page 2 of the testimony), it has become increasingly difficult to meet the 6-year deadline while still complying with the new requirements and providing for an open and public process. Additionally, county budget shortfalls and reductions in State aid have placed additional stresses on county planning department resources and staff. A 10-year cycle is more practical and realistic.

SB 443 would provide relief to county planning departments and better match the comprehensive planning cycle with the release of census data. Accordingly, MACo requests the Committee give SB 443 a **FAVORABLE** report.

RECENT LAND USE MANDATES ON COUNTIES:

-  2006 New water resources element, municipal growth element, and priority preservation element [HB 1141 and HB 2]
-  2007 New stormwater management requirements [HB 786/SB 784]
-  2008 New critical area requirements [HB 1253]
-  2009 New planning visions, Smart Growth measures and indicators, and plan consistency requirements [HB 294/SB 273, HB 295/SB 276, and HB 297/SB 280]
-  2010 New transportation planning requirements [HB 1155]
-  2011 PlanMaryland [Executive Order 01.01.2011.22]
-  2012 New Growth Tiers and septic system restrictions [SB 236]
-  The Present – Chesapeake Bay and Local Waterway Total Maximum Daily Load requirements