

XHB131_DHCD_SUPPORT.pdf

Uploaded by: Chuck Cook

Position: FAV

DATE: March 21, 2024
BILL NO.: House Bill 131
TITLE: Housing Development Permit Applications – Local Reporting Requirements
COMMITTEE: Senate Education, Energy, and the Environment Committee

Letter of Support

Description of Bill:

House Bill 131 requires local jurisdictions with at least 150,000 residents to report yearly to DHCD and the Maryland Department of Planning information about housing development permit applications, including the number of applications received and rejected; the mean and median processing times for permit applications; any type of expedited permit application process the jurisdiction employs for housing development projects; and the number of development projects that benefited from said expedited permit application processes. Jurisdictions subject to this legislation are also required to publish the yearly report on their websites.

Background and Analysis:

Uncertainty, lack of transparency, and inconsistency in residential development permitting processes increases the financial cost and risk associated with the construction of new housing units, and is a major factor suppressing overall housing supply. House Bill 131 will help address the 96,000-unit housing shortage Maryland faces.

Reporting statistical and other information on housing development permit processing to MDP and DHCD will allow the departments to gain a more complete picture of the challenges and barriers to housing in Maryland and adjust policies and practices accordingly.

Reducing uncertainty and increasing transparency in development permitting processes will also benefit smaller development firms by making the permitting process more accessible to them. This will increase their ability to compete with larger firms that have the capital and other resources needed to navigate the current complexities and uncertainties in that process.

Finally, the downstream effects of this reporting requirement will benefit low-income households in Maryland through increased housing production.

DHCD Position:

The Department of Housing and Community Development respectfully requests a **favorable** report on House Bill 131.

MBIA Letter of Support HB 131.pdf

Uploaded by: Lori Graf

Position: FAV

March 21, 2024

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

RE: MBIA Letter of Support HB 3 Land Use – Expedited Development Review Processes for Affordable Housing – Requirements

Dear Chairman Feldman,

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 3 Land Use – Expedited Development Review Processes for Affordable Housing – Requirements**. MBIA **Supports** the Act in its current version.

This bill would require that a county expedites affordable housing review processes on property owned by nonprofit organizations. MBIA supports this measure. Maryland currently faces a housing shortage of approximately 96,000 housing units. If nothing changes, that number will increase by 5600 units per year. The National Association of Homebuilders reports that the estimated rent of a Maryland Housing Units is more than 30% of household incomes state wide with 25% of people spending more than 50% of their income on housing. In order to address this problem, we need a concerted effort to make housing available, and affordable to the residents of this state. This bill is an important first step in addressing this problem as it relieves some of the process burden for construction these desperately needed housing units. More than 50% of residents of the state of Maryland report that lack of housing availability is a major problem. According to the Maryland Department of Housing and Community Development, Maryland is the 8th least affordable state in the United States. In addition, regulations imposed by all levels of government account for 23.8% of the price of a house. MBIA supports any effort to create more housing units without the long and expensive regulator burden often imposed by individual jurisdictions.

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.

cc: Senate Education, Energy, and the Environment Committee

HB 131 FAV Del Stewart (2).pdf

Uploaded by: Vaughn Stewart

Position: FAV

VAUGHN STEWART
Legislative District 19
Montgomery County

CHIEF DEPUTY MAJORITY WHIP

Environment and Transportation
Committee

Subcommittees

Chair, Land Use and Ethics

Motor Vehicle and Transportation



The Maryland House of Delegates
6 Bladen Street, Room 151
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THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 131

Testimony by Delegate Vaughn Stewart

March 21, 2024 • Senate Education, Energy, and the Environment Committee

What the Bill Does:

HB 131 requires each local jurisdiction with over 150,000 residents to submit an annual report to the Department of Housing and Community Development and the Department of Planning on the number of residential units for which they are receiving and approving applications. Under this bill, local jurisdictions would submit an annual report summarizing the number, type, and details of any building or development permit applications they received during the preceding calendar year which included a residential housing component. The report would be due on July 1 of each year. Required information would include:

- 1) The total number of complete applications received by type;
- 2) The total number of complete applications issued by type;
- 3) The total number of complete applications rejected by type;
- 4) The net total number of residential units approved;
- 5) Data on the processing times for permit applications, including time spent by agencies reviewing applications, by applicants making edits, and any public notice or comment time periods;
- 6) Details of any expedited processes that the jurisdiction provided for applications;
- 7) How many projects benefited from any expedited processes; and,
- 8) Any other data that the jurisdiction considers relevant.

Why the Bill is Important:

Maryland is facing an affordable housing crisis. A 2021 report commissioned by the Maryland Department of Housing and Community Development found that the state [currently lacks 85,000 rental units for low-income families](#) — a figure that's expected to get even worse over the next ten years, as the [2020 Maryland Housing Needs Assessment](#) expects an additional 97,200 households making less

than 50% of AMI to move to Maryland by 2030. As rents in the state have skyrocketed by more than 30 percent in the last decade, low income families are finding themselves left behind, as they face housing insecurity, difficulties paying rent, and potentially homelessness. Meanwhile, [housing production has been down across the state](#). In March 2005, the highest production month this century, permits for 3,200 new units were issued to residential building projects. In September 2023, permits for a mere 851 units were issued. As this crisis continues to grow, we need state and local governments to work together to find creative solutions to the housing crisis and innovate ways to build new units of housing.

In the future, the state might consider encouraging local jurisdictions to build more housing and streamline their permitting processes. Indeed, many other states have taken steps to prod locals to both build more housing and lower construction costs by eliminating unnecessary red tape. However, Maryland's ability to adopt (or reject) proposals to, for example, reward especially efficient counties is hamstrung by the lack of data. We simply do not have enough reliable information on which counties are overproducing new supply and which counties are lagging behind. We don't know which counties are creating a seamless process and which counties are erecting unnecessary hurdles. HB131 would fill this knowledge gap by asking counties to produce this data on an annual basis.

Why the Committee Should Vote Favorably:

HB 131 as introduced received only favorable testimony during its hearing in the House Environment & Transportation Committee. My team and the House subcommittee worked with multiple stakeholders, including the Maryland Association of Counties and the Maryland-National Capital Parks and Planning Commission, to craft amendments that strengthen the bill, clarify its objectives, and circumvent implementation difficulties. The version of HB 131 in front of you today has the support of stakeholders and passed the House of Delegates unanimously.

HB 131 represents a modest step toward gaining a better understanding of how housing supply looks across the distinct regions of our diverse state. **I urge a favorable report.**

UPDATED_HB 0131 Housing Development Permit Applica

Uploaded by: Jordan BaucumColbert

Position: FWA



POSITION STATEMENT

Bill: HB 0131 Housing Development Permit Applications – Local Reporting Requirements

Position: Support with Amendments

Date: March 21, 2024

Contact: Debra Borden, General Counsel

Jordan Baucum Colbert, Government Affairs Liaison

Dear Chair Brian J. Feldman and Vice Chair Cheryl C. Kagan,

The Maryland-National Capital Park and Planning Commission (M-NCPPC or “the Commission”) has voted to support this bill with amendments. The Commission respectfully requests that the Education, Energy and Environment Committee consider this information and include it in the record.

What this Bill Does. This bill requires local jurisdictions to report information related to housing development permit applications to the Department of Housing and Community Development and the Department of Planning on an annual basis.

Data Driven Analyses Are Useful for Driving Housing Policy. In order to make meaningful decisions about housing, everyone should begin with accurate data. We note that the State already requires annual reporting of some of this data. We recommend the bill be aligned to follow the data definitions, standards and collection methods recommended by The Maryland Department of Planning (MDP). For reference, please see the following link on MDP’s website:
<https://planning.maryland.gov/Pages/OurEngagement/sggannualreport.aspx>

Proposed Amendments and Comments. The Bill as written can be read to only apply to project permit applications for housing developments which would report only building permit information. This information is important, but it would also be relevant to include reporting on development or regulatory plan approvals as well. These approvals precede building permits, and the associated data would help to guide additional policy work that may be needed. Further, because local jurisdictions have different applications and processes, clarification of the goals of collecting the data will promote consistency in reporting. In addition, it may be helpful for the State to provide a questionnaire or survey for jurisdictions to use when providing the information and to differentiate or align this reporting requirement with the

one that already exists under MDP.

To address these issues, we propose the following amendments.

Suggested language:

- (1) (page 1, line 3-8) FOR the purpose of requiring certain local jurisdictions to report certain information about housing certain building **PERMIT** and development ~~permit~~ applications to the Department of Housing and Community Development and the Department of Planning on or before a certain date each year; requiring a local jurisdiction to make a copy of the report publicly available on its website; and generally relating to housing development permit applications.
- (2) (page 2, lines 5-6): (B) ON OR BEFORE FEBRUARY JULY 1 EACH YEAR, EACH LOCAL JURISDICTION SUBJECT TO THE REQUIREMENTS OF THIS SECTION SHALL REPORT TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AND THE DEPARTMENT OF PLANNING THE FOLLOWING INFORMATION FOR EACH TYPE OF PROJECT PERMIT APPLICATION FOR BUILDING **PERMIT** OR DEVELOPMENT ~~PERMIT~~ APPLICATION
- (3) WHICH INCLUDES A RESIDENTIAL HOUSING DEVELOPMENTS COMPONENT AS PART OF THE DEVELOPMENT CONSIDERED BY THE LOCAL JURISDICTION DURING THE IMMEDIATELY PRECEDING CALENDAR YEAR:
- (4) (page 2, lines 16-17 and 18-20) ~~(5) THE MEAN AND MEDIAN PROCESSING TIMES FOR PERMIT APPLICATIONS AND THE STANDARD DEVIATION FROM THE MEAN;~~ (5) THE MEAN AND MEDIAN AMOUNT OF TIME SPENT PROCESSING APPLICATIONS, INCLUDING THE TIME SPENT BY AGENCIES REVIEWING APPLICATIONS, BY APPLICANTS MAKING EDITS, AND ANY PUBLIC NOTICE OR COMMENT TIME PERIODS; (page 2, lines 21-23) ANY TYPE OF EXPEDITED ~~PERMIT~~ APPLICATION PROCESS THAT THE LOCAL JURISDICTION EMPLOYED TO ACCELERATE RESIDENTIAL HOUSING DEVELOPMENT PROJECTS;
- (5) (page 2, lines 24-27) THE TOTAL NUMBER OF RESIDENTIAL HOUSING DEVELOPMENT PROJECTS THAT BENEFITED FROM AN EXPEDITED ~~PERMIT~~ APPLICATION PROCESS IN THE LOCAL JURISDICTION AND WHICH TYPE OF EXPEDITED PROCESS WAS USED.

(page 2, add section to lines 16): **(C) IN THE INTEREST OF CLARITY AND RECOGNIZING THAT LOCAL JURISDICTIONS HAVE DIFFERENT NOMENCLATURE AND METHODOLOGIES FOR TRACKING DEVELOPMENT APPLICATIONS AND PERMITS, THE REPORTS REQUIRED BY THIS SECTION ARE INTENDED TO PROVIDE THE STATE WITH THE ANNUAL NUMBER OF NEW RESIDENTIAL UNITS BEING APPROVED AND PERMITTED WITHOUT DOUBLE COUNTING IF THERE ARE MULTIPLE APPLICATIONS FOR THE SAME PROPERTY.**

For these reasons, the Commission requests an affirmative vote in support of HB 0131 with amendments.

HB0131-EEE-SWA.pdf

Uploaded by: Nina Themelis

Position: FWA



BRANDON M. SCOTT
MAYOR

*Office of Government Relations
88 State Circle
Annapolis, Maryland 21401*

HB 0131

March 21, 2024

TO: Members of the Education Energy and Environment Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: House Bill HB 0131 – Housing Development Permit Applications – Local Reporting Requirements

POSITION: SUPPORT WITH AMENDMENT

Chair Feldman, Vice Chair Kagan, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports with amendment** House Bill (HB) 0131

HB 0131 will require local jurisdictions with at least 150,000 residents to report certain information for each building or development permit application that includes a residential housing component as part of the development to the Department of Housing and Community Development and the Department of Planning on or before July 1 each year. The local jurisdiction must also make a copy of the report publicly available on its website.

In 2023, Baltimore City Department of Housing and Community Development's Permits and Litigation Division received 40,340 permit applications. Baltimore City DHCD works diligently to review and issue applications in a timely manner as well as assist customers throughout the process. We would be able to report on most of the items required in the Bill, such as the total number of complete applications received by type, the total number of complete applications issued, the total number of complete applications rejected, and the net total number of residential units approved. However, other reporting requirements, such as those on page 2, lines 16 through line 20, would be extremely burdensome; therefore, we request striking them from the bill.

The issuance of permits and timing is dependent on so many factors outside of the control of the issuing jurisdiction. This includes but is not limited to the type of permit being applied for, the complexity of the work, the geographic location, the competency of the applicant, and the speed at which the applicant wants to move forward. All of this will impact the mean and medium time for obtaining a permit.

For these reasons, the BCA respectfully requests a **favorable with amendment** report on HB 0131.

HB0131.pdf

Uploaded by: Jolie McShane

Position: UNF

Dear Sir/Madam:

Regarding HB0131 this is just more bureaucracy and cost. Who is really going to pay for this?

Jolie McShane

Tax payer – Baltimore County