

SENATE BILL 754

L6, M1

6lr2674

By: Senator M. Washington

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Preservation of Natural Resources**

3 FOR the purpose of authorizing a local jurisdiction to enact local laws providing for or
4 requiring the preservation of natural resources through certain mechanisms; and
5 generally relating to preserving natural resources.

6 BY renumbering

7 Article – Land Use
8 Section 1–101(k) through (t)
9 to be Section 1–101(l) through (u), respectively
10 Annotated Code of Maryland
11 (2012 Volume and 2025 Supplement)

12 BY repealing and reenacting, without amendments,

13 Article – Land Use
14 Section 1–101(a) and 7–103
15 Annotated Code of Maryland
16 (2012 Volume and 2025 Supplement)

17 BY adding to

18 Article – Land Use
19 Section 1–101(k)
20 Annotated Code of Maryland
21 (2012 Volume and 2025 Supplement)

22 BY repealing and reenacting, with amendments,

23 Article – Land Use
24 Section 7–101
25 Annotated Code of Maryland
26 (2012 Volume and 2025 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
2 That Section(s) 1–101(k) through (t) of Article – Land Use of the Annotated Code of
3 Maryland be renumbered to be Section(s) 1–101(l) through (u), respectively.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read
5 as follows:

6 **Article – Land Use**

7 1–101.

8 (a) In this division the following words have the meanings indicated.

9 **(K) “NATURAL RESOURCE” INCLUDES LAND, WATER, FORESTS, WETLANDS,
10 FLOODPLAINS, HABITAT AREAS, SENSITIVE AREAS, AND OTHER AREAS THAT
11 PROVIDE ECOLOGICAL, HYDROLOGICAL, OR CONSERVATION VALUE.**

12 7–101.

13 To encourage the preservation of natural resources or the provision of affordable
14 housing and to facilitate orderly development and growth, a local jurisdiction that exercises
15 authority granted by this division may enact, and is encouraged to enact, local laws
16 providing for or requiring:

17 (1) the planning, staging, or provision of adequate public facilities and
18 affordable housing;

19 (2) off–site improvements or the dedication of land for public facilities
20 essential for a development;

21 (3) **THE PRESERVATION OF NATURAL RESOURCES THROUGH:**

22 (I) **THE TRANSFER OF DEVELOPMENT RIGHTS;**

23 (II) **CONSERVATION OR PRESERVATION EASEMENTS;**

24 (III) **OPEN SPACE OR AGRICULTURAL LAND PRESERVATION
25 PROGRAMS;**

26 (IV) **CLUSTER OR CONSERVATION SUBDIVISION DESIGN;**

27 (V) **RIPARIAN BUFFER, FLOODPLAIN, OR WETLAND
28 PROTECTION REQUIREMENTS; AND**

1 (VI) OTHER LAND USE OR ZONING MECHANISMS DESIGNED TO
2 PROVIDE LONG-TERM OR PERMANENT PROTECTION OF NATURAL RESOURCES;

- [(3)] (4) moderately priced dwelling unit programs;
- [(4)] (5) mixed use developments;
- [(5)] (6) cluster developments;
- [(6)] (7) planned unit developments;
- [(7)] (8) alternative subdivision requirements that:
 - and (i) meet minimum performance standards set by the local
 - (ii) reduce infrastructure costs;
- [(8)] (9) floating zones;
- [(9)] (10) incentive zoning; and
- [(10)] (11) performance zoning.

14 7-103.

15 The authority granted under this subtitle is not intended to limit a local jurisdiction's
16 authority to:

17 (1) exercise any planning and zoning powers not expressly authorized
18 under this subtitle; or

19 (2) adopt other methods to:

20 (i) facilitate orderly development and growth;

21 (ii) encourage the preservation of natural resources; or

22 (iii) provide affordable housing.

23 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
24 October 1, 2026.