

# **HB0778\_Land\_Use-Miidle\_Housing\_Options\_Requirement**

Uploaded by: Cecilia Plante

Position: FAV



## TESTIMONY FOR HB0778 Land Use – Middle Housing Options - Requirements

**Bill Sponsor:** Delegate Allen

**Committee:** Economic Matters

**Organization Submitting:** Maryland Legislative Coalition

**Person Submitting:** Cecilia Plante, co-chair

**Position:** FAVORABLE

I am submitting this testimony in favor of HB0778 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

Maryland, like other states, has had a housing crisis for years. We are not making enough new housing for demand. We have focused on affordable housing in order to support low-income residents and ensure that they have places to live. However, we really haven't focused much on the middle market. We need new housing stock for starter homes and middle-income residents.

This bill, if enacted, would require local jurisdictions have to create opportunities for middle housing. Each jurisdiction would create a comprehensive plan by January 1, 2027 that would assess the suitability of all vacant, unused, or underutilized commercial or industrial land for housing use to create opportunities for more housing in areas served by existing public water and sewer systems; and create recommendations to alter local laws as necessary.

Each local jurisdiction with local zoning authority will allow middle housing (which includes duplexes, triplexes, quadplexes, cottage clusters, or town houses) on any individual lot, existing before January 1, 2015, that –

- is located in a zoning district that allows construction of single-family detached dwelling units
- is vacant

Middle housing must also be allowed on at least 25% of the lots in any new residential subdivision with at least 20 lots for single-family dwelling units.

This is an important bill that will allow the state and local jurisdictions move productively towards ensuring the housing stock we need.

We strongly support this bill and recommend a **FAVORABLE** report in committee.

**HB0778\_DHCD\_SUPPORT.pdf**

Uploaded by: Jake Day

Position: FAV

**DATE:** February 26, 2026  
**BILL NO:** House Bill 778  
**TITLE:** Land Use - Middle Housing Options - Requirements  
**COMMITTEE:** House Economic Matters

### Letter of Support

#### Description of Bill:

House Bill 778 establishes requirements for local jurisdictions to expand opportunities for middle housing development, including duplexes, quadplexes, cottage clusters, and townhouses, on land zoned for single family residential use. The bill requires local jurisdictions to evaluate unused, vacant, or underutilized land, especially commercial or industrial properties for potential housing development and to update comprehensive plans accordingly. Additionally, the bill limits local governments from imposing unreasonable restrictions on middle housing applications, such as excessive lot size or parking requirements, while maintaining public health, safety, and building standards.

#### Background and Analysis:

As Maryland's housing shortage continues to limit access to affordable and attainable housing, the state must pursue flexible, cost-effective solutions. HB 778 addresses these challenges by removing barriers and promoting the efficient use of existing land infrastructure, rather than creating new programs or expenditures.

This legislation encourages the development of middle housing – duplexes, triplexes, quadplexes, townhouses, and cottage clusters – which helps bridge the gap between single family homes and large multifamily developments. These housing types can provide more attainable options for middle income and workforce households while remaining compatible with existing neighborhoods.

By requiring local jurisdictions to evaluate vacant or underutilized commercial and industrial land for residential use, this legislation recognizes that we need to focus development where it can be supported, and local governments have determined they can prioritize growth: In areas that already contain public infrastructure. This will expand the housing supply and diversify the available options of renters and homeowners, which will improve overall affordability and support more inclusive communities.

#### DHCD Position

The Maryland Department of Housing and Community Development respectfully requests a **favorable** report on HB 778.

# **HB 778 - Middle Housing - FAV - REALTORS.pdf**

Uploaded by: Lisa May

Position: FAV



## **House Bill 778 – Land Use - Middle Housing Options – Requirements**

### **Position: Support**

Maryland faces a persistent and well-documented housing shortage. Our chronic lack of housing construction has driven up prices, constrained inventory, and limited opportunities for first-time buyers, workforce households, and seniors seeking to downsize.

Maryland REALTORS® supports HB 778 as an important piece of the solution. It restores “middle housing” types—such as duplexes, triplexes, and quadplexes— and reverses decades of restrictive land use patterns that have largely prohibited moderate-scale housing. These housing forms fit within residential communities, provide attainable options between single-family homes and large multifamily buildings, and support thriving neighborhoods.

Importantly, the bill directs this housing to areas where public water and sewer infrastructure already exists or is planned to exist, ensuring that growth occurs responsibly and efficiently rather than encouraging sprawl. By aligning new housing opportunities with existing infrastructure, HB 778 supports smart growth principles, environmental protection, and long-term community sustainability.

The legislation also affirms that property owners in residentially designated areas may establish residential structures consistent with local standards, helping modernize zoning to reflect today’s housing realities.

HB 778 expands housing choice, strengthens property rights, and provides a practical response to our statewide housing shortage. We respectfully urge a favorable report.

**For more information contact [lisa.may@mdrealtor.org](mailto:lisa.may@mdrealtor.org) or  
[christa.mcgee@mdrealtor.org](mailto:christa.mcgee@mdrealtor.org)**

**MBIA Letter of Support HB 778.pdf**

Uploaded by: Lori Graf

Position: FAV

February 24<sup>th</sup>, 2026

The Honorable Kriselda Valderrama  
Chair, House Economic Matters Committee  
230 Taylor House Office Building  
Annapolis, Maryland 21401

**RE: MBIA Letter of Support HB 778 Land Use - Middle Housing Options - Requirements**

Dear Chair Valderrama,

The Maryland Building Industry Association, representing 100,000 employees of the building industry across the State of Maryland, appreciates the opportunity to participate in the discussion surrounding **HB 778 Land Use - Middle Housing Options - Requirements**.

This bill requires local jurisdictions to evaluate underutilized commercial and industrial land for residential use and to allow certain middle housing types by right in single-family zoning districts, while limiting zoning requirements that create barriers to building more housing. According to a recent study by Comptroller Brooke Lierman, Maryland is short 150,000 homes, and high housing costs are pushing out longtime residents to neighboring states like Pennsylvania and Virginia. When there aren't enough homes to meet demand, tough competition dramatically drives up housing costs and causes our state to lose talented workers and valued neighbors. HB 778 directly addresses this challenge by creating more opportunities to build "middle housing," such as duplexes, triplexes, quadplexes, cottage clusters, and townhomes. These types of homes provide attainable options for first-time homebuyers, seniors looking to downsize, and working families who are priced out of many Maryland communities. Allowing these types of homes by right in single-family zones will reduce regulatory uncertainty and lower the cost of development.

For these reasons, MBIA respectfully requests the Committee give this measure a favorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or [lgraf@marylandbuilders.org](mailto:lgraf@marylandbuilders.org).

cc: Members of the House Economic Matters Committee

# **MGA 2026 Testimony Bill HB0778 (Middle Housing Opt**

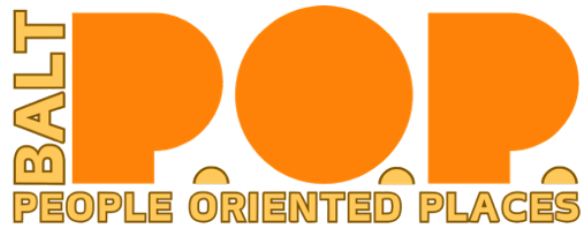
Uploaded by: Michael Scepaniak

Position: FWA

Bill: HB0778

Bill Title: Land Use - Middle Housing Options - Requirements

Position: **Favorable with Amendments**



Members of the House Economic Matters Committee,

As a group which believes that encouraging traditional, higher-density development patterns in Maryland will deliver us appealing, affordable, fiscally-sustainable communities, we support HB0778.

Housing flexibility is the phrase that comes to our mind with this bill. The purpose of zoning is prevention. By allowing only single-family detached homes in large areas of the state, we unnecessarily limit housing flexibility available to residents. Single-family detached homes, given their relatively large living areas, are unaffordable to many prospective residents. This bill will allow for the construction of smaller, more affordable homes in Maryland. It is these starter homes that we need the most.

These smaller homes do sometimes get built today, but only by exception, in limited/inadequate numbers, and only in a few areas. This bill will extend that flexibility to all neighborhoods, state-wide, improving economic mobility and housing options for all.

Residential properties in Maryland are required to conform with a range of minimums and maximums regarding lot coverage, building height, yard size, etc. A number of these minimums and maximums, such as the percentage of the lot that may be built on, yard size, and living area square footage, serve to excessively limit the forms and types of housing that can be built and how existing homes can be redeveloped/expanded.

This bill allows for the re-introduction of housing types that are currently largely absent from the state's landscape. At one time, these housing types were common. But, in the years after WWII, they were made illegal via the adoption of intentionally exclusionary zoning codes, not only in Maryland, but across the U.S. This was largely as a result of federal policy incentives. [1] Today, these "missing middle" housing types are needed to help improve housing affordability in the state. [2]

This bill allows for housing flexibility. In a community filled with nothing but single-family homes, an aging homeowner wishing/needing to downsize has no options that allow them to age in-place and remain in the neighborhood they have put their hearts into. But, if their neighborhood contained some "missing middle" housing types with smaller, more affordable

units, they could. To this point, the AARP is in full support of these housing types. [3] The benefit of this housing flexibility would also extend to families, such that parents would be able to enjoy seeing their young adult children live nearby, in the neighborhood in which they grew up.

As should be clear, we are largely in favor of this bill. However, we would like to see two changes:

1. Expand the changes called for in this bill to encompass **every** type of residential lot, not just vacant lots or subdivisions. Other jurisdictions have implemented changes such as these in this much broader fashion, including Oregon in 2019, California in 2021, Washington in 2023, Minneapolis in their 2040 Comprehensive Plan, and Montana with their 2023 housing reforms. Maryland should follow suit.
2. Remove all government-imposed parking requirements. Parking mandates force communities to be automobile-oriented and disallow them to be walkable. Parking lots and parking garages are unpleasant to walk, bike, and roll past. They force “dead” space into the built environment that lengthens walking and biking times, making these modes of travel less convenient and appealing. Automobile-oriented development caps the economic potential of a place. You can only fit so many automobiles in one place and they don't bring dynamism to a place - people do.
3. Remove the requirement that the housing promoted in this bill abide by local adequate public facilities ordinances (APFOs). All too often, APFOs are weaponized against developers and the new residential developments they propose. APFOs tend to start at the position that development is problematic and that developers are the only ones to gain by green-lighting their development proposals. Their default posture is not to holistically plan for greater capacity, but rather to circle the wagons and force each individual developer to explain how an existing community can possibly accommodate more residents.

We hope the committee finds these points helpful and convincing and we urge its members to **vote in favor of HB0778, with our suggested amendments**. Thank you for your efforts and the opportunity for us to testify on this legislation.

[BaltPOP - Baltimoreans for People-Oriented Places](#)

References:

[1] Nolan Gray, *Arbitrary Lines: How Zoning Broke the American City and How to Fix It*, chap. 7, Is There a Role for the Federal Government?, e-book

[2] Opticos Design, Inc. “Missing Middle Housing: Diverse choices for walkable neighborhood living”. Accessed August 5, 2025. <https://missingmiddlehousing.com>

[3] AARP “Free Publication: Discovering and Developing Missing Middle Housing”. Accessed March 4, 2023.

<https://www.aarp.org/livable-communities/housing/info-2022/missing-middle-housing.html>

# **HB 778 - Middle Housing Options - NAIOP - FWA - 2**

Uploaded by: Tom Ballentine

Position: FWA



February 24, 2026

The Honorable, Kriselda Valderrama, Chair  
House Economic Matters Committee  
230 Taylor House Office Building  
Annapolis, Maryland 21401

**Favorable w Amendments: HB 778 – Middle Housing Options - Requirements**

Dear Chair, Valderrama and Committee Members:

The NAIOP Maryland Chapters represent approximately 700 companies involved in all aspects of commercial, industrial, and mixed-use real estate. On behalf of our member companies, I am writing to recommend your favorable with amendments report on HB 778.

NAIOP considers HB 778 to be one of the most promising housing-related proposals introduced to date during this session. It requires local jurisdictions to assess the suitability of underutilized commercial and industrial land for housing use and requiring policies to support middle housing development. The assessment must be included in the housing element of Comprehensive Plans amended after January 1, 2027, along with policy recommendations to facilitate middle housing.

Comprehensive Plans are tools that State and local governments use to guide development at the local level. They cover a wide range of topics and promote a host of ideas that are identified for potential implementation locally. And given that Comprehensive Plans are intended to convey a wide range of ideas and goals over the 10-plus-year lifespan of a Plan, the Plans themselves typically utilize aspirational language, rather than directives.

While we recognize and understand this bill establishing an “affirmative duty” to explore the potential for housing opportunities on properties that may not typically be zoned or planned for residential, we feel that the existing language in the bill mandates that opportunities be created. Frankly, that may or may not be appropriate in given parts of a jurisdiction, and a Comprehensive Plan should not be required to “create” opportunities in every circumstance.

Rather, we feel that the charge under this bill should be slightly modified with language that is more in keeping with the typical nature of Comprehensive Plans. We recommend changing the nature of the local jurisdiction’s affirmative obligation from *creation* to *evaluation* of middle housing opportunities.

Evaluation allows local governments to study opportunities within their own context and establishes a factual foundation for informed and effective housing-creation policies without forcing jurisdictions into production targets before they're ready or structurally able.

We have attached an unofficial reprint of HB 778 with amendments that implement this requested change and would be happy to work with the committee, sponsors, and other stakeholders.

Thank you for considering NAIOP's point of view.

Sincerely,

A handwritten signature in blue ink, appearing to read "T.M. Ballentine".

Tom Ballentine, Vice President for Policy

NAIOP – Maryland Chapters, *The Association for Commercial Real Estate*

cc: Economic Matters Committee Members

Nick Manis – Manis, Canning Assoc.

# HOUSE BILL 778

L6, C9

6lr2318

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By: **Delegates Allen, Behler, and Stewart**

Introduced and read first time: February 4, 2026

Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Land Use – Middle Housing Options – Requirements**

3 FOR the purpose of establishing that certain local jurisdictions have an affirmative duty to  
4 **create ASSESS** opportunities for housing by evaluating the suitability of certain  
5 commercial  
6 or industrial land for housing use; altering the requirements for the housing element  
7 of a certain comprehensive plan; requiring local jurisdictions to establish certain  
8 policies and adopt certain local laws to promote and encourage building middle  
9 housing units on certain land; prohibiting local jurisdictions from imposing certain  
10 unreasonable limitations affecting middle housing applications; and generally  
relating to residential development and middle housing.

11 BY repealing and reenacting, with amendments,  
12 Article – Land Use  
13 Section 1–401, 1–407.1, 3–114, and 10–103  
14 Annotated Code of Maryland  
15 (2012 Volume and 2025 Supplement)

16 BY adding to  
17 Article – Land Use  
18 Section 4–601 through 4–604 to be under the new subtitle “Subtitle 6. Middle  
19 Housing”  
20 Annotated Code of Maryland  
21 (2012 Volume and 2025 Supplement)

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

24 **Article – Land Use**

25 1–401.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.

**\*hb0778\***

1 (a) Except as provided in this section, this division does not apply to charter  
2 counties.

3 (b) The following provisions of this division apply to a charter county:

4 (1) this subtitle, including Parts II and III (Charter county –  
5 Comprehensive plans);

6 (2) § 1–101(l), (m), and (o) (Definitions – “Plan”, “Priority funding area”,  
7 and “Sensitive area”);

8 (3) § 1–201 (Visions);

9 (4) § 1–206 (Required education);

10 (5) § 1–207 (Annual report – In general);

11 (6) § 1–208 (Annual report – Measures and indicators);

12 (7) Title 1, Subtitle 3 (Consistency);

13 (8) Title 1, Subtitle 5 (Growth Tiers);

14 (9) § 4–104(c) (Limitations – Bicycle parking);

15 (10) § 4–104(d) (Limitations – Manufactured homes and modular dwellings);

16 (11) § 4–208 (Exceptions – Maryland Accessibility Code);

17 (12) § 4–210 (Permits and variances – Solar panels);

18 (13) § 4–211 (Change in zoning classification – Energy generating systems);

19 (14) § 4–212 (Agritourism);

20 (15) § 4–213 (Alcohol production);

21 (16) § 4–214 (Agricultural alcohol production);

22 (17) § 4–215 (Pollinator–friendly vegetation management);

23 (18) § 4–216 (Limitations – Family child care homes and large family child  
24 care homes);

25 (19) Title 4, Subtitle 5 (Accessory Dwelling Units);

26 (20) **TITLE 4, SUBTITLE 6 (MIDDLE HOUSING);**

- 1           **(21)** § 5–102(d) (Subdivision regulations – Burial sites);
- 2           **[(21)] (22)** § 5–104 (Major subdivision – Review);
- 3           **[(22)] (23)** Title 7, Subtitle 1 (Development Mechanisms);
- 4           **[(23)] (24)** Title 7, Subtitle 2 (Transfer of Development Rights);
- 5           **[(24)] (25)** except in Montgomery County or Prince George’s County, Title  
6 7, Subtitle 3 (Development Rights and Responsibilities Agreements);
- 7           **[(25)] (26)** Title 7, Subtitle 4 (Inclusionary Zoning);
- 8           **[(26)] (27)** Title 7, Subtitle 5 (Housing Expansion and Affordability);
- 9           **[(27)] (28)** § 8–401 (Conversion of overhead facilities);
- 10           **[(28)] (29)** for Baltimore County only, Title 9, Subtitle 3 (Single–County  
11 Provisions – Baltimore County);
- 12           **[(29)] (30)** for Frederick County only, Title 9, Subtitle 10 (Single–County  
13 Provisions – Frederick County);
- 14           **[(30)] (31)** for Howard County only, Title 9, Subtitle 13 (Single–County  
15 Provisions – Howard County);
- 16           **[(31)] (32)** for Talbot County only, Title 9, Subtitle 18 (Single–County  
17 Provisions – Talbot County); and
- 18           **[(32)] (33)** Title 11, Subtitle 2 (Civil Penalty).

19           (c) This section supersedes any inconsistent provision of Division II of this article.  
20 1–407.1.

21           (a) (1) In this section the following words have the meanings indicated.

22                   (2) “Affirmatively further fair housing” has the meaning stated in § 2–401  
23 of the Housing and Community Development Article.

24                   (3) “Area median income” has the meaning stated in § 4–1801 of the  
25 Housing and Community Development Article.

26                   (4) “Low–income housing” means housing that is affordable for a household  
27 with an aggregate annual income that is below 60% of the area median income.

1 (5) "Workforce housing" has the meaning stated in § 4-1801 of the Housing  
2 and Community Development Article.

3 (b) A housing element may include goals, objectives, policies, plans, and  
4 standards.

5 (c) A housing element shall address the need for affordable housing within the  
6 county, including:

7 (1) workforce housing; and

8 (2) low-income housing.

9 (d) (1) A county has a duty to affirmatively further fair housing through the  
10 county's housing and urban development programs.

11 (2) The housing element of a comprehensive plan that is enacted or  
12 amended on or after January 1, 2025, shall include an assessment of fair housing to ensure  
13 that the county is affirmatively furthering fair housing.

14 (3) On request of a county, the Department of Planning, in consultation  
15 with the Department of Housing and Community Development, shall provide technical  
16 assistance for the purpose of developing the housing element of the comprehensive plan.

17 (4) This subsection does not require a county to take, or prohibit a county  
18 from taking, a specific action to affirmatively further fair housing.

19 **(E) (1) A COUNTY HAS AN AFFIRMATIVE DUTY TO CREATE**  
20 **EVALUATE OPPORTUNITIES FOR HOUSING BY EVALUATING-ASSESSING THE**  
21 **SUITABILITY OF VACANT,**  
22 **UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING**  
23 **USE.**

24 **(2) THE HOUSING ELEMENT OF A COMPREHENSIVE PLAN THAT IS**  
25 **ENACTED OR AMENDED ON OR AFTER JANUARY 1, 2027, SHALL INCLUDE:**

26 **(I) AN ASSESSMENT OF THE SUITABILITY OF ALL VACANT,**  
27 **UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING**  
28 **USE TO CREATE EVALUATE OPPORTUNITIES FOR MORE HOUSING IN AREAS**  
29 **SERVED BY**  
30 **EXISTING PUBLIC WATER AND SEWER SYSTEMS; AND**

31 **(II) RECOMMENDATIONS TO ALTER LOCAL LAWS AS NECESSARY**  
32 **TO AUTHORIZE HOUSING USE ON VACANT, UNUSED, OR UNDERUTILIZED**  
33 **COMMERCIAL OR INDUSTRIAL LAND THAT IS SUITABLE FOR HOUSING USE.**

1 (a) (1) In this section the following words have the meanings indicated.

2 (2) “Affirmatively further fair housing” has the meaning stated in § 2–401  
3 of the Housing and Community Development Article.

4 (3) “Area median income” has the meaning stated in § 4–1801 of the  
5 Housing and Community Development Article.

6 (4) “Low-income housing” means housing that is affordable for a household  
7 with an aggregate annual income that is below 60% of the area median income.

8 (5) “Workforce housing” has the meaning stated in § 4–1801 of the Housing  
9 and Community Development Article.

10 (b) A housing element may include goals, objectives, policies, plans, and  
11 standards.

12 (c) A housing element shall address the need for affordable housing within the  
13 local jurisdiction, including:

14 (1) workforce housing; and

15 (2) low-income housing.

16 (d) (1) Local jurisdictions have a duty to affirmatively further fair housing  
17 through their housing and urban development programs.

18 (2) The housing element of a comprehensive plan that is enacted or  
19 amended on or after January 1, 2023, shall include an assessment of fair housing to ensure  
20 that the local jurisdiction is affirmatively furthering fair housing.

21 (3) On request of a local jurisdiction, the Department of Planning, in  
22 consultation with the Department of Housing and Community Development, shall provide  
23 technical assistance for the purpose of developing the housing element of the  
24 comprehensive plan.

25 (4) This subsection does not require a local jurisdiction to take, or prohibit  
26 a local jurisdiction from taking, a specific action to affirmatively further fair housing.

27 **(E) (1) LOCAL JURISDICTIONS HAVE AN AFFIRMATIVE DUTY TO CREATE**  
28 **EVALUATE OPPORTUNITIES FOR HOUSING BY EVALUATING-ASSESSING THE**  
29 **SUITABILITY OF VACANT,**  
30 **UNUSED, OR UNDERUTILIZED COMMERCIAL OR INDUSTRIAL LAND FOR HOUSING**  
**USE.**



1           (1) IS LOCATED ON AN INDIVIDUAL LOT OR PARCEL; AND

2           (2) HAS AT LEAST ONE COMMON WALL WITH AN ADJACENT DWELLING  
3 UNIT.

4           (F) (1) “UNREASONABLE LIMITATION” INCLUDES A LIMITATION THAT  
5 PROHIBITS, EXPLICITLY OR BY EFFECT, THE DEVELOPMENT OF MIDDLE HOUSING.

6           (2) “UNREASONABLE LIMITATION” DOES NOT INCLUDE A LIMITATION  
7 ON THE SHORT-TERM RENTAL OF A MIDDLE HOUSING UNIT.

8           (G) “ZONING ADMINISTRATOR” MEANS A LOCAL GOVERNMENTAL UNIT  
9 THAT IS RESPONSIBLE FOR REVIEWING DEVELOPMENT PLANS AND PERMIT  
10 APPLICATIONS FOR CONSISTENCY WITH LOCAL ZONING ORDINANCES.

11 **4-602.**

12           THIS SUBTITLE APPLIES ONLY TO THE DEVELOPMENT OF MIDDLE HOUSING  
13 ON LAND ZONED FOR SINGLE-FAMILY RESIDENTIAL USE.

14 **4-603.**

15           (A) IT IS THE POLICY OF THE STATE TO PROMOTE AND ENCOURAGE  
16 BUILDING MIDDLE HOUSING UNITS ON LAND ZONED FOR SINGLE-FAMILY  
17 RESIDENTIAL USE TO MEET THE HOUSING NEEDS OF THE STATE.

18           (B) (1) EXCEPT AS PROVIDED IN THIS SUBTITLE AND SUBJECT TO  
19 PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBTITLE DOES NOT ALTER OR  
20 ABROGATE ANY ZONING POWER OR RELATED AUTHORITY GRANTED TO A LOCAL  
21 JURISDICTION UNDER THIS TITLE.

22           (2) LOCAL JURISDICTIONS SHALL ESTABLISH POLICIES THAT  
23 FURTHER THE INTENT OF THIS SUBTITLE.

24 **4-604.**

25           (A) THIS SECTION DOES NOT APPLY TO A RESTRICTION ON USE ON HISTORIC  
26 PROPERTY THAT IS LISTED IN OR DETERMINED BY THE DIRECTOR OF THE  
27 MARYLAND HISTORICAL TRUST TO BE ELIGIBLE FOR INCLUSION IN THE MARYLAND  
28 REGISTER OF HISTORIC PROPERTIES.

1           **(B) SUBJECT TO SUBSECTION (C) OF THIS SECTION, EACH LOCAL**  
2 **JURISDICTION WITH LOCAL ZONING AUTHORITY SHALL BY LOCAL LAW ALLOW, BY**  
3 **RIGHT, MIDDLE HOUSING ON:**

4           **(1) ANY INDIVIDUAL LOT, EXISTING BEFORE JANUARY 1, 2015, THAT:**

5                   **(I) IS LOCATED IN A ZONING DISTRICT THAT ALLOWS**  
6 **CONSTRUCTION OF SINGLE-FAMILY DETACHED DWELLING UNITS; AND**

7                   **(II) IS VACANT; AND**

8           **(2) AT LEAST 25% OF THE LOTS IN ANY NEW RESIDENTIAL**  
9 **SUBDIVISION WITH AT LEAST 20 LOTS FOR SINGLE-FAMILY DWELLING UNITS.**

10          **(C) (1) A LOCAL LAW ADOPTED UNDER THIS SECTION SHALL:**

11                   **(I) REQUIRE FRONT, SIDE, AND REAR SETBACKS THAT ARE NOT**  
12 **GREATER THAN THE SETBACKS REQUIRED FOR A SINGLE-FAMILY DETACHED**  
13 **DWELLING UNIT IN THE SAME ZONING DISTRICT;**

14                   **(II) EXEMPT MIDDLE HOUSING FROM MINIMUM LOT SIZE**  
15 **REQUIREMENTS;**

16                   **(III) LIMIT MIDDLE HOUSING TO LOCATIONS SERVED BY PUBLIC**  
17 **WATER AND SEWER SYSTEMS;**

18                   **(IV) SUBJECT TO PARAGRAPH (4) OF THIS SUBSECTION, IF THE**  
19 **ZONING ADMINISTRATOR DETERMINES THAT ADEQUATE ON-STREET PARKING**  
20 **EXISTS FOR THE PROPOSED MIDDLE HOUSING UNITS, REQUIRE NOT MORE THAN**  
21 **ONE OFF-STREET PARKING SPACE FOR EACH MIDDLE HOUSING UNIT;**

22                   **(V) PROVIDE THAT A MIDDLE HOUSING ZONING OR BUILDING**  
23 **APPLICATION IS SUBJECT TO THE SAME REVIEW AND APPROVAL PROCEDURES**  
24 **REQUIRED FOR A COMPARABLE SINGLE-FAMILY DETACHED RESIDENTIAL USE**  
25 **APPLICATION; AND**

26                   **(VI) REQUIRE THAT MIDDLE HOUSING MEET PUBLIC HEALTH,**  
27 **SAFETY, AND WELFARE STANDARDS, INCLUDING RELEVANT BUILDING CODES.**

28          **(2) A LOCAL LAW ADOPTED UNDER THIS SECTION MAY REQUIRE**  
29 **MIDDLE HOUSING TO MEET RELEVANT ADEQUATE PUBLIC FACILITIES**  
30 **REQUIREMENTS.**

1           **(3) A LOCAL JURISDICTION MAY NOT IMPOSE UNREASONABLE**  
2 **LIMITATIONS AFFECTING MIDDLE HOUSING APPLICATIONS CONCERNING:**

3                   **(I) HEIGHT;**

4                   **(II) SETBACKS;**

5                   **(III) BULK;**

6                   **(IV) PARKING;**

7                   **(V) DIMENSIONS OR AREA; OR**

8                   **(VI) SIMILAR REQUIREMENTS.**

9           **(4) IF THE GUIDELINES WILL NOT IMPOSE AN UNREASONABLE**  
10 **LIMITATION THAT EFFECTIVELY PROHIBITS MIDDLE HOUSING, A LOCAL**  
11 **JURISDICTION MAY ESTABLISH GUIDELINES THAT ARE APPROPRIATE FOR LOCAL**  
12 **CONDITIONS TO ASSIST THE ZONING ADMINISTRATOR IN DETERMINING THE**  
13 **ADEQUACY OF ON-STREET PARKING.**

14 10–103.

15           (a) Except as provided in this section, this division does not apply to Baltimore  
16 City.

17           (b) The following provisions of this division apply to Baltimore City:

18                   (1) this title;

19                   (2) § 1–101(m) (Definitions – “Priority funding area”);

20                   (3) § 1–101(o) (Definitions – “Sensitive area”);

21                   (4) § 1–201 (Visions);

22                   (5) § 1–206 (Required education);

23                   (6) § 1–207 (Annual report – In general);

24                   (7) § 1–208 (Annual report – Measures and indicators);

25                   (8) Title 1, Subtitle 3 (Consistency);

1 (9) Title 1, Subtitle 4, Parts II and III (Home Rule Counties –  
2 Comprehensive Plans; Implementation);

3 (10) § 4–104(c) (Limitations – Bicycle parking);

4 (11) § 4–104(d) (Limitations – Manufactured homes and modular dwellings);

5 (12) § 4–205 (Administrative adjustments);

6 (13) § 4–208 (Exceptions – Maryland Accessibility Code);

7 (14) § 4–210 (Permits and variances – Solar panels);

8 (15) § 4–211 (Change in zoning classification – Energy generating systems);

9 (16) § 4–215 (Pollinator–friendly vegetation management);

10 (17) § 4–216 (Limitations – Family child care homes and large family child  
11 care homes);

12 (18) Title 4, Subtitle 5 (Accessory Dwelling Units);

13 (19) **TITLE 4, SUBTITLE 6 (MIDDLE HOUSING);**

14 **(20)** § 5–102(d) (Subdivision regulations – Burial sites);

15 **[(20)] (21)** Title 7, Subtitle 1 (Development Mechanisms);

16 **[(21)] (22)** Title 7, Subtitle 2 (Transfer of Development Rights);

17 **[(22)] (23)** Title 7, Subtitle 3 (Development Rights and Responsibilities  
18 Agreements);

19 **[(23)] (24)** Title 7, Subtitle 4 (Inclusionary Zoning);

20 **[(24)] (25)** Title 7, Subtitle 5 (Housing Expansion and Affordability); and

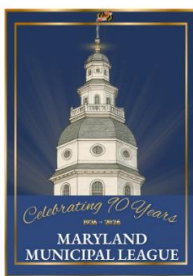
21 **[(25)] (26)** Title 11, Subtitle 2 (Civil Penalty).

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
23 January 1, 2027.

**HB 778 - UNF - MML.pdf**

Uploaded by: Angelica Bailey Thupari

Position: UNF



## TESTIMONY

**COMMITTEE:** House Economic Matters

**DATE:** February 26, 2026

**POSITION:** Unfavorable

**BILL:** House Bill 778

The Maryland Municipal League (MML) respectfully opposes House Bill 778. Municipalities across Maryland are actively advancing housing production and middle housing reforms tailored to local conditions in partnership with state programs. However, House Bill 778 replaces collaborative planning with prescriptive statewide mandates that constrain core zoning tools and create fiscal and infrastructure challenges without ensuring affordable housing outcomes.

House Bill 778 would require local governments to evaluate all vacant, unused, or underutilized commercial and industrial land for housing suitability in areas served by public water and sewer, and to incorporate those findings into comprehensive plans beginning in 2027. It further mandates by-right “middle housing” development - including duplexes, triplexes, quadplexes, cottage clusters, and townhouses - in existing single-family zones, including on certain vacant lots and on at least 25% of lots in new subdivisions. In addition, the legislation prohibits local jurisdictions from imposing “unreasonable” limitations on height, setbacks, bulk, parking, lot dimensions, or similar standards. Taken together, these provisions do more than expand housing opportunity: they require specific zoning outcomes and constrain the tools municipalities use to manage growth responsibly.

The requirement to reassess commercial and industrial land is particularly concerning. Commercial and industrial parcels are not interchangeable with residential land. Many are constrained by environmental conditions, incompatible adjacent uses, freight access patterns, or utility configurations. In many communities, these properties provide a disproportionate share of the tax base that funds public safety, infrastructure maintenance, and schools. Blanket reassessment and the implicit push toward residential conversion risks weakening fiscal stability without addressing how lost revenue will be replaced or how new service demands will be funded.

The by-right middle housing mandate presents parallel challenges. Although the bill references adequate public facilities requirements, automatic approvals reduce the ability to phase growth in alignment with school capacity, roadway improvements, water and sewer upgrades, and emergency response capability. Subdivision design, fiscal forecasting, and capital planning depend on predictable density assumptions. Mandated uniform density increases, particularly across specified percentages of lots, disrupt those projections without providing corresponding infrastructure funding.

At the same time, the bill significantly limits municipalities’ ability to tailor dimensional, parking, and design standards to local conditions. Communities differ dramatically in infrastructure capacity, geography, historic character, and fiscal structure. Local governments must be able to calibrate height, setbacks, bulk, parking, and lot coverage based on street width, stormwater capacity, fire access, transit availability, and neighborhood context. These are not aesthetic preferences; they are infrastructure and safety considerations. A coastal town, a built-out inner-ring suburb, and a small historic municipality do not face identical development constraints. Uniform zoning mandates do not reflect those differences.

*Property Tax comprises 50% of the General Fund Budget of the Average Municipality in Maryland*

This concern is amplified by the bill's prohibition on "unreasonable" limitations, which does not define "unreasonable." This undefined and inherently subjective standard invites uncertainty, inconsistent interpretation, and potential litigation, placing municipalities in the position of defending routine planning decisions without clear statutory guidance.

Beyond these structural issues, the legislation assumes that expanded by-right zoning will, on its own, deliver meaningful affordability gains. Zoning authorization alone does not produce affordability. Construction costs, land values, financing conditions, and utility upgrades ultimately determine whether new units are attainable. In some markets, expanding by-right density without complementary affordability tools may increase land speculation without lowering prices. In others, it may displace carefully structured local housing reforms already underway.

The proposal also reduces flexibility for meaningful local public engagement. Comprehensive planning in Maryland is a deliberative, data-driven process that incorporates infrastructure analysis, fiscal modeling, environmental review, and community input. Requiring uniform statewide zoning changes irrespective of local planning cycles or market conditions undermines that framework and limits the ability of residents and elected officials to shape growth patterns appropriate to their communities.

Finally, House Bill 778 overlaps with broader housing proposals currently under consideration. The General Assembly is already evaluating comprehensive housing frameworks developed through months of stakeholder engagement. Introducing a separate, prescriptive mandate on the same subject risks policy fragmentation and unnecessary duplication. Equally important is process. Legislation that directly restructures municipal zoning authority should be developed in consultation with the governments responsible for implementation.

Municipalities remain willing partners in addressing Maryland's housing challenges. Effective housing policy requires collaboration, infrastructure alignment, fiscal sustainability, and technical coordination, not uniform mandates that constrain core zoning tools without prior engagement. For these reasons, the Maryland Municipal League respectfully requests an unfavorable report on House Bill 778.

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For more information relating to this piece of testimony, please contact:  
Angelica Bailey Thupari: Director, Advocacy and Public Policy, [angelicab@mdmunicipal.org](mailto:angelicab@mdmunicipal.org)

**LIO HB0778\_Calvert County\_Final.pdf**

Uploaded by: Ashley Staples Reid

Position: UNF



# CALVERT COUNTY BOARD OF COUNTY COMMISSIONERS

150 Main Street  
Prince Frederick, Maryland 20678  
410-535-1600  
www.calvertcountymd.gov

*Board of Commissioners*  
Mark C. Cox Sr.  
Catherine M. Grasso  
Earl F. Hance  
Mike Hart  
Todd Ireland

February 24, 2026

## Via Electronic Mail

The Honorable Valderrama, Chair  
Economic Matters Committee  
230 Taylor House Office Building  
Annapolis, Maryland 21401

RE: HB0778 – Middle Housing Options - Requirements

Chair Valderrama, Vice Chair Charkoudian and Committee Members:

The Calvert County Board of County Commissioners (BOCC) writes in **opposition** to **House Bill 778**.

While we support responsible, targeted strategies to expand housing opportunities for young families, workforce households and seniors, HB 778 imposes a one-size-fits-all mandate that overrides key elements of Calvert County's long-standing planning framework, requires extensive rewrites to local laws and diminishes meaningful public participation in land use decisions.

### **1) State mandates conflict with local growth management**

Calvert County's Comprehensive Plan and zoning ordinance reflect decades of planning and public engagement. The county has intentionally directed higher-density residential growth to Town Centers and other areas planned for public facilities and services. HB 778 would require "middle housing" to be permitted by right on qualifying lots in single-family zoning districts and mandate a middle-housing component in larger new subdivisions, regardless of local infrastructure capacity or planning priorities.

### **2) Transportation and infrastructure limits**

Calvert County is a peninsula with limited options for transportation expansion. MD 2/4 — the county's primary north-south corridor — is state-owned and already experiences peak-hour congestion.

A significant portion of the county's workforce commutes outside the county for employment. Increasing residential density without corresponding job growth will intensify outbound commuting patterns, add traffic to already constrained roadways and increase reliance on state infrastructure improvements. At a time of state and local fiscal constraints, these impacts warrant careful, locally guided planning rather than blanket mandates.

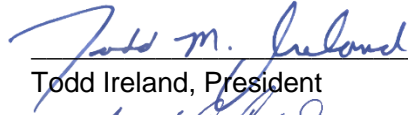
### **3) Environmental and public health concerns**

Calvert County's waterways, shoreline and highly erodible soils require careful growth management to protect water quality and the Chesapeake Bay. Increased residential intensity can increase impervious surface coverage, stormwater runoff and erosion impacts. The county also continues to address public health and environmental risks associated with failing septic systems in older communities and in areas with soil and groundwater limitations. Policies that drive growth and increase development pressure can intensify demands for wastewater capacity, create pressure to extend sewer service and divert limited resources away from needed septic remediation and water quality protection efforts.

For these reasons, the BOCC respectfully urges the committee to consider the impacts of this legislation and request an unfavorable report as written.

Thank you for the opportunity to share our perspective. Should you have any questions or wish to discuss these concerns further, please contact Planning & Zoning Director Jason Brinkley at 410-535-1600, ext. 2334.

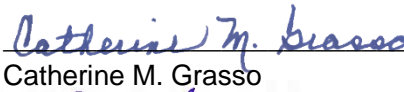
Sincerely,  
BOARD OF COUNTY COMMISSIONERS  
CALVERT COUNTY, MARYLAND

  
\_\_\_\_\_

Todd Ireland, President

  
\_\_\_\_\_

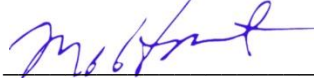
Mark C. Cox Sr., Vice President

  
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Catherine M. Grasso

  
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Earl F. Hance

  
\_\_\_\_\_

Mike Hart

**HB0778-ECM\_MACo\_OPP.pdf**

Uploaded by: Dominic Butchko

Position: UNF



## House Bill 778

### *Land Use - Middle Housing Options - Requirements*

MACo Position: **OPPOSE**

To: Economic Matters Committee

Date: February 26, 2026

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** HB 778. The bill would effectively eliminate single-family zoning in every corner of Maryland, drastically upending Maryland's commitment to smart growth principles and challenging counties' ability to balance new development with other state and local priorities.

For the past three years, Maryland's counties and the General Assembly have shared a clear priority: expanding the supply of affordable housing. That commitment is reflected in major recent actions, including the Housing Expansion and Affordability Act of 2024 (HB 538/SB 484) and legislation authorizing Accessory Dwelling Units (ADUs) statewide in 2025 (HB 1466/SB 891). MACo played a pivotal role in advancing these—and many other—housing measures during this period. That work culminated in MACo's 2026 legislative initiative bill, the Building Affordably in My Back Yard (BAMBY) Act, a county-backed comprehensive and pragmatic path forward to meet the current moment. Counties welcome tools to help advance housing at all levels, where it fits within their infrastructure capacity.

**A central focus for the Administration, local governments, and the public has been assessing how current systems function and where processes can be improved. While HB 778 appears intended to align with that objective, it falls short of a well-tailored response to Maryland's current needs and would create significant implementation challenges.**

Key county concerns include:

**Higher Density Without Due Consideration** - Under state law, counties make density decisions by weighing multiple considerations, including infrastructure capacity, geography, environmental conditions, and community input. By requiring certain development types to be authorized broadly in areas zoned for single-family use—without sufficient regard for system capacity or other local planning factors—HB 778 could invite significant unintended consequences, including impacts to public health and safety, and would reduce a county's ability to manage growth responsibly.

**Blanket Inclusion of Commercial and Industrial Parcels** – Counties already use mixed-use zoning to integrate housing and commercial activity where it advances local plans and community needs. HB 778’s mandated assessment of all commercial and industrial parcels is problematic because it treats very different land types as interchangeable redevelopment sites. Commercial areas may be critical employment and small business hubs that rely on predictable zoning and site standards, while industrial parcels often reflect long-term uses fundamentally incompatible with residential development. This assessment is duplicative, and in some instances could prompt State-driven development outcomes that raise serious public health and safety concerns. The bill lays the groundwork for one-size-fits-all treatment of parcels with very different functions, risks, and capacities—matters best addressed through local planning.

**Unworkable “Reasonable” Standard** – A main focus of this legislative session has been providing greater certainty for residential development. HB 778’s “reasonable” standard—both in scope and definition—cuts against that objective. The bill appears to permit counties to apply certain development standards to middle housing, but then deems those same standards “unreasonable” if they have the effect of prohibiting middle housing. As drafted, this creates an untenable framework for both counties and developers to navigate, inviting confusion, inconsistent interpretation, and avoidable litigation.

Counties remain committed to partnering with the State to address Maryland’s housing needs in a pragmatic and balanced manner. As drafted, HB 778 would upend long-standing smart growth principles and well-considered local planning processes while creating significant operational and fiscal challenges for local governments. For these reasons, MACo respectfully urges the Committee to issue an **UNFAVORABLE** report on HB 778.

**HB778\_UNFAV\_HCGCassilly.pdf**

Uploaded by: Robert Cassilly

Position: UNF

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**ROBERT G. CASSILLY**  
Harford County Executive



**ROBERT S. McCORD**  
Director of Administration

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February 24, 2026

The Honorable Kriselda Valderrama  
House Economic Matters Committee  
230 Taylor House Office Building  
Annapolis, Maryland 21401

Re: Opposition to House Bill 778 – Land Use – Middle Housing Options – Requirements

Dear Chairwoman Valderrama and Committee Members,

On behalf of the citizens of Harford County, I respectfully submit this letter in opposition to House Bill 778.

Harford County recognizes the importance of addressing housing affordability and expanding housing opportunities. However, HB 778 represents a significant state preemption of local zoning authority and undermines the integrity of locally adopted comprehensive planning processes.

Land use decisions are among the most fundamental responsibilities entrusted to local governments. Through our Comprehensive Master Plan, Harford County has carefully balanced housing needs, infrastructure capacity, transportation planning, school enrollment, public safety services, environmental stewardship, and community character. HB 778 would require local jurisdictions to permit middle housing by right in areas historically zoned for single-family residential use and prohibit what the bill terms “unreasonable limitations” on such development.

This mandate removes local discretion in determining where increased residential density is appropriate. Infrastructure capacity, including roads, water and sewer systems, stormwater management, schools, and emergency response services, varies widely throughout our county. Growth must be aligned with available services and long-term capital improvement planning. A statewide, one-size-fits-all zoning directive does not account for these local realities.

Additionally, the bill’s prohibition on “unreasonable limitations” introduces ambiguity that could invite litigation and regulatory uncertainty. Height restrictions, lot coverage standards, setbacks, and parking requirements are not arbitrary barriers—they are tools used to ensure compatibility with existing neighborhoods and infrastructure capacity. Stripping local governments of the ability to apply these tools risks unintended consequences for established communities.

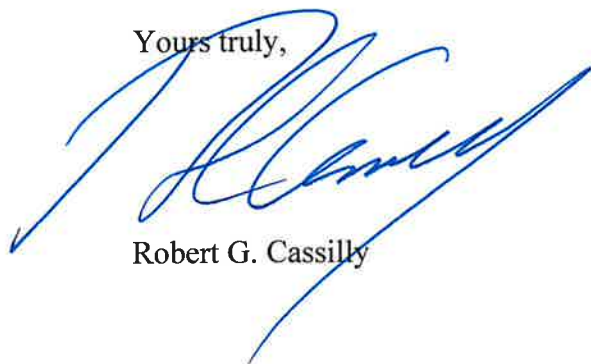
The Honorable Kriselda Valderrama  
House Bill 778 Opposition Letter  
February 24, 2026  
Page 2

Harford County supports thoughtful housing development that aligns with our planning framework and ensures that public infrastructure keeps pace with growth. HB 778 shifts zoning authority away from locally elected officials who are directly accountable to their residents and instead imposes a uniform mandate without regard to local conditions.

For these reasons, I respectfully urge an unfavorable report on House Bill 778.

Thank you.

Yours truly,

A handwritten signature in blue ink, appearing to read "R. Cassilly", is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Robert G. Cassilly

# **HB 778 Testimony.pdf**

Uploaded by: Ryan Snow

Position: UNF



## House Bill 778

### *Land Use - Middle Housing Options - Requirements*

Position: **OPPOSE**

To: Economic Matters Committee

Date: February 23, 2026

From: County Commissioners of Worcester County

Worcester County opposes House Bill 778, which would essentially preempt our local zoning code.

This bill would require us to allow middle housing such as duplexes, triplexes and cottage courts, on any lot created before 2015 that allows single-family dwelling units and is vacant or in new subdivisions. It also eliminates minimum lot sizes.

Furthermore, the bill as written prohibits the county from imposing “unreasonable limitations,” regarding setbacks, parking, etc. The county has those regulations for a reason, and by forcing higher density housing into areas previously not planned for this level of development there could be unforeseen strain on infrastructure.

While we acknowledge the need for more housing, we feel it should be added in a thoughtful manner that doesn't infringe on local zoning. We urge you to oppose this bill in its current form. Thank you.

**HB778\_COG\_OPPOSE.pdf**

Uploaded by: Therese Hessler

Position: UNF



February 17, 2026

**Bill:** HB 778 – Land Use - Middle Housing Options - Requirements

**Position:** Oppose

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

On behalf of the Mayor and City Council of Gaithersburg, we respectfully submit this testimony in opposition to House Bill 778. The City of Gaithersburg shares the State's goal of expanding housing opportunities and has consistently taken proactive steps to support responsible residential growth, including promoting a diverse housing mix and redevelopment opportunities within our community. However, House Bill 778 raises significant concerns regarding local economic sustainability, land use authority, and practical implementation that could have unintended consequences at both the local and statewide levels.

The bill establishes an affirmative duty for local jurisdictions to evaluate commercial and industrial properties for potential housing use and to modify local laws accordingly. While redevelopment of underutilized land can be appropriate in certain circumstances, the bill prioritizes residential development over employment-generating uses without sufficient consideration of local economic conditions, workforce needs, or long-term tax base sustainability. Commercial and industrial properties play a critical role in supporting municipal revenues, job creation, and balanced community development. Mandating their evaluation for housing conversion risks undermining the commercial-to-residential balance that local jurisdictions carefully manage through comprehensive planning.

Equally concerning is the bill's limitation on local zoning authority. Land use decisions are inherently local and depend on detailed knowledge of infrastructure capacity, transportation patterns, environmental constraints, and community priorities. The legislation would override locally adopted master plans and zoning frameworks by requiring jurisdictions to authorize residential uses in areas deemed suitable for housing, regardless of locally established planning goals. The fact that a parcel could physically accommodate housing does not necessarily mean it represents the most appropriate use for the long-term health of a community. Municipalities must retain authority to determine appropriate land uses to maintain balanced communities that include residential, commercial, and employment opportunities.

The bill also imposes constraints on local development standards by limiting parking requirements to a single off-street space where "adequate on-street parking" exists, without defining how adequacy should be measured. On-street parking serves multiple competing needs — including visitors, deliveries, and service vehicles — and is not intended to meet the full parking demand generated by residential uses. Additionally, the prohibition on "unreasonable limitations" related to height, setbacks, bulk, or dimensional standards effectively removes local governments' ability to tailor zoning requirements to neighborhood context and infrastructure capacity.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038  
301-258-6300 • FAX 301-948-6149 • [cityhall@gaitthersburgmd.gov](mailto:cityhall@gaitthersburgmd.gov) • [gaitthersburgmd.gov](http://gaitthersburgmd.gov)

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MAYOR  
Jud Ashman

COUNCIL MEMBERS  
Neil Harris  
Lisa Henderson  
Yamil Hernández  
Jim McNulty  
Robert Wu

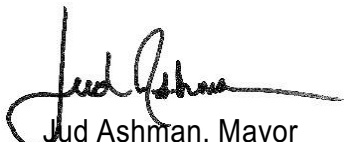
CITY MANAGER  
Tanisha R. Briley

The definition of “middle housing” included in the bill does not reflect local housing market realities. For example, townhouses are classified as middle housing, yet in Gaithersburg’s housing market, townhomes are often priced at levels comparable to or exceeding traditional single-family housing, and therefore do not serve the affordability gap the bill seeks to address. Housing policy should focus on creating options that truly bridge the price gap between multifamily and single-family homes rather than applying uniform definitions that may not align with local market conditions.

Finally, the bill does not adequately account for existing development pipelines. In Gaithersburg, there are already approved but unbuilt residential units that exceed current market demand. Policies that encourage conversion of commercial land to residential use without addressing absorption challenges may inadvertently slow redevelopment of employment-supporting properties while failing to produce new housing in practice. The exemption for historic properties also should be expanded to include locally designated historic resources, as not all locally protected properties qualify for State historic designation.

For these reasons, the City of Gaithersburg respectfully urges the Committee to issue an unfavorable report on House Bill 778.

Respectfully submitted,



Jud Ashman, Mayor  
City of Gaithersburg

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038  
301-258-6300 • FAX 301-948-6149 • [cityhall@gaithersburgmd.gov](mailto:cityhall@gaithersburgmd.gov) • [gaithersburgmd.gov](http://gaithersburgmd.gov)

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MAYOR  
Jud Ashman

COUNCIL MEMBERS  
Neil Harris  
Lisa Henderson  
Yamil Hernández  
Jim McNulty  
Robert Wu

CITY MANAGER  
Tanisha R. Briley