

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1267 (Delegate Lehman, *et al.*)
Economic Matters and Environment and
Transportation

Patuxent Research Refuge and Beltsville Agricultural Research Center - Zoning
Classification (Protecting Patuxent Research Refuge Act)

This bill requires that (1) federally owned land that is a part of the property known as the Patuxent Research Refuge, and federally owned property known as (or in the vicinity of) the Beltsville Agricultural Research Center, be designated and maintained in zoning classifications that restrict use of the land or property to specified open space or other resource conservation uses and (2) such zoning be continued if the federal government or any assignee sells, leases, licenses, or otherwise encumbers any portion of the land or property. **The bill takes effect June 1, 2026.**

Fiscal Summary

State Effect: The bill does not directly affect State finances.

Local Effect: The bill is not expected to directly affect local government finances.

Small Business Effect: None.

Analysis

Bill Summary:

Patuxent Research Refuge

The bill requires that any federally owned land that is part of the property known as the Patuxent Research Refuge be designated and maintained in a zoning classification that

restricts the uses to open space, reserved open space, or other resource conservation uses. In addition, if the federal government or any assignee sells, leases, licenses, or otherwise encumbers any portion of land that is part of the property known as the Patuxent Research Refuge, the local zoning authority must continue a zoning classification for that property that (1) restricts the uses to open space, reserved open space, or other resource conservation uses, and (2) does not permit commercial, industrial, or residential uses.

Beltsville Agricultural Research Center

The bill requires that the district council of Prince George's County designate and maintain the federally owned property known as the Beltsville Agricultural Research Center, or any other U.S. Department of Agriculture (USDA) property in Beltsville or its vicinity, to a zoning classification that restricts the uses to open space or reserved open space. In addition, if the federal government or any assignee sells, leases, licenses, or otherwise encumbers any portion of the property known as the Beltsville Agricultural Research Center, or any other USDA property in Beltsville or its vicinity, the district council must continue a zoning classification for that property that restricts the uses to open space or reserved open space. The bill prohibits the district council from approving any overlays, special exceptions, or modifications to the zoning classifications required by the bill.

These provisions replace an existing requirement that, if USDA sells any portion of the Beltsville Agricultural Research Center property, the district council must place and permanently maintain the land in a zoning classification of agricultural open space immediately after the transfer of the land to the buyer.

Current Law:

Beltsville Agricultural Research Center

State law requires that, if USDA sells any portion of the Beltsville Agricultural Research Center, the district council of Prince George's County must place and permanently maintain the land in a zoning classification of agricultural open space immediately after the transfer of the land to the buyer.

District Councils

The county councils of Montgomery and Prince George's counties are the district councils for that portion of the Maryland-Washington Regional District located within the respective counties (the regional district consists of (1) the entire area of Montgomery County, subject to certain limitations, and (2) the entire area of Prince George's County, except for the City of Laurel as it existed on July 1, 2013). The

district councils have the authority to adopt and amend the zoning law and any map for the portion of the regional district within the counties.

Land Use – Generally

The regulation of land use in the State, through planning and zoning, is implemented by local governments, subject to applicable State law. Planning and zoning authority is delegated by the State to local governments primarily under the Land Use Article and, for certain counties, the Express Powers Act (Title 10 of the Local Government Article).

Both the Land Use Article and Express Powers Act contain the State’s policy statement that (1) the orderly development and use of land and structures requires comprehensive regulation through implementation of planning and zoning controls and (2) planning and zoning controls must be implemented by local government.

The Maryland Supreme Court distinguishes “planning” and “zoning” by describing planning as focused on the long-term development of a community with respect to land use, streets, parks, civic beauty, industrial and commercial undertakings, residential developments, and other matters, while zoning is focused on the territorial division of land within a jurisdiction and dedication of the divided areas to particular uses (*e.g.*, residential, commercial, industrial). See *Cnty. Council of Prince George’s Cnty. V. Zimmer Dev. Co.*, 444 Md. 490, 505, 520 (2015).

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Prince George’s County; Maryland-National Capital Park and Planning Commission; Maryland Municipal League; Maryland Department of Planning; Department of Legislative Services

Fiscal Note History: First Reader - March 5, 2026
jg/sdk

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