



## House Bill 131

### *Housing Development Permit Applications – Local Reporting Requirements*

MACo Position: **SUPPORT**  
**WITH AMENDMENTS**

To: Environment & Transportation Committee

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From: Dominic J. Butchko and Michael Sanderson

The Maryland Association of Counties (MACo) **SUPPORTS** HB 131 **WITH AMENDMENTS**. This bill will require the largest counties – above 250,000 population – to comply with certain reporting requirements related to permitting applications.

For the 2024 Maryland General Assembly Session, MACo has made it a priority – one of the Association’s four legislative initiatives – to *Advance Comprehensive Housing Solutions*. Much like climate change and sea level rise, the challenges surrounding affordable housing are vast and call for a large, multipronged effort. While in other policy areas, it may be easy to deduce a simple cause-and-effect relationship, housing is a complex web of multifaceted factors. Addressing challenges like workforce, financing, interest rates, broad economic trends, supply chain, and large out-of-state corporate interests – among many other obstacles – requires an all-hands-on-deck effort from policy makers at all levels.

MACo is working with sponsors to cross-file legislation to target several components of this crisis: abandonment/blight disincentives, corporate owner transparency, and short-term rental oversight. Additionally, under this initiative, counties will be supporting other pro-housing legislation which helps to advance the conversation, balances local flexibility, and ensures more Marylanders can afford a place to call home.

Counties recognize the intent of HB 131: to begin collecting better information so state and county leaders can make more informed decisions around the affordable housing production. While counties recognize this intent, there exist several areas of concern with the current bill text:

- Several portions of this bill overlap with items that are already being reported to the Maryland Department of Planning and the State Department of Assessments and Taxation and will therefore be duplicative. Any duplicative reporting diverts badly needed capacity for existing functions.

- Several terms need to be clarified. Specifically:
  - Distinction between “Permit” and “Plan Review” – these terms are often confused. A permit is a specific approval, while a plan review is a review of all plans and permits for a new building. Clarification on which data the report is seeking is important for an accurate and uniform implementation. Is the intent to specifically look at just building permits or is the intent to include the review and approvals of subdivision plans, site plans, and other planning approvals that precede the building permit process?
  - 7-105 (B) – “each type of project permit application” – additional clarity is needed here as permit types can vary widely and will impact the capacity constraints on county staff.
  - 7-105 (B)(2) - the term “APPROVED” – most counties use the term “issued,” but may vary. Additional clarification or a definition would be helpful for an accurate and uniform implementation.
  - 7-105 (B)(3) - the term “REJECTED” – most counties use the term “denied,” but may vary. Additional clarification or a definition would be helpful for an accurate and uniform implementation.
  - 7-105 (B)(5) the definition of processing time – there may be multiple variables which may be included and will impact processing time. A definition for this term would be necessary for an accurate and uniform implementation.
  - 7-105 (B)(6) & (7) may be hard to quantify as all departments try to complete all review expeditiously.
  
- Additionally, many of the delays associated in the plan review/permitting approval process are not due to issues within the county, but instead due to issues that arise from the applicants. Often, applicants hire consultants who submit incomplete materials, are slow to submit/resubmit certain materials, or both. The current reporting outlined in HB 131 lacks the necessary context for explaining why some projects may be delayed longer than others. This is important information for any policy maker to consider when evaluating such a data set.

Counties thank the sponsor for their continued partnership and stand ready to work with the Committee to make this legislation implementable. For this reason, MACo **urges the Committee to give** HB 131 a report of **FAVORABLE WITH AMENDMENTS**.