

# SENATE BILL 754

L6, M1

6lr2674

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By: **Senator M. Washington**

Introduced and read first time: February 6, 2026

Assigned to: Education, Energy, and the Environment

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## 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)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

### Article – Land Use

1–101.

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

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

7–101.

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

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

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

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

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

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

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

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

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

**(VI) OTHER LAND USE OR ZONING MECHANISMS DESIGNED TO  
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:

(i) meet minimum performance standards set by the local jurisdiction; and

(ii) reduce infrastructure costs;

**[(8)] (9)** floating zones;

**[(9)] (10)** incentive zoning; and

**[(10)] (11)** performance zoning.

7–103.

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

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

(2) adopt other methods to:

(i) facilitate orderly development and growth;

(ii) encourage the preservation of natural resources; or

(iii) provide affordable housing.

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