

# HOUSE BILL 1517

L6, C9

6lr2458

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By: **Delegates Behler and Allen**

Introduced and read first time: February 13, 2026

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Qualified Project – Retaliatory Downzoning**

3 FOR the purpose of establishing that a “qualified project” is a certain residential project  
4 that has been subject to retaliatory downzoning; requiring a local jurisdiction to  
5 allow the density of a certain qualified project that has been subject to retaliatory  
6 downzoning to exceed the density otherwise authorized; authorizing a certain  
7 qualified project to consist of certain types of developments with certain density  
8 limits; and generally relating to the allowable density of a qualified project.

9 BY repealing and reenacting, without amendments,  
10 Article – Land Use  
11 Section 1–101(a) and (i)  
12 Annotated Code of Maryland  
13 (2012 Volume and 2025 Supplement)

14 BY adding to  
15 Article – Land Use  
16 Section 7–505.1  
17 Annotated Code of Maryland  
18 (2012 Volume and 2025 Supplement)

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

21 **Article – Land Use**

22 1–101.

23 (a) In this division the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (i) "Local jurisdiction" means a county or municipal corporation and the territory  
2 within which its powers may be exercised.

3 **7-505.1.**

4 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS  
5 INDICATED.

6 (2) "QUALIFIED PROJECT" MEANS A RESIDENTIAL PROJECT THAT:

7 (I) CONSISTS OF NEW CONSTRUCTION OR SUBSTANTIAL  
8 RENOVATION;

9 (II) HAS BEEN TARGETED BY RETALIATORY DOWNZONING;

10 (III) OTHERWISE QUALIFIES AS A QUALIFIED PROJECT UNDER §  
11 7-502, § 7-503, OR § 7-504 OF THIS SUBTITLE;

12 (IV) EXCEPT AS PROVIDED IN ITEM (V) OF THIS PARAGRAPH:

13 1. CONTAINS AT LEAST 15% OF UNITS THAT ARE  
14 AFFORDABLE DWELLING UNITS; AND

15 2. IS DEED-RESTRICTED TO INCLUDE 15% OF UNITS  
16 THAT ARE AFFORDABLE DWELLING UNITS FOR A PERIOD OF AT LEAST 40 YEARS;  
17 AND

18 (V) IN A LOCAL JURISDICTION THAT, ON OR BEFORE DECEMBER  
19 31, 2024, HAS REQUIREMENTS EQUAL TO OR EXCEEDING THE REQUIREMENTS  
20 UNDER ITEM (IV) OF THIS PARAGRAPH:

21 1. CONTAINS AT LEAST 20% OF UNITS THAT ARE  
22 AFFORDABLE DWELLING UNITS; AND

23 2. IS DEED-RESTRICTED TO INCLUDE 20% OF UNITS  
24 THAT ARE AFFORDABLE DWELLING UNITS FOR A PERIOD OF AT LEAST 40 YEARS.

25 (3) "RETALIATORY DOWNZONING" MEANS THE REZONING OF A  
26 PROJECT OR PROPERTY TO REDUCE THE OTHERWISE PERMITTED RESIDENTIAL  
27 DENSITY WHERE A LOCAL OFFICIAL:

28 (I) IDENTIFIES THE PROJECT OR PROPERTY BY NAME,  
29 ADDRESS, OR MATERIAL DESCRIPTION IN ANY PUBLIC OR CONSTITUENT  
30 COMMUNICATION;

1 (II) PUBLICLY STATES OR COMMUNICATES OPPOSITION OR  
2 CONCERN IN ANY FORUM, INCLUDING CONSTITUENT E-MAILS, COMMUNITY  
3 MEETINGS, OR MEDIA INTERVIEWS;

4 (III) ENACTS, SPONSORS, OR CAUSES TO BE ENACTED OR  
5 SPONSORED A ZONING DESIGNATION CHANGE THAT REDUCES THE PERMITTED  
6 RESIDENTIAL DENSITY OF THE PROPERTY WHEN THE MAJORITY OF THE PROPERTY  
7 HAS BEEN ZONED UNDER THE SAME DESIGNATION FOR NOT LESS THAN 25  
8 CONSECUTIVE YEARS; AND

9 (IV) WITHIN 4 YEARS AFTER PUBLICLY OPPOSING THE PROJECT  
10 OR PROPERTY, TAKES LEGISLATIVE OR ADMINISTRATIVE ACTIONS THAT  
11 MATERIALLY DELAY, OBSTRUCT, OR BURDEN REDEVELOPMENT OF THE PROPERTY  
12 AND ARE DONE IN A MANNER INCONSISTENT WITH OR CONTRARY TO THE WRITTEN  
13 RECOMMENDATIONS OF THE LOCAL PLANNING, TRANSPORTATION, OR PUBLIC  
14 WORKS DEPARTMENTS.

15 (B) (1) IN ACCORDANCE WITH THIS SUBSECTION, A LOCAL JURISDICTION  
16 SHALL ALLOW THE DENSITY OF A QUALIFIED PROJECT TO EXCEED THE DENSITY  
17 OTHERWISE AUTHORIZED IN A DISTRICT OR ZONE.

18 (2) IN AN AREA ZONED FOR SINGLE-FAMILY RESIDENTIAL USE, A  
19 QUALIFIED PROJECT MAY INCLUDE MIDDLE HOUSING UNITS.

20 (3) IN AN AREA ZONED FOR MULTIFAMILY RESIDENTIAL USE, A  
21 QUALIFIED PROJECT:

22 (I) SHALL HAVE A DENSITY THAT IS THE GREATER OF:

23 1. A LIMIT THAT EXCEEDS BY 60% THE ALLOWABLE  
24 DENSITY IN THAT ZONE FOR USES THAT ARE NOT PART OF A QUALIFIED PROJECT;  
25 OR

26 2. 50% OF THE DENSITY ALLOWED UNDER THE  
27 PREVIOUS ZONING; AND

28 (II) MAY CONSIST OF MIXED-USE.

29 (4) SUBJECT TO § 7-509 OF THIS SUBTITLE, IN AN AREA ZONED FOR  
30 NONRESIDENTIAL USE, A QUALIFIED PROJECT MAY CONSIST OF MIXED-USE  
31 DEVELOPMENT WITH DENSITY LIMITS THAT DO NOT EXCEED THE HIGHEST  
32 ALLOWABLE DENSITY IN THE LOCAL JURISDICTION'S MULTIFAMILY RESIDENTIAL

1 ZONES.

2           **(5) IN AN AREA ZONED FOR MIXED-USE, A QUALIFIED PROJECT MAY**  
3 **INCLUDE 60% MORE HOUSING UNITS THAN ARE ALLOWED IN THAT ZONE FOR USES**  
4 **THAT ARE NOT PART OF A QUALIFIED PROJECT.**

5           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2026.