

HEARING DATE: January 21st, 2026

BILL NO: SB 197

COMMITTEE: Education, Energy, and the Environment

POSITION: Support

FOR INFORMATION CONTACT: Andrew Wilson (443) 721-6789

TITLE: Land Use - Comprehensive and General Plans - Alteration of Elements

BILL ANALYSIS:

SB 197 reorganizes Title 1, Subtitle 4 and Title 3, Subtitle 1 of the Land Use Article to align comprehensive planning elements with Maryland's Economic Growth, Resource Protection, and Planning Policy, also known as the 8 Planning Principles. The bill also taps various state agencies to provide their best available data to local jurisdictions on sectors related to sustainable growth, including housing, transportation, and economic and job health. Finally, SB 197 proposes the repeal of one element, Areas of Critical State Concern currently enshrined in LUA §3-109.

POSITION AND RATIONALE:

The General Assembly passed SB 266, Local Comprehensive Planning and State Economic Growth, Resource Protection, and Planning Policy – Planning Principles, in 2025 updating and simplifying Maryland's Economic Growth, Resource Protection, and Planning Policy (Policy) found in both §5–7A–01 of the State Finance and Procurement Article and §1–201 of the Land Use Article. The newly established Planning Principles are proposed, through SB 197, to be integrated and aligned with the comprehensive plan elements throughout the Land Use Article to further the goal of improving clarity, ease, and alignment across the requirements of comprehensive planning. This bill, and the [non-regulatory implementation guide](#) developed by MDP in 2025 to support implementation of the Planning Principles, provide the needed references and guidance to help communities plan for sustainable growth and meet the Land Use Article's requirement of implementing the Planning Principles in a unified manner that did not previously exist.

To ensure both effective implementation of sustainable growth best practices and avoid undue burden on localities when they are working on their comprehensive plans, MDP is seeking to amend the comprehensive plan elements mandated throughout Title 1, Subtitle 4 and Title 3, Subtitle 1 of the Land Use Article to closely align with the Planning Principles. This would involve: 1) creating 8 primary elements that match the Planning Principles and contain a set of guidelines tailored for each element, 2) taking the currently mandated elements and reorganizing them as appropriate sub-elements of the newly established primary elements, and 3) requiring all counties and municipalities to share most of the same comprehensive planning requirements. Local governments continue to have the authority to determine the organizational format of their plan and how best to address the proposed 8 primary elements.

Presently, charter and code counties have a significantly smaller list of comprehensive planning elements to address than non-charter/code counties and municipalities, and this bill will remedy that disparity, and the associated confusion of different standards, by making each element applicable to all jurisdictions, minus the municipal growth element which is only applicable to municipalities. The bill will also establish new requirements for certain state agencies to share pertinent and available data concerning the economy, housing, labor force, transportation, and other matters with localities so they are better equipped to update their plans. It will also update the list of state plans local governments must consider when drafting their comprehensive plan, including the State Resilience Strategy, the Fair Housing Choice and Racial and Economic Housing Integration Report, and the Maryland Transportation Plan, among others. Finally, while the focus of this bill is to realign the elements with the sustainable growth framework of the Planning Principles, SB 197 does propose the repeal of the Areas of Critical State Concern element currently in LUA §3-109. This element requires only non-charter/code counties and municipalities to include recommendations within their comprehensive plans on the designation of areas within their borders that are of “critical State concern.” This element has widely been ignored since its adoption over 50 years ago, and MDP believes it is an antiquated requirement that is inappropriate and redundant with other state – local collaborations. The State has other regulations and programs dedicated to the purpose intended under this element, such as the Department of Natural Resources’ Critical Areas Program that address statewide environmental sensitive areas and Department of Housing and Community Development’s Sustainable Communities Program that fosters strategic neighborhood revitalization.

MDP believes the amendments presented in SB 197 will collectively simplify the comprehensive planning process through integration and alignment with the adopted Planning Principles. A unified framework applied across all of the state’s localities will advance best planning practices in Maryland and enhance efficiency in the State’s guidance, resources, and other support. Local governments and Marylanders will benefit from improved clarity and access to resources. The required updates may be accommodated immediately by localities or over time with the 10-year required plan review cycle and improved with added guidance and state data sharing.

MDP Position

The Maryland Department of Planning respectfully requests a **favorable** report on SB 197.