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# The 2015 Session—MAP

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## Overview

The 2015 Session was light on land use legislation. However, MAP did take steps toward re-establishing itself as a relevant, credible voice on planning matters. Below is a quick summary of what happened on Bills MAP supported or opposed, from the MAP Legislative Committee and Lobbyist Hollie Lund.

## The Bills MAP Supported:

- **HB289 Became Law.** This law allows Part 1 zoning (aka, “zoning by petition”) to fulfill zoning requirements for the creation of Targeted Economic Development Districts (TEDDs), in areas without growth policies. MAP was not in favor of the original Bill because it seemed to weaken existing growth policies, but MAP Member Janet Cornish was able to work with Chairman Greef to amend the Bill to its current form.
- **HB114 Became Law.** This law clarifies that tax increment remittances to school districts are to be used to reduce local property taxes, and also authorizes transition agreements with local governments.
- **HB604 Became Law.** This law creates a shared-use trail pilot program. It requires MDT to compile an inventory of trails created under the Footpath and Bicycle Trail Act of 1975, develop a maintenance plan, and submit a report to the Legislature.
- **HB312** (requiring MDT to consider local planning documents in its construction activities), **HB385** (allowing value of minimum park improvement standards to be included in cash “lieu of land” valuations), and **SB264** (appropriating sales and use taxes to heritage preservation and development commission), all **Died in Session**.

## The Bills MAP Opposed:

- **HB182 Died in Session.** This Bill would have required zoning be adopted before use of the property could be considered in subdivision review.
- **HB302 Died in Session.** This Bill would have prohibited local governments from adopting rebuttable presumptions (aka, “review criteria”) for use in determining evasions.
- **HB380 Died in Session.** This Bill would have revised review requirements for RVs and mobile homes, to define subdivision as more than 20 spaces.
- **HB548 Died in Session.** This Bill would have exempted parcels used as security for mortgages or liens from review, if the parcel or remaining tract of land was conveyed without foreclosure before Oct. 1, 2003.
- **HB640 Died in Session.** This Bill would have prohibited local governments from adopting any land use plans or policies that restrict private property rights, without due process.

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Thoughts for 2017:

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## Topics of Interest

- **Development Agreements.** This MACo Bill was proposed in the 2015 session but not pursued. MAP worked with MACo and CTAP on the Bill early in the session, and may want to continue those efforts with MACo, CTAP, and MLCT.
- **Exempt Wells.** This was a hot topic this session, which didn’t result in any new laws (except HB168, which provides that DNRC’s 1993 definition of combined appropriations applies to pre-October 17, 2014 projects). MAP was only monitoring to make sure any proposals didn’t affect the MSPA, but MAP could certainly become more involved during the interim.
- **Zoning Protests.** No Bill was proposed this session to amend the county zoning protest provisions. MAP may want to monitor any proposed amendments, and discuss what role—if any—MAP should play.

## Other Considerations

There seemed to be a number of Bills proposed to address locality-specific issues. One role MAP could play is that of an “intermediary” to help parties address these issues without resorting to legislation.

**NEXT UP: stay tuned for an update on new laws that affect planners!**

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