

SENATE BILL 266

C8, L6, M3

(PRE-FILED)

5lr0319
CF HB 286

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

Requested: October 6, 2024

Introduced and read first time: January 8, 2025

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

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

12 BY repealing and reenacting, with amendments,
13 Article – Land Use
14 Section 1–201
15 Annotated Code of Maryland
16 (2012 Volume and 2024 Supplement)

17 BY repealing and reenacting, with amendments,
18 Article – State Finance and Procurement
19 Section 5–7A–01 and 5–7B–05(a)(3)
20 Annotated Code of Maryland
21 (2021 Replacement Volume and 2024 Supplement)

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

24 **Article – Land Use**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1–201.

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

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

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

11 (3) growth areas: growth is concentrated in existing population and
12 business centers, growth areas adjacent to these centers, or strategically selected new
13 centers;

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

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

22 (6) transportation: a well–maintained, multimodal transportation system
23 facilitates the safe, convenient, affordable, and efficient movement of people, goods, and
24 services within and between population and business centers;

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

27 (8) economic development: economic development and natural
28 resource–based businesses that promote employment opportunities for all income levels
29 within the capacity of the State’s natural resources, public services, and public facilities are
30 encouraged;

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

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

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

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

7 **(1) LAND: OPTIMIZE LAND PRODUCTIVITY WITHIN POPULATION**
8 **CENTERS AND IN PROXIMITY TO EXISTING INFRASTRUCTURE AND FACILITIES;**

9 **(2) TRANSPORTATION: PRIORITIZE TRANSPORTATION NETWORKS**
10 **THAT CREATE ENERGY EFFICIENT, AFFORDABLE, AND RELIABLE ACCESS TO JOBS,**
11 **HOUSING, AND SERVICES;**

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

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

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

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

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

25 **(8) ECOLOGY: PROTECT AND RESTORE SENSITIVE ECOLOGICAL**
26 **SYSTEMS.**

27 **Article – State Finance and Procurement**

28 5–7A–01.

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

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

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

7 (3) growth areas: growth is concentrated in existing population and
8 business centers, growth areas adjacent to these centers, or strategically selected new
9 centers;

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

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

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

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

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

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28 Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air
29 and water, natural systems, and living resources;

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

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

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

4 (1) LAND: OPTIMIZE LAND PRODUCTIVITY WITHIN POPULATION
5 CENTERS AND IN PROXIMITY TO EXISTING INFRASTRUCTURE AND FACILITIES;

6 (2) TRANSPORTATION: PRIORITIZE TRANSPORTATION NETWORKS
7 THAT CREATE ENERGY EFFICIENT, AFFORDABLE, AND RELIABLE ACCESS TO JOBS,
8 HOUSING, AND SERVICES;

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

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

14 (5) EQUITY: ENGAGE ALL SECTORS OF THE COMMUNITY IN PLAN
15 DEVELOPMENT TO ENSURE DIVERSE VOICES ARE HEARD AND THE NEEDS OF
16 UNDERSERVED POPULATIONS ARE PRIORITIZED;

17 (6) RESILIENCE: INTEGRATE RESILIENCY MEASURES THAT WILL
18 MINIMIZE THE IMPACTS OF RAPID AND UNEXPECTED NATURAL- AND
19 HUMAN-CAUSED THREATS ON COMMUNITIES;

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

22 (8) ECOLOGY: PROTECT AND RESTORE SENSITIVE ECOLOGICAL
23 SYSTEMS.

24 5-7B-05.

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

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

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

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

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

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

5 2. the Department of Transportation and the Department of
6 Planning have first determined whether alternative transportation modes, such as mass
7 transit and transportation demand management, provide a reasonable alternative to the
8 project and that no reasonable alternative exists;

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

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

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

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