



TESTIMONY

COMMITTEE: House Economic Matters

DATE: March 12, 2026

POSITION: Unfavorable

BILL: House Bill 1517

The Maryland Municipal League (MML) respectfully opposes House Bill 1517. The bill is highly complex, difficult to administer, and likely to create significant confusion in practice. Rather than establishing a workable policy framework, it relies on vague triggers and rigid density mandates that would be difficult for local governments to interpret, implement, or defend.

A central concern is the bill's definition of "retaliatory downzoning," which relies on subjective interpretations of the motivations and public statements of local officials. Under the bill, retaliatory downzoning could be triggered if an official publicly expresses concern about a project in a meeting, constituent communication, or other forum and later participates in a zoning action affecting that project. Local officials routinely respond to constituent correspondence and discuss development proposals in public settings. Treating these routine activities as potential evidence of retaliatory intent would create significant legal uncertainty and could discourage officials from engaging openly with residents about land use issues.

The bill also creates a complicated and highly subjective process for determining when a project qualifies for enhanced density. Local governments would have to analyze zoning history, departmental recommendations, public statements, and a sequence of legislative or administrative actions spanning multiple years. In practice, planning staff would be forced to reconstruct these events to determine whether retaliatory downzoning occurred - a determination likely to be heavily contested and lead to disputes, litigation, and delays.

Even when a project is deemed "qualified," the bill mandates substantial density increases across multiple zoning categories using formulas disconnected from local planning frameworks. For example, projects in multifamily zones must be allowed densities either 60% higher than otherwise permitted or equal to half of the density allowed under prior zoning, whichever is greater. Similar provisions apply to mixed-use and nonresidential zones, while projects in single-family zones may include middle housing. These mandates override locally adopted zoning plans without accounting for infrastructure capacity, transportation systems, school enrollment, stormwater management, or other site-specific considerations.

Taken together, the bill would create significant administrative and legal uncertainty for municipalities and developers. For these reasons, the Maryland Municipal League respectfully requests an unfavorable report on House Bill 1517.

For more information relating to this piece of testimony, please contact:
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MML represents 161 local governments and about 2 million Maryland residents.