

Department of Legislative Services  
Maryland General Assembly  
2026 Session

FISCAL AND POLICY NOTE  
Third Reader - Revised

House Bill 1267

(Delegate Lehman, *et al.*)

Economic Matters and Environment and  
Transportation

Education, Energy, and the Environment

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

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This bill establishes land use provisions relating to the Patuxent Research Refuge and the Beltsville Agricultural Research Center that (1) require the lands of the refuge and center to be maintained in specified zoning classifications and land uses and (2) protect specified central natural areas within the refuge and center. **The bill takes effect June 1, 2026.**

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Fiscal Summary

**State Effect:** The bill is not expected to materially affect State finances.

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

**Small Business Effect:** None.

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Analysis

**Bill Summary:** The bill establishes the following land use provisions relating to the Patuxent Research Refuge and the Beltsville Agricultural Research Center:

- Any federally owned land that is part of the refuge and the federally owned property of the center or any other USDA property in Beltsville or its vicinity must be designated and maintained in a zoning classification that restricts the uses to open space or reserved open space (or, in the case of the refuge, other resource conservation uses).

- If the federal government or any assignee sells, leases, licenses, or otherwise encumbers any portion of those lands, the local zoning authority (in the case of the refuge) or the district council (in the case of the center) must continue a zoning classification for the property that (1) restricts the uses to open space or reserved open space (or, in the case of the refuge, other resource conservation uses) and (2) does not permit commercial, industrial, or residential uses.
- A central natural area in the refuge property or center property may not be converted to be used for agriculture, active recreation, forestry, or other plant harvesting. “Central natural area” means an area within the refuge or center that provides habitat for native flora and fauna, including forests, woodlands, wetlands, meadows, and early successional grasslands and shrublands.
- Prior to any development on land in the refuge property or center property, the local zoning authority (in the case of the refuge) or the district council (in the case of the center) must (1) hold a public hearing and (2) make a final decision, in consultation with the Department of Natural Resources and the Maryland Department of the Environment, that the proposed development will not have a substantial impact on any land in a central natural area.

“Local zoning authority” means (1) for land located in Anne Arundel County, the Anne Arundel County Council or other body with authority to designate zoning classifications or (2) for land located in the Maryland-Washington Regional District, a district council.

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:**

#### *Zoning Classification of Beltsville Agricultural Research Center Land*

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).

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## **Additional Information**

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

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel and Prince George’s counties; Maryland-National Capital Park and Planning Commission; Maryland Municipal League; Maryland Department of Planning; Maryland Department of the Environment; Department of Natural Resources; Department of Legislative Services

**Fiscal Note History:**  
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