

Maryland Article 66 B, Section § 10.01. Authority to enact.

- (a) In general.- To encourage the preservation of natural resources or the provision of affordable housing and to facilitate orderly development and growth, a local jurisdiction that exercises authority granted by this article may enact, and is encouraged to enact, ordinances or laws providing for or requiring:
 - (1) The planning, staging, or provision of adequate public facilities and affordable housing;
 - (2) Off-site improvements or the dedication of land for public facilities essential for a development;
 - (3) Moderately priced dwelling unit programs;
 - (4) Mixed use developments;
 - (5) Cluster developments;
 - (6) Planned unit developments;
 - (7) Alternative subdivision requirements that:
 - (i) Meet minimum performance standards set by the local jurisdiction; and
 - (ii) Reduce infrastructure costs;
 - (8) Floating zones;
 - (9) Incentive zoning; and
 - (10) Performance zoning.
- (b) Transfer of real property.- Notwithstanding any other provision of law, a local legislative body that exercises authority granted by this article may enact ordinances or laws providing for the transfer, with or without consideration, of real property belonging to the local jurisdiction to a public or private entity, to use in developing or preserving affordable housing.
- (c) Scope of authority.- The authority provided under this section is not intended to limit a local jurisdiction's authority to:
 - (1) Exercise any planning and zoning powers not expressly authorized under this section; or

- (2) Adopt other methods to:
 - (i) Facilitate orderly development and growth;
 - (ii) Encourage the preservation of natural resources; or
 - (iii) Provide affordable housing.

[1978, ch. 596; 1992, ch. 436; 2000, ch. 426, § 2; ch. 456, § 3.]