

HOUSE BILL 286

C8, L6, M3

(PRE-FILED)

5lr0320
CF SB 266

By: **Chair, Environment and Transportation Committee (By Request –
Departmental – Planning)**

Requested: October 6, 2024

Introduced and read first time: January 8, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2025

CHAPTER _____

1 AN ACT concerning

2 **Local Comprehensive Planning and State Economic Growth, Resource**
3 **Protection, and Planning Policy – Planning Principles**

4 FOR the purpose of providing that certain planning principles are intended to accomplish
5 certain goals and that certain goals are to be accomplished with certain public
6 participation; altering the planning visions for local comprehensive planning to
7 consist of certain planning principles; altering the State Economic Growth, Resource
8 Protection, and Planning Policy to consist of certain planning principles; requiring
9 the publisher of the Annotated Code of Maryland, in consultation with the
10 Department of Legislative Services, to correct cross-references and terminology in
11 the Code that are rendered incorrect by this Act; and generally relating to local
12 comprehensive planning and the State Economic Growth, Resource Protection, and
13 Planning Policy.

14 BY repealing and reenacting, with amendments,
15 Article – Land Use
16 Section 1–201
17 Annotated Code of Maryland
18 (2012 Volume and 2024 Supplement)

19 BY repealing and reenacting, with amendments,
20 Article – State Finance and Procurement
21 Section 5–7A–01 and 5–7B–05(a)(3)

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.



Annotated Code of Maryland
(2021 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Land Use

1–201.

(A) (1) THE PLANNING PRINCIPLES UNDER SUBSECTION (B) OF THIS SECTION ARE COLLECTIVELY INTENDED TO CREATE SUSTAINABLE COMMUNITIES AND TO PROTECT THE ENVIRONMENT IN ORDER TO FOSTER A HIGH QUALITY OF LIFE FOR ALL RESIDENTS OF THE STATE.

(2) TO ACCOMPLISH THE GOALS UNDER PARAGRAPH (1) OF THIS SUBSECTION, RESIDENTS SHOULD BE ACTIVE PARTNERS IN THE PLANNING AND IMPLEMENTATION OF COMMUNITY INITIATIVES AND SENSITIVE TO THEIR RESPONSIBILITIES AS STEWARDS IN BALANCING AND ACHIEVING COMMUNITY GOALS.

(B) In addition to the requirements of § 3–201(a) and (b) of this article, a planning commission shall implement the following [visions] **PLANNING PRINCIPLES** through the comprehensive plan described in Title 3 of this article:

(1) quality of life and sustainability: a high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment;

(2) public participation: citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals;

(3) growth areas: growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers;

(4) community design: compact, mixed–use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archaeological resources;

(5) infrastructure: growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner;

(6) transportation: a well-maintained, multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers;

(7) housing: a range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes;

(8) economic development: economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities are encouraged;

(9) environmental protection: land and water resources, including the Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems, and living resources;

(10) resource conservation: waterways, forests, agricultural areas, open space, natural systems, and scenic areas are conserved;

(11) stewardship: government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection; and

(12) implementation: strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, State, and interstate levels to achieve these visions.]

(1) LAND: OPTIMIZE ~~LAND~~ PRODUCTIVITY OF WORKING LANDSCAPES, INCLUDING FARMS AND FORESTS, AND FISHERIES, AND PRIORITIZE DEVELOPMENT WITHIN POPULATION CENTERS ~~AND~~ THAT ARE IN PROXIMITY TO EXISTING INFRASTRUCTURE AND FACILITIES;

(2) TRANSPORTATION: PRIORITIZE TRANSPORTATION NETWORKS THAT CREATE ENERGY EFFICIENT, AFFORDABLE, AND RELIABLE ACCESS TO JOBS, HOUSING, AND SERVICES;

(3) HOUSING: ENABLE A MIX OF QUALITY HOUSING TYPES AND AFFORDABILITY OPTIONS TO ACCOMMODATE ALL WHO WANT TO LIVE IN THE STATE;

(4) ECONOMY: ALLOW FOR ADAPTIVE REUSE, MIXED-USE, AND CONTEXT APPROPRIATE NEW DEVELOPMENT THAT RESPONDS TO CHANGING MARKETS AND INNOVATIONS;

(5) EQUITY: ENGAGE ALL SECTORS OF THE COMMUNITY IN PLAN DEVELOPMENT TO ENSURE DIVERSE VOICES ARE HEARD AND THE NEEDS OF UNDERSERVED POPULATIONS ARE PRIORITIZED;

(6) RESILIENCE: INTEGRATE RESILIENCY MEASURES THAT WILL MINIMIZE THE IMPACTS OF RAPID AND UNEXPECTED NATURAL- AND HUMAN-CAUSED THREATS ON COMMUNITIES;

(7) PLACE: PROVIDE FOR PUBLIC SPACES THAT ENCOURAGE SOCIAL INTERACTION AND VALUE CULTURAL, HISTORICAL, AND NATURAL RESOURCES; AND

(8) ECOLOGY: PROTECT AND RESTORE SENSITIVE ECOLOGICAL SYSTEMS AND CONSERVE NATURAL RESOURCES, INCLUDING FORESTS, AGRICULTURAL AREAS, AND WATERWAYS.

Article – State Finance and Procurement

5–7A–01.

The State Economic Growth, Resource Protection, and Planning Policy [is the following] **CONSISTS OF THE FOLLOWING PLANNING PRINCIPLES FOR ADVANCING SUSTAINABLE GROWTH IN THE STATE:**

[(1) quality of life and sustainability: a high quality of life is achieved through universal stewardship of the land, water, and air resulting in sustainable communities and protection of the environment;

(2) public participation: citizens are active partners in the planning and implementation of community initiatives and are sensitive to their responsibilities in achieving community goals;

(3) growth areas: growth is concentrated in existing population and business centers, growth areas adjacent to these centers, or strategically selected new centers;

(4) community design: compact, mixed-use, walkable design consistent with existing community character and located near available or planned transit options is encouraged to ensure efficient use of land and transportation resources and preservation and enhancement of natural systems, open spaces, recreational areas, and historical, cultural, and archeological resources;

(5) infrastructure: growth areas have the water resources and infrastructure to accommodate population and business expansion in an orderly, efficient, and environmentally sustainable manner;

(6) transportation: a well-maintained, multimodal transportation system facilitates the safe, convenient, affordable, and efficient movement of people, goods, and services within and between population and business centers;

(7) housing: a range of housing densities, types, and sizes provides residential options for citizens of all ages and incomes;

(8) economic development: economic development and natural resource-based businesses that promote employment opportunities for all income levels within the capacity of the State's natural resources, public services, and public facilities are encouraged;

(9) environmental protection: land and water resources, including the Chesapeake and coastal bays, are carefully managed to restore and maintain healthy air and water, natural systems, and living resources;

(10) resource conservation: waterways, forests, agricultural areas, open space, natural systems, and scenic areas are conserved;

(11) stewardship: government, business entities, and residents are responsible for the creation of sustainable communities by collaborating to balance efficient growth with resource protection; and

(12) implementation: strategies, policies, programs, and funding for growth and development, resource conservation, infrastructure, and transportation are integrated across the local, regional, State, and interstate levels to achieve these visions.】

(1) LAND: OPTIMIZE ~~LAND~~ PRODUCTIVITY OF WORKING LANDSCAPES, INCLUDING FARMS AND FORESTS, AND FISHERIES, AND PRIORITIZE DEVELOPMENT WITHIN POPULATION CENTERS ~~AND~~ THAT ARE IN PROXIMITY TO EXISTING INFRASTRUCTURE AND FACILITIES;

(2) TRANSPORTATION: PRIORITIZE TRANSPORTATION NETWORKS THAT CREATE ENERGY EFFICIENT, AFFORDABLE, AND RELIABLE ACCESS TO JOBS, HOUSING, AND SERVICES;

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(8) ECOLOGY: PROTECT AND RESTORE SENSITIVE ECOLOGICAL SYSTEMS AND CONSERVE NATURAL RESOURCES, INCLUDING FORESTS, AGRICULTURAL AREAS, AND WATERWAYS.

5-7B-05.

(a) (3) The Board of Public Works may approve a transportation project under paragraph (1)(ii) of this subsection if the transportation project:

(i) maintains the existing transportation system, if the Department of Transportation and the Department of Planning determine the project does not serve to significantly increase highway capacity;

(ii) serves to connect priority funding areas, if:

1. the Department of Transportation and the Department of Planning determine that adequate access control or other measures are in place to:

A. prevent development that is inconsistent with § [5-7A-01(1), (2), and (3)] ~~5-7A-01~~ of this title; and

B. maintain the viability of the project while concomitantly constraining development which potentially detracts from main street business areas; and

2. the Department of Transportation and the Department of Planning have first determined whether alternative transportation modes, such as mass transit and transportation demand management, provide a reasonable alternative to the project and that no reasonable alternative exists;

(iii) has the sole purpose of providing control of access by the Department of Transportation along an existing highway corridor; or

(iv) due to its operational or physical characteristics, must be located away from other development.

SECTION 2. AND BE IT FURTHER ENACTED, That the publisher of the Annotated Code of Maryland, in consultation with and subject to the approval of the Department of Legislative Services, shall correct, with no further action required by the

1 General Assembly, cross–references and terminology rendered incorrect by this Act. The
2 publisher shall adequately describe any correction that is made in an editor’s note following
3 the section affected.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.