



February 22, 2022

Delegate Kumar Barve  
Chair, Environment and Transportation Committee  
Room 251  
House Office Building  
Annapolis, MD 21401

Delegate C.T. Wilson  
Chair, Economic Matters Committee  
Room 231  
House Office Building  
Annapolis, MD 21401

RE: Opposition to House Bill 835

Dear Chairs and Members of the Committees:

The Mayor and City Council of Gaithersburg oppose House Bill 835, Retail Service Stations – New Construction – Setbacks and Electric Charging Stations, and respectfully request that you grant this bill an unfavorable report.

This bill preempts local governments from establishing their own rules and regulations concerning setbacks and electric vehicle (EV) charging stations at retail service stations within their jurisdiction.

The City's Planning and Code Administration enjoys its authority to oversee growth and orderly development within the City. It enforces all ordinances & codes that govern residential & commercial construction within the corporate limits, and takes this responsibility seriously. It dutifully evaluates all growth to ensure it complies with all of the standards prioritized by the City and its residents.

We oppose the Maryland General Assembly's preemption of our city's ability to reasonably regulate its growth as it chooses. Particularly in an urban environment like ours, setback restrictions like those established herein do not always comport with what makes the most sense for our municipality.

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MAYOR  
Jud Ashman

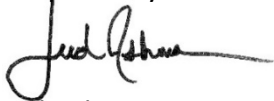
COUNCIL MEMBERS  
Neil Harris  
Lisa Henderson  
Jim McNulty  
Ryan Spiegel  
Robert T. Wu

CITY MANAGER  
Tanisha R. Briley

Local governments have traditionally and historically maintained jurisdiction over land use governance - and this makes sense, because local governments are best situated to understand their own unique geographies, built environments, and population needs. We oppose this legislation for the fundamental reason that it puts this basic tenet of governance into question.

For the reasons stated herein, we respectfully request an unfavorable vote on House Bill 835.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jud Ashman", with a long horizontal flourish extending to the right.

Jud Ashman

Mayor