

March 4th, 2026

The Honorable Brian J. Feldman
Chair, Senate Education, Energy and the Environment Committee
2 West Miller Senate Office Building
Annapolis, Maryland 21401

RE: MBIA Letter of Opposition SB 733 Land Use - Definitions and Boards of Appeals

Dear Chair Feldman,

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 **SB 733 Land Use - Definitions and Boards of Appeals**.

This bill restructures the authority, procedures, and powers of local boards of appeals that review zoning and development decisions. MBIA is opposed to the uncertainty and procedural hurdles in the local development review process that this bill will bring. By limiting the ability of boards to modify administrative decisions or issue new orders, the bill reduces their authority to address circumstances that are specific to their jurisdiction. Removing these tools will lead to more rigid outcomes and force development applicants and local governments into long administrative disputes and costly litigation rather than allowing practical solutions at the local level. Builders and developers are already facing a highly regulated environment with multiple layers of review. Adding steps to the appeals process will slow down project approvals and the ability for our members to build more housing. While the bill is intended to standardize board of appeals procedures, these changes will limit local flexibility and could lead to politicizing the composition and operation of boards that are intended to function as independent, quasi-judicial bodies.

SB733 weakens local checks and balances, creates uncertainty in land-use administration, and risks slowing down development review at a time when Maryland needs more predictability—not less. Altering definitions and limiting Board of Appeals authority introduces instability without demonstrating any clear benefit.

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

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Education, Energy, and the Environment Committee