



Montgomery County

Office of Intergovernmental Relations

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HB 1167

DATE: April 1, 2025

SPONSOR: Montgomery County Delegation and Prince George's County Delegation

ASSIGNED TO: Education, Energy, and the Environment

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COUNTY POSITION: Support

Montgomery County – Municipal Authority to Regulate Structures – Alterations MC/PG 116-25

House Bill 1167 applies to the twelve municipalities over which the County has planning and zoning authority (i.e., Chevy Chase Village, Section 3 of the Village of Chevy Chase, Section 5 of the Village of Chevy Chase, Town of Chevy Chase, Town of Chevy Chase View, Town of Garrett Park, Town of Glen Echo, Town of Kensington, Town of Somerset, Village of Martin's Addition, Village of North Chevy Chase, and City of Takoma Park).

Currently, §20-509 of the Land Use Article authorizes these municipalities to impose additional or stricter building requirements than are required by County zoning law. Any such building requirement must be imposed for the protection of the public health, safety, and welfare or for the preservation, improvement, or protection of lands, water, and improvements in the municipality and "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: (1) fences, walls, hedges, or similar barriers; (2) signs; (3) residential parking; (4) residential storage; (5) location of structures, including setback requirements; (6) dimensions of structures, including height, bulk, massing, and design; and (7) lot coverage, including impervious surface.

The bill modifies §20-509 to allow a municipality to regulate the construction, repair, or remodeling of buildings with four or fewer dwelling units (including single-unit houses, duplexes, triplexes, quadplexes, cottage clusters, townhouses, and similar buildings) and their accessory structures. Generally, the bill requires a building requirement to apply without regard to housing type. However, a municipality may establish a less restrictive requirement for residential dwellings with two to four units. Specifically, a building requirement for residential dwellings with two to four units: (1) may not be more restrictive than a requirement adopted for single-unit houses; and (2) may be less restrictive than a requirement adopted for single-unit house.

Montgomery County supports the balance of municipal authority that is reflected in the bill and respectfully requests that the Education, Energy, and the Environment Committee give the bill a favorable report.