



February 27, 2023

Bill: HB 829- Retail Service Stations- New Construction- Setbacks

Position: Oppose

Dear Chair, Vice-Chair, and Members of the Committee:

The City of Gaithersburg, a municipality of Montgomery County with a population of almost 70,000 at the time of the 2020 Census, is the third largest City in the State. Gaithersburg's population continues to increase, and the City's Planning and Code Administration enjoys and respects its authority to administer growth and orderly development within the municipality. It enforces all ordinances & codes that govern residential & commercial construction within the corporate limits and takes this responsibility seriously. These professionals dutifully evaluate all growth to ensure it complies with all of the standards prioritized by the City and its residents.

We oppose the preemption of our ability to reasonably regulate growth. Particularly in a semi-urban environment such as ours, setback restrictions like those established herein do not always comport with what makes the most sense for the City of Gaithersburg.

Local governments have traditionally and historically maintained jurisdiction over land use governance, and we continue to believe that 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 these reasons, the City of Gaithersburg opposes HB 829.

Should you have any questions, please feel free to contact me at 301-466-5350, or our government relations consultant, Sarah Peters, at speters@hbstrategies.us. We appreciate your support.

Respectfully submitted,

Jud Ashman
Mayor, Gaithersburg

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