

SENATE BILL 266

C8, L6, M3

(5lr0319)

ENROLLED BILL

— *Education, Energy, and the Environment/Environment and Transportation* —

Introduced by **Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Planning)**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

_____ day of _____ at _____ o'clock, _____ M.

President.

CHAPTER _____

1 AN ACT concerning

2 **Local Comprehensive Planning and State Economic Growth, Resource**
3 **Protection, and Planning Policy – Planning Principles**

4 FOR the purpose of providing that certain planning principles are intended to accomplish
5 certain goals and that certain goals are to be accomplished with certain public
6 participation; altering the planning visions for local comprehensive planning to
7 consist of certain planning principles; altering the State Economic Growth, Resource
8 Protection, and Planning Policy to consist of certain planning principles; requiring
9 the publisher of the Annotated Code of Maryland, in consultation with the
10 Department of Legislative Services, to correct cross-references and terminology in
11 the Code that are rendered incorrect by this Act; and generally relating to local
12 comprehensive planning and the State Economic Growth, Resource Protection, and
13 Planning Policy.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 BY repealing and reenacting, with amendments,
 2 Article – Land Use
 3 Section 1–201
 4 Annotated Code of Maryland
 5 (2012 Volume and 2024 Supplement)

6 BY repealing and reenacting, with amendments,
 7 Article – State Finance and Procurement
 8 Section 5–7A–01 and 5–7B–05(a)(3)
 9 Annotated Code of Maryland
 10 (2021 Replacement Volume and 2024 Supplement)

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

13 **Article – Land Use**

14 1–201.

15 **(A) (1) THE PLANNING PRINCIPLES UNDER SUBSECTION (B) OF THIS**
 16 **SECTION ARE COLLECTIVELY INTENDED TO CREATE SUSTAINABLE COMMUNITIES**
 17 **AND TO PROTECT THE ENVIRONMENT IN ORDER TO FOSTER A HIGH QUALITY OF LIFE**
 18 **FOR ALL RESIDENTS OF THE STATE.**

19 **(2) TO ACCOMPLISH THE GOALS UNDER PARAGRAPH (1) OF THIS**
 20 **SUBSECTION, RESIDENTS SHOULD BE ACTIVE PARTNERS IN THE PLANNING AND**
 21 **IMPLEMENTATION OF COMMUNITY INITIATIVES AND SENSITIVE TO THEIR**
 22 **RESPONSIBILITIES AS STEWARDS IN BALANCING AND ACHIEVING COMMUNITY**
 23 **GOALS.**

24 **(B)** In addition to the requirements of § 3–201(a) and (b) of this article, a planning
 25 commission shall implement the following [visions] **PLANNING PRINCIPLES** through the
 26 comprehensive plan described in Title 3 of this article:

27 [(1) quality of life and sustainability: a high quality of life is achieved
 28 through universal stewardship of the land, water, and air resulting in sustainable
 29 communities and protection of the environment;

30 (2) public participation: citizens are active partners in the planning and
 31 implementation of community initiatives and are sensitive to their responsibilities in
 32 achieving community goals;

33 (3) growth areas: growth is concentrated in existing population and
 34 business centers, growth areas adjacent to these centers, or strategically selected new
 35 centers;

1 (4) community design: compact, mixed-use, walkable design consistent
2 with existing community character and located near available or planned transit options is
3 encouraged to ensure efficient use of land and transportation resources and preservation
4 and enhancement of natural systems, open spaces, recreational areas, and historical,
5 cultural, and archaeological resources;

6 (5) infrastructure: growth areas have the water resources and
7 infrastructure to accommodate population and business expansion in an orderly, efficient,
8 and environmentally sustainable manner;

9 (6) transportation: a well-maintained, multimodal transportation system
10 facilitates the safe, convenient, affordable, and efficient movement of people, goods, and
11 services within and between population and business centers;

12 (7) housing: a range of housing densities, types, and sizes provides
13 residential options for citizens of all ages and incomes;

14 (8) economic development: economic development and natural
15 resource-based businesses that promote employment opportunities for all income levels
16 within the capacity of the State's natural resources, public services, and public facilities are
17 encouraged;

18 (9) environmental protection: land and water resources, including the
19 Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air
20 and water, natural systems, and living resources;

21 (10) resource conservation: waterways, forests, agricultural areas, open
22 space, natural systems, and scenic areas are conserved;

23 (11) stewardship: government, business entities, and residents are
24 responsible for the creation of sustainable communities by collaborating to balance efficient
25 growth with resource protection; and

26 (12) implementation: strategies, policies, programs, and funding for growth
27 and development, resource conservation, infrastructure, and transportation are integrated
28 across the local, regional, State, and interstate levels to achieve these visions.]

29 **(1) LAND: OPTIMIZE ~~LAND~~ PRODUCTIVITY OF WORKING LANDSCAPES,**
30 **INCLUDING FARMS AND FORESTS, AND FISHERIES, AND PRIORITIZE DEVELOPMENT**
31 **WITHIN POPULATION CENTERS AND THAT ARE IN PROXIMITY TO EXISTING**
32 **INFRASTRUCTURE AND FACILITIES;**

33 **(2) TRANSPORTATION: PRIORITIZE TRANSPORTATION NETWORKS**
34 **THAT CREATE ENERGY EFFICIENT, AFFORDABLE, AND RELIABLE ACCESS TO JOBS,**
35 **HOUSING, AND SERVICES;**

1 **(3) HOUSING: ENABLE A MIX OF QUALITY HOUSING TYPES AND**
 2 **AFFORDABILITY OPTIONS TO ACCOMMODATE ALL WHO WANT TO LIVE IN THE STATE;**

3 **(4) ECONOMY: ALLOW FOR ADAPTIVE REUSE, MIXED-USE, AND**
 4 **CONTEXT APPROPRIATE NEW DEVELOPMENT THAT RESPONDS TO CHANGING**
 5 **MARKETS AND INNOVATIONS;**

6 **(5) EQUITY: ENGAGE ALL SECTORS OF THE COMMUNITY IN PLAN**
 7 **DEVELOPMENT TO ENSURE DIVERSE VOICES ARE HEARD AND THE NEEDS OF**
 8 **UNDERSERVED POPULATIONS ARE PRIORITIZED;**

9 **(6) RESILIENCE: INTEGRATE RESILIENCY MEASURES THAT WILL**
 10 **MINIMIZE THE IMPACTS OF RAPID AND UNEXPECTED NATURAL- AND**
 11 **HUMAN-CAUSED THREATS ON COMMUNITIES;**

12 **(7) PLACE: PROVIDE FOR PUBLIC SPACES THAT ENCOURAGE SOCIAL**
 13 **INTERACTION AND VALUE CULTURAL, HISTORICAL, AND NATURAL RESOURCES; AND**

14 **(8) ECOLOGY: PROTECT AND RESTORE SENSITIVE ECOLOGICAL**
 15 **SYSTEMS AND CONSERVE NATURAL RESOURCES, INCLUDING FORESTS,**
 16 **AGRICULTURAL AREAS, AND WATERWAYS.**

17 **Article – State Finance and Procurement**

18 5-7A-01.

19 The State Economic Growth, Resource Protection, and Planning Policy [is the
 20 following] **CONSISTS OF THE FOLLOWING PLANNING PRINCIPLES FOR ADVANCING**
 21 **SUSTAINABLE GROWTH IN THE STATE:**

22 **(1) quality of life and sustainability: a high quality of life is achieved**
 23 **through universal stewardship of the land, water, and air resulting in sustainable**
 24 **communities and protection of the environment;**

25 **(2) public participation: citizens are active partners in the planning and**
 26 **implementation of community initiatives and are sensitive to their responsibilities in**
 27 **achieving community goals;**

28 **(3) growth areas: growth is concentrated in existing population and**
 29 **business centers, growth areas adjacent to these centers, or strategically selected new**
 30 **centers;**

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 32 **with existing community character and located near available or planned transit options is**
 33 **encouraged to ensure efficient use of land and transportation resources and preservation**

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12 **(8) ECOLOGY: PROTECT AND RESTORE SENSITIVE ECOLOGICAL**
 13 **SYSTEMS AND CONSERVE NATURAL RESOURCES, INCLUDING FORESTS,**
 14 **AGRICULTURAL AREAS, AND WATERWAYS.**

15 5-7B-05.

16 (a) (3) The Board of Public Works may approve a transportation project under
 17 paragraph (1)(ii) of this subsection if the transportation project:

18 (i) maintains the existing transportation system, if the Department
 19 of Transportation and the Department of Planning determine the project does not serve to
 20 significantly increase highway capacity;

21 (ii) serves to connect priority funding areas, if:

22 1. the Department of Transportation and the Department of
 23 Planning determine that adequate access control or other measures are in place to:

24 A. prevent development that is inconsistent with §
 25 [5-7A-01(1), (2), and (3)] ~~5-7A-01~~ of this title; and

26 B. maintain the viability of the project while concomitantly
 27 constraining development which potentially detracts from main street business areas; and

28 2. the Department of Transportation and the Department of
 29 Planning have first determined whether alternative transportation modes, such as mass
 30 transit and transportation demand management, provide a reasonable alternative to the
 31 project and that no reasonable alternative exists;

1 (iii) has the sole purpose of providing control of access by the
2 Department of Transportation along an existing highway corridor; or

3 (iv) due to its operational or physical characteristics, must be located
4 away from other development.

5 SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the
6 Annotated Code of Maryland, in consultation with and subject to the approval of the
7 Department of Legislative Services, shall correct, with no further action required by the
8 General Assembly, cross-references and terminology rendered incorrect by this Act. The
9 publisher shall adequately describe any correction that is made in an editor's note following
10 the section affected.

11 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.