

# SENATE BILL 266

C8, L6, M3

(PRE-FILED)

51r0319  
CF HB 286

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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

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Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 4, 2025

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## 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.

14 BY repealing and reenacting, with amendments,  
15 Article – Land Use  
16 Section 1–201  
17 Annotated Code of Maryland  
18 (2012 Volume and 2024 Supplement)

19 BY repealing and reenacting, with amendments,  
20 Article – State Finance and Procurement  
21 Section 5–7A–01 and 5–7B–05(a)(3)

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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.



1 Annotated Code of Maryland  
2 (2021 Replacement Volume and 2024 Supplement)

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

5 **Article – Land Use**

6 1–201.

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

11 **(2) TO ACCOMPLISH THE GOALS UNDER PARAGRAPH (1) OF THIS**  
12 **SUBSECTION, RESIDENTS SHOULD BE ACTIVE PARTNERS IN THE PLANNING AND**  
13 **IMPLEMENTATION OF COMMUNITY INITIATIVES AND SENSITIVE TO THEIR**  
14 **RESPONSIBILITIES AS STEWARDS IN BALANCING AND ACHIEVING COMMUNITY**  
15 **GOALS.**

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

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

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

25 (3) growth areas: growth is concentrated in existing population and  
26 business centers, growth areas adjacent to these centers, or strategically selected new  
27 centers;

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

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

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

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

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

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

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

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

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

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

25 **(2) TRANSPORTATION: PRIORITIZE TRANSPORTATION NETWORKS**  
26 **THAT CREATE ENERGY EFFICIENT, AFFORDABLE, AND RELIABLE ACCESS TO JOBS,**  
27 **HOUSING, AND SERVICES;**

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

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

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

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

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

9           **(8) ECOLOGY: PROTECT AND RESTORE SENSITIVE ECOLOGICAL**  
10 **SYSTEMS.**

11                           **Article – State Finance and Procurement**

12 5–7A–01.

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

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

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

22           (3) growth areas: growth is concentrated in existing population and  
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29 cultural, and archeological resources;

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31 infrastructure to accommodate population and business expansion in an orderly, efficient,  
32 and environmentally sustainable manner;

1 (6) transportation: a well-maintained, multimodal transportation system  
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 5 **INTERACTION AND VALUE CULTURAL, HISTORICAL, AND NATURAL RESOURCES; AND**

6           **(8) ECOLOGY: PROTECT AND RESTORE SENSITIVE ECOLOGICAL**  
 7 **SYSTEMS.**

8 5-7B-05.

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

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

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

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

17   A. prevent development that is inconsistent with §  
 18 [5-7A-01(1), (2), and (3)] **5-7A-01** of this title; and

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

21   2. the Department of Transportation and the Department of  
 22 Planning have first determined whether alternative transportation modes, such as mass  
 23 transit and transportation demand management, provide a reasonable alternative to the  
 24 project and that no reasonable alternative exists;

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

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

29           SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the  
 30 Annotated Code of Maryland, in consultation with and subject to the approval of the  
 31 Department of Legislative Services, shall correct, with no further action required by the  
 32 General Assembly, cross-references and terminology rendered incorrect by this Act. The

1 publisher shall adequately describe any correction that is made in an editor's note following  
2 the section affected.

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

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.