



## **POSITION STATEMENT**

**Bill:** HB 1167 Montgomery County – Municipal Authority to Regulate Structures – Alterations  
(MC/PG 116-25)

**Position:** Support

**Date:** April 1, 2025

**Contact:** Debra Borden, General Counsel

Jordan Baucum Colbert, Government Affairs Liaison

Dear Chair Brian Feldman,

The Montgomery County Planning Board of Maryland-National Capital Park and Planning Commission (“Planning Board” or the “Commission”) has discussed this Bill and supports the amendments that were proposed by the bill sponsor.

**What this Bill Does.** This bill, as recently amended, applies to municipalities in Montgomery County over which the Commission has planning and zoning authority (i.e., Takoma Park, Kensington, Garrett Park, Somerset, Glen Echo, Martin’s Addition, Town of Chevy Chase, Chevy Chase View, Chevy Chase Village, Village of Chevy Chase, Section 3, and Village of Chevy Chase, Section 5). The bill is intended to allow municipalities to impose additional or stricter building requirements than are required by county zoning on residential buildings with four or fewer units, which are expressly stated to include but not be limited to:

- Single-unit houses;
- Duplexes;
- Triplexes;
- Quadplexes;
- Cottage Clusters;
- Townhouses;
- And any similar buildings;
- And their accessory structures.

It provides that any building requirement adopted under this section for residential buildings with 2 to 4 units may not be more restrictive than a building requirement adopted for a single-unit house but may be less restrictive.

**Current Law.** Municipalities in the county that are subject to county zoning, under Section 20-509 of the State Land Use Article may currently impose additional or stricter building requirements. Such building requirements may: regulate only the construction, repair, or remodeling of single-family residential houses, buildings, or other structures on land zoned for single-family residential use as it relates to, among other things:

- fences, walls, hedges, and similar barriers;
- residential parking;
- the location of structures, including setback requirements;
- the dimensions of structures, including height, bulk, massing, and design; and
- lot coverage, including impervious surfaces

**Commitment to Advancing Housing for All.** The Planning Board is committed to advancing Housing for All from *Thrive Montgomery 2050* and prioritizing the production of housing in the county. Accordingly, the Board is in favor of any effort to further the County Council's efforts to implement its housing policies or goals throughout the county, including within the municipalities.

For these reasons, the Commission requests a favorable vote on HB 1167.