



Howard County Council

Deb Jung
Council Chair

District 4

George Howard Building
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Ellicott City, Maryland 21043-4392

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Deb Jung

SB 484

Favorable with Amendments

Dear Chair Senator Feldman, Vice Chair Senator Kagan, and Members of the Education, Energy, and the Environment Committee:

My name is Deb Jung and I serve as the Chair of the Howard County Council. I am in support of the amendments proposed by the Maryland Association of Counties (MACo) to SB 484 (Housing Affordability and Expansion Act).

SB 484 makes the false assumption that local zoning laws are the culprit in the housing crisis. Specifically, Section 7-505 of this bill limits the reach of local regulations designed to protect the environment, manage flooding, and provide people with a healthy place to live. This focus on County regulations, however, fails to address the real reasons why affordable housing is not being built.

Affordable housing is prohibitively expensive to build due to the price and availability of land, rising construction costs, and high interest rates. These market factors have done more to reduce the housing supply and affordability than any zoning law. Removing zoning regulations will not solve these impediments. Instead, it will make it more difficult for local jurisdictions to manage environmental hazards and to ensure a high quality of life deserved by all, no matter household income.

In Howard County, we have taken many of the steps that are addressed under this bill or have been recommended in the past to create affordable housing. Howard County:

- has an established Moderate Income Housing Unit program that requires new developments to include affordable units either for sale or rent, depending on the type of project.
- has inclusionary zoning.
- awards grants and Payments in Lieu of Taxes for low-income apartment projects.
- provides multimillion-dollar subsidies to developers building low- and moderate-income projects.
- grants waivers to developers for APFO that remove even the barest of restrictions on timing that would allow our school district to plan for and create more space in our overcrowded school district.
- has a non-lapsing Housing Opportunities Trust Fund that is generously funded each year and has been used for gap funding for affordable housing projects.

- has favorable zoning regulations for Housing Commission housing projects so that developments can be maximized.
- passed a General Plan that includes a 25% density bonus for affordable housing.

While the County has achieved some success in helping affordable housing get built having approved six tax break packages in the past three years, all of which are located in my district, there is still a shortage of affordable housing. Is local zoning really to blame?

No, expense is the number one driver in housing creation at this time, and in Howard County, land is severely constrained with only 2% of the County developable and approximately 50% protected by Agricultural Easements or located in Planning Tiers that are not served by public water or sewer further adding to that expense. The primary area remaining for new residential development is shopping center parking lots, which are targeted for affordable housing in our recently adopted comprehensive plan.

Zoning regulations like those that are being undermined in SB 484 are important to all residents, not just those who can afford single family homes. Consider the planned community of Columbia that is a classic suburban area with idealistic goals. It was established as a socioeconomically diverse community with open space for environmental and recreational purposes. Single-family homes and low-rise garden-style apartments with wide setbacks from the road provide a buffer from noise and plenty of open space for apartment dwellers to escape the confines of a 700-square foot apartment.

Giving people space from one another is now considered wasteful and purposefully exclusionary to low-income families. State Housing Secretary Jake Day informed me in a recent conversation that the Federal Housing programs support quality housing for low-income people. Access to the outdoors and a little place to roam should be part of that quality equation.

For the reasons I discussed today, I hope you will look favorably upon the amendments filed by MACo. Specifically, I urge you to revise Section 7-505, lines 20-28, that strikes the language prohibiting jurisdictions from imposing “unreasonable limitations” to qualified housing projects and replaces that language with the ability to impose “proportional limitations.” Even better, please don’t use the guise of a housing program to upend zoning in our local jurisdictions. If you are sincere about seeing affordable housing built, find ways to solve the financing issue.

Sincerely,



Deb Jung
Council Chair, District 4