



29 February 2024

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

Re: Letter of Support with Amendments for SB 0484
Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and
Affordability act of 2024)

Dear Chair Feldman and members of the Education, Energy, and the Environment Committee:

I am writing to voice AIA Maryland's support and concerns for Senate Bill 0484. AIA Maryland represents nearly 2,000 architects in the state of Maryland and advocates for the profession and the quality of the built environment. We are architects and we have an important role in project planning, design, and implementation of affordable housing and housing in general.

The key points of this legislation that we favor are that it incentivizes development largely in places where it should go, near transportation, and allows it on formerly owned state property. It creates opportunities for greater density of housing and mixed-use housing in areas where it may benefit a community. It also recognizes a variety of middle housing options in areas zoned for single family residences and we believe that list should be expanded to include accessory dwelling units.

Aspects of this legislation that we believe should be stronger, pertain to planning guidelines set to protect public space and community character. It should be noted that as density in communities may grow, dedicated open space that gets suitable light, and air needs to be considered. Additionally, adequate public facilities need to be part of understanding the potential impact of higher density. Such facilities may include schools, recreation, and health & social services. Finally, while we believe a fully open public process for multiple presentations before decision making entities may be challenging, the legislation may consider one open meeting and a representative group to be empowered to work through issues that may take more than one meeting to address.

Locating Housing Near Transportation

We fully support greater density of housing near rail. Ideally these rail points are focal points of housing, commerce and services. This locates the people who fill these homes near significant rail transportation nodes. Ideally it also places these persons near the shopping, workplaces and restaurants that develop in these rail community and town centers. When this happens all these residents work, shop and eat near where they live and allow them the option to travel to other rail and metro stops nearby. Increased numbers and density of housing makes for better communities and more business.

Study Manufactured Housing Near Rail

We applaud the effort to provide more housing near rail transportation. We feel a study to discern and evaluate if manufactured housing will provide the best, appropriate density of housing at these important locations near transit. For example manufactured housing that is single story and precludes a second floor

or basement may not provide appropriate density of housing and could diminish density if only single level homes are provided.

Adequate Public Facilities

We understand that the intent of the language specific to Adequate Public Facilities in this proposed bill is to not allow a claim of lack of adequate public facilities to be a means of eliminating enhanced density in the designated areas. Assuming that is the intent, we believe this should be stated more clearly. We also believe that there are creative options that may be part of a bonus density on a designated site, that may be able to help address any possible existing or projected deficits in Adequate Public Facilities. Adequate public facilities regulations are provisions of local comprehensive plans that provide guardrails on development and some of these measures are important, and significant to those persons in affordable housing. For example, these regulations assure that adequate schools, education facilities, social services, recreation facilities and other important infrastructure components are available. Given that this regulations increases housing density as much as 30% for these projects – adequate schools and parks should not be overlooked.

Further, this bill will allow significant density increases and some of the persons who will fill these homes and be our neighbors will be also need community services, including appropriate sources of grocery stores, shopping, community, medical and social services, fire and civil protection. This bill may allow increased density of housing and persons in these developments with inadequate support – some measures of adequate public facilities should be maintained.

Limit / Control Public Hearings

The bill proposes limited public hearings for affordable housing under this regulation. We support managing the local community oversight for projects. Again, citizen comment is critical for making better communities and oversight is part of the process. Measures to streamline and manage this will help charitable organizations and developers supporting these denser housing projects manage the cost and time for development.

It's clear one our greatest needs is affordable housing – now. Simplifying the development process will bring this housing to persons sooner is needed, while maintaining appropriate community input. Community input will keep everyone involved and ultimately make better housing and better communities.

Housing Outcomes

We support this bill with the concerns noted because housing has been and remains a critical need and is a human right for persons seeking an adequate standard of living. Simply put, making more housing helps everyone, including making workforce housing for our teachers, first responders, and other civic workers, and it also helps those who have physical and other health challenges.

Moving Forward

AIA Maryland and its membership encourages steps to improve the quality of Maryland's built environment, and increasing density of housing, and affordable housing located near transit with appropriate checks, balances and services is better for the citizens of Maryland.

We suggest the consideration of the following amendments

In Article – Land Use – Section 1 - suggest to amend

[Section 7-501](#) –add #6 Accessory Dwelling Units to Middle Housing definition.

[Section 7-505](#) –Jurisdictional level authorities may define threshold for reasonable requirements on height, setback, bulk, parking.

Section 7-506 –Note that a representative work group may be created if there are some issues that need further clarification beyond one public meeting

In Article - Land use – Section 2 – suggest to amend

Section 7-105 B–to clarify language such that intent that adequate public facility requirements are not used as a sole means of precluding development.

AIA Maryland believes the focus of this bill is good and some elements of the bill should be further refined with appropriate consideration to address the concerns noted above .

Sincerely,

A handwritten signature in black ink, appearing to read 'C. R.' with a long horizontal line extending to the right.

Chris Parts, AIA
Director, Past President, AIA Maryland