

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

Committee Report: Favorable

Senate action: Adopted

Read second time: March 4, 2026

CHAPTER _____

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)

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 BY repealing and reenacting, with amendments,
 2 Article – Land Use
 3 Section 7–101
 4 Annotated Code of Maryland
 5 (2012 Volume and 2025 Supplement)

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

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

11 **Article – Land Use**

12 1–101.

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

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

17 7–101.

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

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

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

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

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

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

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

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

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

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

5 [(3)] (4) moderately priced dwelling unit programs;

6 [(4)] (5) mixed use developments;

7 [(5)] (6) cluster developments;

8 [(6)] (7) planned unit developments;

9 [(7)] (8) alternative subdivision requirements that:

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

12 (ii) reduce infrastructure costs;

13 [(8)] (9) floating zones;

14 [(9)] (10) incentive zoning; and

15 [(10)] (11) performance zoning.

16 7–103.

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

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

21 (2) adopt other methods to:

22 (i) facilitate orderly development and growth;

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

24 (iii) provide affordable housing.

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