

# **SB 197 - Alteration of Elements - MDP FAV Written**

Uploaded by: Andrew Wilson

Position: FAV

**HEARING DATE:** January 21<sup>st</sup>, 2026

**BILL NO:** SB 197

**COMMITTEE:** Education, Energy, and the Environment

**POSITION:** Support

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

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**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.

**SB 197 - FAV - MDEM.docx.pdf**

Uploaded by: Anna Sierra

Position: FAV



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Governor | Wes Moore Lt. Governor | Aruna Miller Secretary | Russell J. Strickland

### FAVORABLE - SB 197

#### Land Use - Comprehensive and General Plans - Alteration of Elements

Education, Energy and the Environment Committee

Maryland Department of Emergency Management

Hearing Date: 21 JAN 2026

The Maryland Department of Emergency Management (MDEM) writes in support of **SB 197 – Land Use – Comprehensive and General Plans – Alteration of Elements**. The bill seeks to alter the required elements of comprehensive and general plans for counties and jurisdictions, and establish requirements for each element.

The Department of Emergency Management and the Office of Resilience urge support for this legislation that includes resilience as a core planning principle in all local comprehensive plans. In an era of increasing hazard impacts, such as more frequent and intense heat waves, severe storms, and rising sea levels, the need for resilient communities in Maryland has become paramount. Climate change and other hazards pose significant threats to our infrastructure, economy, and public health, and those impacts are already felt across our state. By explicitly incorporating resilience into their planning documents, local governments can create plan of action for these challenges.

SB 197 assists local governments with the necessary tools and information to build communities that are not only durable against physical threats but also socially and environmentally sustainable. By blending these requirements with the **Equity** and **Ecology** elements, this bill ensures that our most overburdened populations are included in future planning processes. Including resilience in the very fabric of local land-use decisions will ensure Maryland's communities are able to thrive in the face of 21st-century challenges.

Failing to address these challenges through proactive planning will leave our communities increasingly vulnerable to the impacts of various hazards. We can help our communities prepare to thrive in the face of these challenges by including resilience as a planning principle in local comprehensive plans.

In conclusion, MDEM urges a favorable report of **SB 197 – Land Use – Comprehensive and General Plans – Alteration of Elements**. If you have any questions, please contact Anna Sierra, MDEM legislative liaison: [anna.sierra1@maryland.gov](mailto:anna.sierra1@maryland.gov).

**SB0197\_DHCD\_SUPPORT.pdf**

Uploaded by: Chuck Cook

Position: FAV



WES MOORE  
Governor  
ARUNA MILLER  
Lt. Governor  
JACOB R. DAY  
Secretary  
JULIA GLANZ  
Deputy Secretary

**DATE:** January 21, 2026  
**BILL NO.:** Senate Bill 197  
**TITLE:** Land Use – Comprehensive and General Plans – Alteration of Elements  
**COMMITTEE:** Senate Education, Energy, & the Environment Committee

### Letter of Support

#### **Description of Bill:**

Senate Bill 197 amends the required elements of a comprehensive plan found through Title 1, Subtitle 4 and Title 3, Subtitle 1 of the Land Use Article to align with the State Economic Growth, Resource Protection, and Planning Policy. Further, the bill requires certain state agencies, including DHCD, to provide updated datasets to support local governments in the development or amendment of their comprehensive plans.

#### **Background and Analysis:**

During the 2025 Session the General Assembly passed SB 266/HB 286 which overhauled the State Economic Growth, Resource Protection, and Planning Policy (Growth Policy), replacing what were formally known as the 12 “Planning Visions” with a new set of 8 “Planning Principles.” These 8 Principles are the pillars of sustainable growth in Maryland, helping direct the state and its localities towards the Moore-Miller administration’s priorities surrounding economic and housing development, resource conservation, and equity.

Now, with SB 197, the Department of Planning is aiming to align these Principles with the required elements of a comprehensive plan. This proposed alignment will provide clarity in statute surrounding the relationship between the Principles and the required elements, directing planning commissions and local governments on the best path for sustainable planning. It will also ensure consistency in plan development and adherence to sustainable growth best practices by engaging local communities to dedicate sections of their comprehensive plan to housing development and affordability, resiliency, ecological protection, placemaking, land use, and other matters important to sustainable growth. With the State Data and Analysis Center projecting a million more Marylanders by 2055, it is DHCD’s mission to promote and support policies that not only help steer us out of our current housing crisis but also meet the needs of all who will eventually call Maryland their home. SB 197 requires 10- year comprehensive plans to adhere to the State’s Growth Policy and taps agencies, including DHCD, to inform locals with the best available data in relation to each element of their comprehensive plan. This approach will lead to more meaningful plans that provide communities with a sustainable data supported vision of how their community will stay healthy, grow, and foster a thriving community for current and future residents.

#### **DHCD Position**

The Maryland Department of Housing and Community Development respectfully requests a **favorable** report on Senate Bill 197.



**MBIA Letter of FWA SB 197.pdf**

Uploaded by: Lori Graf

Position: FWA

January 19<sup>th</sup>, 2026

The Honorable Brian J. Feldman  
Chair, Senate Education, Energy and the Environment Committee  
2 West Miller Senate Office Building  
Annapolis, Maryland 21401

**RE: MBIA Letter of Opposition SB 197 Land Use – Comprehensive and General Plans –  
Alteration of Elements**

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland, appreciates the opportunity to participate in the discussion surrounding **SB 197 Land Use – Comprehensive and General Plans – Alteration of Elements**.

This bill is a complete overhaul of the requirements for comprehensive and general plans for charter counties and other local jurisdictions. Our industry is concerned that the Counties will not have the capacity to implement the changes this bill brings. The bill requires a significantly expanded planning framework on counties without providing additional funding or staffing support. It also requires local jurisdictions to maintain eight different elements of planning principals. Many counties, particularly small or rural counties, will not have the staff expertise or financial capacity to implement these planning principals. The changes are so extensive that comprehensive and general plans developed over months or even years would become immediately outdated upon the bill's effective date.

We hope to meet with the Department of Planning and the bill sponsor in the coming days to better understand the bill's potential impacts and how local jurisdictions would realistically have the capacity to implement these changes.

For more information about this position, please contact Lori Graf at 410-800-7327 or [lgraf@marylandbuilders.org](mailto:lgraf@marylandbuilders.org).

cc: Members of the Senate Education, Energy, and the Environment Committee

# **SB 197 - Alterations of Comp Plan Elements - NAIOP**

Uploaded by: Tom Ballentine

Position: FWA



January 19, 2026

The Honorable Brian J. Feldman, Chair  
Senate Education, Energy, and the Environment Committee  
2 West Senate Office Building  
Annapolis, Maryland 21401

**Support w Amendment: SB 197 – Alteration of Comprehensive Plan Elements**

Dear Chair, Feldman, and Committee Members:

The NAIOP Maryland Chapters represent approximately 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate. On behalf of our member companies, I am writing to support SB 197 with amendments.

SB 197 alters the required elements of comprehensive land use plans of charter counties. It introduces new elements and revises others to focus the plans on six subject areas: Land, Transportation, Economy, Equity, Resilience, and Ecology. The bill also requires that the plan be based on or informed by current and future conditions as well as the content of existing state level plans related to the plan elements.

NAIOP believes it is appropriate to reconsider and revise the comprehensive plan elements to make them more relevant and responsive to the land use needs and challenges of today. We also believe taking steps to underpin local land use plans with more data and technical analysis will improve the final product, ultimately benefitting residents of charter counties and the state.

While we support the intent and general direction of the legislation, we have scheduled meetings with the Department of Planning to learn more about specific elements and implementation. We look forward to working with the Committee, Department and other stakeholders as SB 197 is being considered by the Senate.

Sincerely,

Tom Ballentine, Vice President for Policy  
NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Education, Energy, and the Environment Committee Members  
Nick Manis – Manis, Canning Assoc.

# **M-NCPPC Informational Comments**

Uploaded by: Debra Borden

Position: INFO



THE MARYLAND-NATIONAL CAPITAL  
Park and Planning Commission

## **POSITION STATEMENT**

**Bill:** SB 197/HB 243 Land Use – Comprehensive and General Plans – Alterations of Elements

**Position:** Informational

**Date:** January 21, 2026

**Contact:** Debra Borden, General Counsel

Jordan Baucum Colbert, Senior Government Affairs Liaison

Dear Chair Brian Feldman,

The Maryland-National Capital Park and Planning Commission (M-NCPPC or “the Commission”) has not voted on this bill. However, staff have prepared informational comments on this bill.

**What this Bill Does.** This bill will require changes in our planning process and add staff time and effort. The timing impacts on the Planning Department’s ability to deliver comprehensive plans that meet these requirements may conflict with stakeholder expectations for quick plan turnaround.

### **SUGGESTED RECOMMENDATIONS**

**Page 4.** of the bill calls for development regulations that “shall encourage” (1) flexible development regulations to promote innovative and cost-saving site design, (2) implement the planning principles, and (3) protect the environment. Within the areas designated for growth, the plans shall further (1) promote economic development through the use of innovative techniques; and (2) provide for the streamlined review applications for development, including permit review and subdivision plat review.

Both goals are already incorporated in the current Prince George's County Zoning Ordinance and Subdivision Regulations. It is, however, important to note that a comprehensive plan cannot actually "provide for" streamlined review, because review mechanisms are codified in local law. The local laws must be amended if streamlined review is desired.

**Page 6, Lines 12-15.** are problematic in that establishing "special regulations" that "may be necessary to ensure development in accordance with the principles and standards of the comprehensive plan" seems to contradict a basic tenet of zoning law which disfavors special, property-specific regulations. To any extent such may prove needed in the future, we must ensure as a County that such recommendations are limited to guidance for future changes to the local laws of the County or that it invokes the process for planned developments in the County.

It is also important to note that the "Maryland Land Preservation and Recreation Plan" is more directly pertinent to the Department of Parks and Recreation's comprehensive park and recreation master plan, which is quite different from master plans prepared by the Planning Department. These plans have different purposes, functions and are used quite differently in practice.

**Page 6, Lines 23-30 and Page 7, Lines 1-10.** The bill states that plans should identify the "most appropriate and desirable patterns for the general location, character, service areas, and extent of public and semipublic buildings, land, and facilities" as pertains specifically to "places of worship." We believe there is far too much potential here to run afoul of the Religious Land Use and Institutionalized Persons Act (RLUIPA), a federal law which protects religious institutions from substantial governmental burdens caused by land use regulations.

**Page 11, Lines 16-17.** The bill requires plans to "include an estimate for the use of any proposed improvement" is a relocation of existing language but the proposed language is unclear whether the requirement refers to how proposed improvements will be used or if it means the COST of proposed improvements. The *use* of facilities is innate with the designation of that facility; how many people are projected to use it varies depending on a variety of factors and is not as easy to forecast for non-automotive modes of travel as it is for motor vehicles.

Cost analyses for the construction of buildings and infrastructure are very time-sensitive and they are often out-of-date between the time they are drafted and the time a plan is approved. They also establish unrealistic expectations of costs that escalate over the years due to inflation and other macroeconomic factors. Should estimates of the costs of proposed infrastructure improvements be the expectation, this requirement will result in a significant staff cost in time and resources.

**Page 12, Lines 28-29.** It is unclear how a comprehensive plan could provide for “the elimination of substandard dwelling conditions.” Agreement on the definition of “substandard dwelling conditions” followed by a thorough analysis and possible inspection of tens of thousands of homes, would require significant new staff and resources at the County level.

**Page 13, Lines 28-29 and Page 14, Lines 1-2.** The requirement to include an assessment of fair housing to ensure that the County is affirmatively furthering fair housing for current and future residents will likely require additional staff expertise, leading to additional costs.

Likewise, it is unclear if the specific expertise exists in the Planning Department regarding economic sector and job analysis and the ability to “determine whether available jobs align with local labor force characteristics, community patterns, and wages paid.” Additional resources and expertise with labor and economics may be necessary.

As to the Resilience Element, additional resources and expertise would be needed. The County has a plan that touches on systems resiliency but not comprehensive resiliency. Given the importance of resiliency and systemic changes necessary to deal with climate change, this is an area where substantial additional resources may be required.

**Page 20 Lines 3-7.** This element is extremely challenging to implement as mandated at the comprehensive plan level. For example, requiring local governments to “plan, design, and program new or revitalized public spaces to strengthen community cohesion while contributing to public health, connecting people with cultural heritage, conserving natural resources, improving resilience, and strengthening the local economy.” In a County such as Prince George’s consisting of 500 square miles, planning public spaces through comprehensive plans is quite difficult.

**Bill Duplication.** Section 3-102 and subsequent new Sections are largely duplicative of Section 1-406 and subsequent new Sections. Pages 25-48 essentially duplicate Pages 3-24 and the same could be said of Pages 25-48. The opportunity exists with SB0197 to eliminate, rather than perpetuate, redundant provisions. However, there is one significant difference between these two large sections: only Pages 25-52 reference a “Municipal Growth subelement.”

**Page 25, Lines 1-2.** The bill is unclear when a Municipal Growth subelement is required in a comprehensive plan. “The plan for a municipal corporation that exercises zoning authority shall include a municipal growth element.” This is confusing in practice, because while the City of Laurel is the only municipality in Prince George’s County that possesses independent planning and zoning authority, several other municipalities in the County exercise limited, delegated zoning authority over certain zoning entitlements/applications.

This confusion is compounded by subsequent references to municipalities because those references are much more general – literally, just “municipal corporation” without qualifiers such as “that exercise zoning authority.” Does this mean the 20+ municipalities in Prince George’s County that do not exercise *any* zoning authority necessitate the creation and incorporation of a Municipal Growth element?

Some of the language in existing Section 3-206 on Pages 51-52 seems to reinforce the intent of the bill’s that the Municipal Growth subelement should be exclusively required of municipalities with independent planning and zoning authority. If this is indeed the intent, staff **recommends** a revision to clarify this point at every location where the term “municipal corporation” is used to clearly state “municipal corporation that exercises independent planning and zoning authority.”