

# LeadingAge Maryland - 2024 - SB 484 - Land Use - A

Uploaded by: Aaron Greenfield

Position: FAV

**TO:** Education, Energy and the Environment Committee  
**FROM:** LeadingAge Maryland  
**SUBJECT:** Senate Bill 484, Land Use - Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)  
**DATE:** March 1, 2024  
**POSITION:** **Support**

LeadingAge Maryland requests a favorable report on Senate Bill 484, Land Use - Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024).

LeadingAge Maryland is a community of more than 140 not-for-profit aging services organizations serving residents and clients through continuing care retirement communities, affordable senior housing, assisted living, nursing homes, and home and community-based services. Members of LeadingAge Maryland provide health care, housing, and services to more than 20,000 older persons each year. As the trusted voice for aging in Maryland, we work to ensure older adults have access to the services they need, when they need them, in the place they call home. We partner with consumers, caregivers, researchers, public agencies, faith communities and others who care about aging in Maryland.

LeadingAge Maryland represents more than 90 affordable senior housing communities throughout the state. Affordable senior housing provides more than just shelter. It is a platform for delivering critical supportive services that help older adults live healthier, more independent lives. This includes services like transportation, case management, information and referral services, healthcare services, grocery delivery, regular meals – all of which improve health and wellbeing for residents. In 2023, affordable senior housing providers in Maryland assisted residents with securing tens of thousands of services.

Senate Bill 484 incentivizes new affordable housing development and substantial redevelopment and would permit properties to be developed with higher density and in a faster manner if the developers provide a certain amount of affordable housing. For example, a non-profit 501(c)(3) organization that wants to build a housing development with at least 50% affordable units would qualify for the density bonus. LeadingAge Maryland strongly supports Senate Bill 484 as it would support the development of much needed additional units of affordable senior housing in our state.

Maryland's 60 and older population is growing more rapidly than any other component of the population, and there is simply not enough affordable senior housing for those who need it. The U.S. Census Bureau estimates that 22% of Maryland's population will be 60 and older by the year 2030. This is a 26% increase from 2012. The number of Maryland households 65+ will increase by more than 35% between 2020 and 2040, from 597,637 to 808,677 households. By

2040, fewer Maryland 65+ households are projected to be homeowners, compared to in 2020 (77% vs. 80%). As a result of these two effects, Maryland will need to increase its supply of rental housing to meet projected needs. To prepare for the surge in Maryland older adult renters and coming demographic changes, Maryland must do all it can to increase the supply of affordable homes.

Housing cost burden for low-income older adults is at an all-time high. From an income perspective, many Maryland older adults are priced out of the housing market and are forced to pay more than they can afford for housing. High spending on housing can lead to older adults being unable to afford necessities such as food and medical services, which can negatively impact health outcomes. It is also important to note that those 65 and older are at a significantly higher risk of homelessness than other age groups. (Among those 65 and older with low income and severely housing cost burdened - spending more than half their income on housing). Nationwide, the number of households in the 65-and-over age group who are housing cost burdened – nearly 11.2 million in 2021 – is at an all-time high: 80% of older adult households 65+ earning less than \$15,000 were housing cost-burdened in 2021. The percentage of individuals who are housing cost burdened only increases with age.

In fact, in Maryland, 28.3% of 65 to 79 renter households are severely housing cost burdened, meaning they spend more than half of their incomes for housing (most of these households are extremely low-income households, with incomes below 30% of the area median). For 80+ renter households, cost burdens only increase. For this group, 39.8% spend more than half of their incomes for housing. Severe housing cost burden is a predictor of homelessness, which is on the steep rise among older adults in the United States. The lowest income households who spend more than half of their incomes for housing also spend 39% less on food and 42% less on out-of-pocket healthcare expenses than their non-housing cost-burdened peers. The rent eats first.

With the rapidly increasing population of older adults across the state, the need for affordable housing is expected to increase simultaneously. While HUD affordable senior housing communities can help bridge this gap, the waiting lists are often extremely long. Our members report that many age and income qualified older adults wait between 2-8 years to move into an affordable senior housing community. The development of additional affordable housing would help ensure that more older Marylanders with low incomes can access affordable housing.

LeadingAge Maryland suggests deeper income targeting within the bill's definition of "affordable dwelling unit." The bill defines "affordable" and "affordable dwelling unit." However, if the bill is to truly meet the needs of older adult Marylanders, the most likely to have severe housing cost burdens who are at greatest risk of homelessness and not having enough money for food and healthcare, the legislation must have income targeting. Perhaps, the bill could alter the definition of "affordable dwelling unit" to units that are affordable to households at 60% or less of AMI, including 20% that are affordable to households at 30% of AMI. The

long waiting lists for HUD housing are not full of households at 60% of AMI. They are full of households that are below 30% of AMI. Today, 84% of HUD 202/PRAC household have incomes below 30% of AMI. That's the vast majority of need. Unfortunately, without a requirement, the bill does not fully address the needs of this population.

For these reasons, LeadingAge Maryland respectfully requests a favorable report for Senate Bill 484.

**Aaron J. Greenfield, Greenfield Law, 410.446.1992**



# **SB 484 Housing Expansion Act.pdf**

Uploaded by: Adria Crutchfield

Position: FAV



100 North Charles Street, 2<sup>nd</sup> floor  
Baltimore, Maryland 21201

410-223-2222  
[www.brhp.org](http://www.brhp.org)

February 29, 2024

Senator Brian J. Feldman, Chair  
Senator Cheryl C. Kagan, Vice Chair  
2 West  
Miller Senate Office Building  
Annapolis, Maryland 21401

RE: Support for Senate Bill 484 Land Use - Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)

Hearing before the Senate Education, Energy, and the Environment Committee on March 1, 2024

Position: Support (FAV)

Dear Honorable Members of the Senate Education, Energy, and the Environment Committee:

Thank you for the opportunity to submit testimony on behalf of the Baltimore Regional Housing Partnership (BRHP). I am writing to express our support for Senate Bill 484. BRHP is a non-profit organization that expands housing choices for families with low incomes who have historically been excluded from housing in well-resourced neighborhoods, helping them to access and transition successfully to safe, healthy, and economically vibrant communities.

As the Regional Administrator for the Baltimore Housing Mobility Program, BRHP has opened pathways to a better future for low-income families for over 10 years. BRHP currently provides over 4,300 low-income families with over \$80 million in rental assistance annually in the form of the Housing Choice Voucher and couples that with counseling supports for families as they move from areas of concentrated poverty to areas of opportunity in Baltimore City and the five surrounding counties. BRHP is dedicated to helping achieve racially and socially equitable public policy that ensures low-income families have access to quality and affordable homes in communities of their choice.

We are writing to express our support for the Housing Expansion and Affordability Act of 2024, a critical piece of legislation that aims to advance our shared goals of creating more equitable, diverse, and vibrant communities. We commend SB 484 for offering a timely and needed response to the urgent housing challenges facing our state. In 2020, the Maryland Department of Housing and Community Development's Maryland Housing Needs

The Baltimore Regional Housing Partnership is an equal housing opportunity provider.





100 North Charles Street, 2<sup>nd</sup> floor  
Baltimore, Maryland 21201

410-223-2222  
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Assessment described the state's need for nearly 85,000 rental units affordable to those earning 30% or less of area median income. Additionally, Governor Wes Moore's Administration has a goal of expanding the housing supply by 96,000 units. This can only be achieved by addressing key barriers to affordable housing development, including restrictive zoning laws and cumbersome permitting processes. This bill lays the groundwork for generating greater affordable housing options in Maryland. The provisions within this act are not merely policy changes; they are critical steps towards ensuring that all Marylanders have access to safe, affordable, and high-quality housing.

### Forging Affordable Pathways to Homeownership and Multi-Family Housing

SB 484 recognizes the importance of diverse housing types in meeting the affordable housing needs of our communities and addresses a critical issue with housing policy and zoning laws that have disproportionately affected renters and low-income communities. Zoning laws in the US often favor single-family homes while restricting or creating barriers to the construction of more affordable housing options, such as manufactured homes, apartments, and multifamily units. As a result, housing choices for renters and low-income groups are often limited.

By mandating that local legislative bodies cannot prohibit the placement of new manufactured homes in zones that allow single-family residential uses, the act acknowledges the need for greater affordable housing options statewide. Furthermore, this provision aligns with broader efforts to reform zoning laws to be more inclusive and equitable, promoting a diversity of housing types and contributing to the creation of more mixed-income, diverse communities. This not only benefits individuals and families in need of affordable housing but also enriches communities by fostering greater social and economic diversity.

### Preventing Unreasonable Denials and Restrictions

The act's efforts to prevent local jurisdictions from using elements of adequate public facilities laws (APFLs) to unreasonably deny or restrict state-funded affordable housing projects are crucial. These measures ensure that bureaucratic hurdles do not stand in the way of developing much-needed affordable housing by counteracting local jurisdictions' use of adequate public facilities laws and other regulatory mechanisms.

While the intention behind APFLs is to ensure that infrastructure keeps pace with development, these laws have at times been used to limit the development of affordable housing. APFLs may also be used to cite concerns about overburdened infrastructure to deny permits for affordable housing projects, which may contribute to housing shortages and exacerbate socioeconomic disparities. By prohibiting local jurisdictions from using APFLs to





100 North Charles Street, 2<sup>nd</sup> floor  
Baltimore, Maryland 21201

410-223-2222  
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restrict certain housing construction, the act supports and encourages development that makes efficient use of available land and infrastructure.

### Increasing Density and Mixed-Use Developments

Allowing greater density for qualified projects is critical for keeping up with housing supply demand. By allowing for higher density, the act aims to make more efficient use of land, support public transit, and provide more housing units in high-need areas – provisions which will encourage the development of vibrant, mixed-use communities that are accessible and sustainable. Additionally, we support that the act encourages mixed-use development and helps incentivize development and buy-in for the benefit of residents of all incomes. Moreover, BRHP strongly supports the inclusion of “middle housing,” including townhomes, duplexes, and other affordable housing options. As an organization providing rental assistance to thousands of families each year, we recognize the need for a diversity of housing types and options.

### Streamlining the Approval Process

Establishing limits on the maximum number of public hearings for qualified projects is an important measure for streamlining the approval process. This will expedite the development of affordable housing projects, reducing costs and delays that often jeopardize completion of new housing units. We appreciate that the bill acknowledges the importance of prompt, swift action to seek stable and available housing options for Maryland renters.

We believe that the Housing Expansion and Affordability Act of 2024 represents a significant step forward in our collective efforts to address the housing shortage in Maryland, particularly the supply of affordable housing. By removing barriers to affordable housing development and promoting inclusivity and diversity in our communities, this act will have a lasting positive impact on Maryland in creating more inclusive, equitable, and diverse neighborhoods across our state. We appreciate your consideration and urge the Committee to issue a favorable report for SB 484.

Sincerely,

*Adria Crutchfield*

Adria Crutchfield

Executive Director



# **SB 484\_Amazon\_FAV.pdf**

Uploaded by: Anya Malkov

Position: FAV



February 29, 2024

The Honorable Brian J. Feldman  
Chair, Education, Energy, and the Environment Committee  
Maryland State Senate

**Re: Support for Senate Bill 484 – Housing Expansion and Affordability Act of 2024**

Dear Chair Feldman and Members of the Environment and Transportation Committee:

On behalf of Amazon, I write to express support for SB 484 – Housing Expansion and Affordability Act of 2024. Amazon believes that all people should have access to housing they can afford and we are committing our resources to increase the supply of long-term, affordable homes for low-to-moderate income residents.

Since the launch of the Amazon Housing Equity Fund in 2021, we have invested more than \$185 million in eight projects across Montgomery and Prince George's Counties. These investments support the preservation and creation of 1,780 affordable homes for households earning 30% - 80% of area median income.

We fund affordable housing within a half mile from public transit, making it easier for residents to access critical resources like jobs, schools, and retail. Three of our Maryland projects – in College Park, New Carrollton and North Bethesda – were done in partnership with the Washington Metropolitan Area Transit Authority (WMATA) to build transit-oriented communities.

Transit-oriented development connects communities to jobs and services and promotes local community and economic development while also reducing commute times and associated expenses. We appreciate the focus on transit-oriented development in the Housing Expansion and Affordability Act of 2024, and urge a favorable report.

Thank you for your consideration.

Sincerely,

Anya Malkov  
Head of Maryland Public Policy

# **SB0484\_Housing\_Expansion\_and\_Affordability\_Act\_MLC**

Uploaded by: Cecilia Plante

Position: FAV



## TESTIMONY FOR SB0484

### Maryland Community Investment Corporation - Establishment (Housing and Community Development Financing Act of 2024)

**Bill Sponsor:** President

**Committee:** Education, Energy, and the Environment

**Organization Submitting:** Maryland Legislative Coalition

**Person Submitting:** Cecilia Plante, co-chair

**Position:** FAVORABLE

I am submitting this testimony in favor of SB0484 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

The housing market in Maryland has fallen way behind in building affordable housing, which has caused a housing crisis in the state. Solving this problem requires changes to zoning; encouragement of high-density, transit-oriented projects; as well as investment in the development of affordable housing.

This is a companion bill to HB0538 (Housing Expansion and Affordability Act of 2024), which seeks to expand affordable housing in the state by changing zoning laws and encouraging high-density, transit-oriented projects. The investment component of the housing solution is provided in this bill by creating the Maryland Community Investment Corporation, which would make loans or investments aimed at developing and improving communities.

It is anticipated that the Community Investment Corporation would direct an estimated \$50 million in federal funding to invest in community projects in the state.

We support this bill and recommend a **FAVORABLE** report in committee.



# **IL Written Testimony - SB 484 of 2024.pdf**

Uploaded by: Chris Kelter

Position: FAV



**SB 484: Land Use – Affordable Housing – Zoning Density and Permitting  
(Housing Expansion and Affordability Act of 2024)**

**Testimony of Maryland Centers for Independent Living**

**SUPPORT**

Senate Education, Energy & the Environment Committee, March 1, 2024

Centers for Independent Living (CIL) are created by federal law. CILs work to enhance civil rights and community services for people with disabilities. There are seven CILs throughout Maryland, operated by and for people with disabilities. At least 51% of CIL staff and Board are people with disabilities. CILs provide Information and Referral, Advocacy, Peer Support, Independent Living Skills training, and Transition Services to individuals in their communities. Housing assistance is offered by CILs as housing services are critical to independent living.

SB 484 Impacts People with Disabilities: When the Americans with Disabilities Act was passed in 1990, Congress recognized that housing discrimination against individuals with disabilities was a serious and pervasive social problem.<sup>1</sup> The recent “State Disabilities Plan”, by the Maryland Department of Disabilities identifies the need for “Improved availability of integrated, affordable, and accessible housing options for people with disabilities and their households.”<sup>2</sup> More than half of all people with disabilities in Maryland had annual household incomes below \$15,000 in 2016.<sup>3</sup> In 2023, the average monthly rent of a one-bedroom apartment in Maryland was \$1,111, while monthly Supplemental Security Income payments for individuals with disabilities were just \$841.<sup>4</sup> Our affordable housing crisis disproportionately affects Marylanders with

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<sup>1</sup> 42 U.S.C. §12101 (a).

<sup>2</sup> Maryland Department of Disabilities, “STATE DISABILITIES PLAN 2020-2023”. @ 12 (available at [MDOD StateDisabilitiesPlan\\_062321\\_COPY \(1\).pdf \(maryland.gov\)](https://www.maryland.gov/MDOD/StateDisabilitiesPlan_062321_COPY_(1).pdf)).

<sup>3</sup> MD. DEP’T OF HEALTH, BRFSS BRIEF: DISABILITY AND HEALTH AMONG MARYLAND ADULTS (August 2018) (available at [https://health.maryland.gov/bhm/DHIP/Documents/BRFSS\\_BRIEF\\_2018-08\\_Disability.pdf](https://health.maryland.gov/bhm/DHIP/Documents/BRFSS_BRIEF_2018-08_Disability.pdf)).

<sup>4</sup> TECHNICAL ASSISTANCE COLLABORATIVE, PRICED OUT: THE HOUSING CRISIS FOR PEOPLE WITH DISABILITIES (2021), <http://www.tacinc.org/knowledge-resources/priced-out-v2/>

disabilities.<sup>5</sup> The 2020 Maryland Housing Needs Assessment and 10-Year Strategic Plan, found that persons living with disabilities need to be better served by Maryland’s housing market.<sup>6</sup>

Individuals with physical disabilities are impacted by the housing crisis twofold: affordability and accessibility. The lack of accessible, affordable housing is well-documented. The increase in low-income renters and the rise in an aging demographic will ultimately lead to an even greater need for economical and navigable housing in the coming years.

CILs regularly engage people with disabilities who struggle to find housing. CIL consumer surveys identify housing as a top need. CILs assist individuals with housing modifications, and experience the frustrations of inaccessible and unaffordable housing, which contributes to adverse health outcomes, falls and instability.

Support. Passage of this bill could result in increased housing for people with disabilities. New development can readily include accessible housing and compensate for an older, inaccessible housing stock, which is costly to retrofit. We appreciate the intention of the bill to streamline processes for properties that are owned by 501(c)(3) organizations and will contain at least 50% affordable housing units. The bill identifies serious barriers to the development of affordable housing. While the bill *allows* practices to combat housing discrimination it appears toothless against those localities where NIMBYism and zoning barriers persist. The legislation does not tie critical provisions to funding penalties or enforceability. The bill identifies what *should* change but stops short of *requiring* changes that would result in fair housing and affordable opportunities. We wish provisions in this part of the bill were mandatory so as to realize the goals of our country’s Fair Housing Act and to ensure opportunities for people with disabilities.

Protecting the housing and civil rights of Marylanders with disabilities benefits all Marylanders.

We appreciate the consideration of these comments.

For further information contact:

Imani Graham, Executive Director  
The IMAGE Center  
410-982-6311  
[igraham@imagemd.org](mailto:igraham@imagemd.org)

or Chris Kelter, Executive Director  
Accessible Resources for Independence  
443-713-3914  
[ckelter@airnow.org](mailto:ckelter@airnow.org)

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<sup>5</sup> “2022 Maryland Housing Needs Assessment and 10-Year Strategic Plan”, prepared by the National Center for Smart Growth and Enterprise Community Partners, Inc. Dec. 2020 @.30 (available at [Maryland Housing Needs Assessment.pdf \(mdahc.org\)](#); *See*, also, “Housing Needs by State”, National Low Income Housing Coalition, 2023 (available at: [Housing Needs By State | National Low Income Housing Coalition \(nlihc.org\)](#)).

<sup>6</sup> Maryland Housing Needs Assessment & 10-Year Strategic Plan, (n 3) @ 1.

**2024.03.01 SB484 Favorable.pdf**

Uploaded by: Christiana Rigby

Position: FAV



# Howard County Council

George Howard Building  
3430 Court House Drive  
Ellicott City, Maryland 21043-4392

Christiana Rigby  
Councilmember

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District 3

## TESTIMONY IN SUPPORT OF SB0484

### Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)

March 1, 2024

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

Thank you for the opportunity to provide testimony to the Committee. I am writing to express my strong support for the thoughtful, targeted, and balanced proposal that is SB484, legislation that offers density bonuses for certain types of housing creation.

As the Howard County Councilmember representing both transit-oriented development zoning districts in the County, I firmly believe this legislation will reduce the barriers the market faces and encourage additional homes and housing affordability in these zones.

Maryland is short 96,000 housing units, a number that is only projected to increase. Our residents feel the impact of Maryland's housing shortage as 52 percent of renters are cost-burdened. Prospective homeowners face similar challenges as Marylanders need an income of \$132,000 to afford a median-priced home. This increased by 56 percent from October 2021 to October 2022.

Currently, there are many mechanisms in place to restrict housing development and not enough options to incentivize development. Density bonuses, improved Adequate Public Facility Ordinances guidelines for LIHTC-awarded projects, and expanding new manufactured homes in single-family residential zones all provide local jurisdictions with new tools that increase housing affordability and housing supply. These are solutions aimed at addressing a significant root cause of Maryland's housing shortage and increased housing costs.

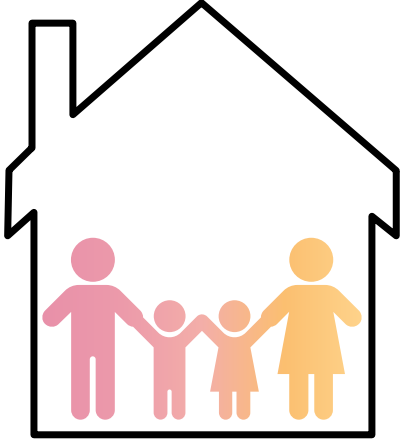
Thank you for your consideration of this legislation, and I respectfully encourage a favorable report.

Yours in service,

A handwritten signature in cursive script that reads "Christiana Rigby".

Christiana Rigby

## Single Family Detached - Owner Occupied



Annual Local Income Tax: \$5,031.86

Annual Property Tax: \$12,240

Total Tax: \$17,271.86

HCPSS Expenditure: \$38,860

## Single Family Detached - Owner Occupied & Attached ADU



Annual Local Income Tax: \$8,352.92

$$\$2,088.23 \times 4 = 8,352.92$$

Annual Property Tax: \$12,240

Total Tax: \$20,592.92

HCPSS Expenditure: \$19,430

**CDN SB484 FAVORABLE.pdf**

Uploaded by: Claudia Wilson Randall

Position: FAV



**Testimony SB 484**  
**Education, Energy and Environment Committee**  
**March 1, 2024**  
**Position: FAVORABLE**

Dear Chairman Feldman and Members of the Education, Energy and Environment Committee:

The Community Development Network of Maryland (CDN) is the voice for Maryland's community development sector and serves nearly 200 member organizations. CDN—focuses on small affordable housing developers, housing counseling agencies and community-based non-profits across the state of Maryland. The mission of CDN is to promote, strengthen and advocate for the community development sector throughout Maryland's urban, suburban and rural communities. CDN envisions a state in which all communities are thriving and where people of all incomes have abundant opportunities for themselves and their families.

SB 484 - a local legislative body from prohibiting the placement of certain manufactured homes in a zoning district that allows single-family residential uses under certain circumstances; prohibiting a local jurisdiction from using an element of an adequate public facilities law to deny a certain permit for a State-funded affordable housing project or to restrict or limit the development of the project in certain manners; requiring local jurisdictions to allow an increase in density of certain qualified projects in certain districts or zones for certain properties formerly owned by the State, located within a certain distance of a rail station, or owned or controlled by a nonprofit organization; providing for the calculation of residential density in certain zoning districts; prohibiting the application of certain zoning requirements under certain circumstances.

In 2020, the University of Maryland's National Center for Smart Growth and Enterprise Community Partners released the [Maryland Housing Needs Assessment and 10 Year Strategic Plan](#). The report was commissioned in response to a request from the chairs of the Maryland General Assembly's Senate Budget and Taxation and House Appropriations committees.

At that time the findings included:

- A shortage of 85,000 affordable apartments for families and individuals earning less than 30% of median income, representing the most serious gap in supply for people at all income levels;
- An additional 97,200 families and individuals earning less than 50% of median income are expected to move to the state by 2030, highlighting the need to dramatically increase affordable housing supply over the next 10 years; and



- Seniors, people with disabilities and people of color face significant hurdles to stable housing, such as inflexible standards used by landlords when screening tenants and high down payments.
- These disparities have been made worse by the pandemic; Today, a variety of factors have set the stage for unprecedented challenges for Maryland renters, most pressing are incomes that have not kept pace with housing cost increases . Renters across Maryland have seen the average rents far outpace inflation and sharp increases of all goods and services.

Housing is at the root of unleashing the economy for Marylanders. Housing challenges are the top of every business owner's list of challenges today. Housing impacts every regions' ability to attract and retain labor and build competitive schools. Further, poor housing threatens the health and resilience of Maryland families.

This legislation can help to accelerate the speed of development throughout the state and work to address the current need for more than 100,000 units of housing. Members of the General Assembly need to ensure that new development not only serves high-income suburbs but also homes for veterans, people with disabilities, people of color as well as the ever- increasing numbers of older adults who will live well past 80 years of age. All groups will need services and will need care.

We urge your favorable report for SB 484.

Submitted by Claudia Wilson Randall, Executive Director

# **Next Step\_Written Testimony SB 484.pdf**

Uploaded by: Grant Beck

Position: FAV



1287 Royal Avenue  
Louisville, KY 40204-2443  
(502) 694-1976  
[info@nextstepus.org](mailto:info@nextstepus.org)

## Next Step Network Written Testimony | SB 484

Friday, March 1, 2024

Re: Land Use - Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)

I want to thank the members of the Education, Energy, and the Environment Committee for the opportunity to comment on this proposed legislation.

My name is Grant Beck, and I represent Next Step Network, a nonprofit social enterprise working to create affordable homeownership opportunities for everyone by leveraging high quality, energy-efficient manufactured homes. I am pleased to be testifying in favor of SB 484, the Housing Expansion and Affordability Act of 2024.

Maryland, like the rest of the country, is an extraordinary housing market with supply at historic lows and prices are at historic highs. According to the Maryland Association of Realtors, the median home price in 2023 was almost \$400,000 (a 7.5 percent increase from 2022) and active inventory was a little 8,099 units.<sup>i</sup> Manufactured homes are uniquely positioned to bridge the affordability and supply gap for entry-level and middle-tier housing.

According to new research from the Joint Centers for Housing Studies at Harvard, manufactured homes titled as real property and meeting certain quality and energy efficiency standards represent between a 14 to 20 percent cost savings compared to site-built homes – dependent on land costs.<sup>ii</sup>

These savings translate directly to lower purchase costs for homebuyers. At the same time, the government-sponsored enterprises – Fannie Mae<sup>iii</sup> and Freddie Mac<sup>iv</sup> – offer mortgage products for manufactured homes comparable to site-built homes. By imposing robust collateral standards and requiring site-built comparables for appraisals, the Enterprises are elevating this housing stock as tool for affordable homeownership.

This catalyst in housing finance is driving innovative approaches to solving the supply and affordability crises. However, zoning challenges – often tied to NIMBYism and outdated perceptions of this housing stock – remain a barrier for increasing affordable housing supply using this ready-made channel.

Zoning reform, as proposed, can drive more affordability by eliminating one of the hurdles – local planning commissions. Maryland would join other states – including California and Oregon – in being a forward-thinking leader in innovative approaches to housing supply. And Marylanders are already embracing this solution.



1287 Royal Avenue  
Louisville, KY 40204-2443  
(502) 694-1976  
[info@nextstepus.org](mailto:info@nextstepus.org)

Next Step is working with EquityPlus, a mid-Atlantic developer, on a 239-unit greenfield development project within the city limits of Hagerstown.<sup>v</sup> The homes of Kilpatrick Woods will be priced to meet the needs of homebuyers making 80 to 120 percent of AMI and will beat the cost of comparable new site-built homes by tens of thousands of dollars.

Buyers will have access to housing counseling and other educational services as needed, so that we can better serve low-income buyers, and the homes will meet or exceed ENERGY STAR<sup>®</sup> standards to ensure long-term affordability and sustainability. These homes can be built as a part of new subdivisions, or as a way to address infill housing needs in Maryland's neighborhoods and communities. Other success stories of this work across the country include affordable infill development in the Inland Empire of Southern California, and in a Historically Black Neighborhood of Petersburg, Virginia.<sup>vi</sup>

For nonprofit developer Neighborhood Partnership Housing Services (NPHS), the economies of scale inherent to manufactured home production allowed for more infill housing development in San Bernardino, California. In 2019, NPHS found that the cost of developing using a manufactured home was about 25 percent less than site-built homes. For example, it cost NPHS approximately \$275,000 to construct a 1,400-square foot three-bedroom and two-bath manufactured home with a two-car garage. A site-built home with the same configuration and similar amenities would have cost approximately \$346,000.<sup>vii</sup>

The opportunity for Maryland extends beyond increasing homeownership. In 2022, Maryland ranked 45th in manufactured home shipments, with neighboring Virginia ranking 24th.<sup>viii</sup> There are also no dedicated homebuilding facilities currently in Maryland.

With passage of this legislation, Maryland can position itself as a leader in innovating with manufactured housing and attract the largest homebuilders in this space to bring well-paying, manufacturing jobs to the state.

I thank you again for the opportunity to comment, and I hope to see Maryland as a leader in addressing the supply and affordability challenge for homebuyers.

Respectfully submitted,

Grant Beck  
VP, Strategic Partnerships and Policy

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<sup>i</sup> <https://www.mdrealtor.org/News-and-Events/Housing-Statistics>.

<sup>ii</sup> <https://www.jchs.harvard.edu/research-areas/working-papers/comparison-costs-manufactured-and-site-built-housing>.

iii <https://singlefamily.fanniemae.com/originating-underwriting/mortgage-products/manufactured-housing-financing>.

iv <https://sf.freddie.mac.com/working-with-us/origination-underwriting/mortgage-products/choicehome-mortgages>.

v <https://www.freddie.mac.com/about/addressing-housing-needs-growing-workforce-manufactured-homes>.

vi <https://www.fastcompany.com/91003996/the-housing-solution-hidden-in-plain-sight-that-maryland-and-mississippi-are-embracing>.

vii <https://nextstepus.org/innovating-off-site-construction/>.

viii <https://www.census.gov/data/tables/time-series/econ/mhs/latest-data.html>.



Top – Examples of modern manufactured homes built by Clayton (photo credit: Clayton).

Below – Examples of manufactured homes in San Bernardino, CA, and Moorehead, KY.



# **Senate Bill 484 testimony.pdf**

Uploaded by: Gregory Countess

Position: FAV



# MARYLAND LEGAL AID

**Senate Bill 484**  
**In the Senate Education, Energy and the Environment Committee–**  
**Land Use-Affordable Housing-Zoning Density and Permitting**  
**(Housing Expansion and Affordability Act of 2024)**  
**Hearing on March 1, 2024**  
**Position: FAVORABLE**

*Maryland Legal Aid (MLA) submits its written and oral testimony on SB 484 in response to a request from the Office of the Governor of Maryland, Wes Moore*

Senate Bill 484 is legislation that prohibits a local legislative body from allowing the placement of affordable housing in a zoning district and permitting a local jurisdiction to increase the density of certain qualified projects.

MLA is a non-profit law firm that provides free legal services to the State’s low-income and vulnerable residents. MLA handles civil legal cases involving a wide range of issues, including representing people and families struggling with housing and eviction. Too many of the people we represent face eviction because they can’t afford the housing in which they reside.

This legislation provides an opportunity to affordable housing providers to avoid the barriers in current law which restrict the development of certain affordable housing products including manufactured homes and cluster cottages as well as removing barriers to build transit-oriented housing.

Baltimore Regional Jurisdictions, Baltimore City, Baltimore County, Anne Arundel County, the City of Annapolis Housing Authority, Harford County and Howard County produced a document required by federal law to identify the impediments to Fair Housing. One of the barriers identified is the lack of affordable housing. A component of that barrier to housing is zoning, use of the “adequate public facility law” and delay because the need for local review is abused by opposition to affordable housing. This legislation is an important component of a strategy to overcome this impediment and produce enough housing to meet the need.<sup>1</sup>

By any measure, housing is not affordable for thousands of residents throughout Maryland. The Maryland Department of Housing and Community Development commissioned a study released in December of 2020 that measured housing need in this state. The report noted that “Despite continued progress, ... Maryland currently lacks approximately 85,000 rental units for its lowest income households (meaning extremely low-income or those earning 30 percent of area median income [AMI (Area Median Income)] or below). In many parts of the state, there aren’t enough rental units for very low-income households (those earning under 50 percent AMI) either. Maryland will add an estimated 97,200 extremely and very low-income households between 2020 and 2030. Without further acceleration to create and preserve deeply affordable

<sup>1</sup> [https://www.baltometro.org/sites/default/files/bmc\\_documents/general/community/analysis-to-impediments/2020\\_RegionalAI\\_final.pdf](https://www.baltometro.org/sites/default/files/bmc_documents/general/community/analysis-to-impediments/2020_RegionalAI_final.pdf)

units, this shortage will worsen.”<sup>2</sup>

The human right to housing is one of the most essential and universally recognized human rights. It finds strong recognition in international, federal, and state. The Universal Declaration of Human Rights guarantees “the right to a standard of living adequate for the health and well-being of [the individual] and of his[/her] family, including food, clothing, shelter and medical care and necessary social services.”<sup>3</sup> One of the basic aspects of the right to housing is that such housing should be affordable.<sup>4</sup>

SB 484 is a step toward providing more affordable housing and we urge a favorable report.

Gregory Countess, Esq.  
Director of Advocacy for Housing and Community Economic Development  
Maryland Legal Aid  
410 951 7687

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<sup>2</sup> <https://dhcd.maryland.gov/Documents/Other%20Publications/Report.pdf>

<sup>3</sup> The Universal Declaration of Human Rights, G.A. Res. 217, U.N. GAOR, 3d Sess., pt. 1, U.N. Doc. A/810 (1948).

<sup>4</sup> General Comment 4, Committee on Economic, Social and Cultural Rights, U.N. Doc. E/1992/23, ¶6 (1991).





**SB 484 - SUPP - EEE - Housing - Land Use Act - M**

Uploaded by: Henry Bogdan

Position: FAV



marylandnonprofits.org

1500 Union Avenue | Suite 2500 | Baltimore, MD 21211  
410.727.6367 | 800.273.6367 | Fax 410.235.2190

**March 1, 2024**

**Testimony on Senate Bill 484**  
**Land Use – Affordable Housing – Zoning Density and Permitting**  
**(Housing Expansion and Affordability Act of 2024)**  
**Senate Education, Energy, and the Environment Committee**

**Position: Favorable**

Maryland Nonprofits is a statewide association of more than 1800 nonprofit organizations and institutions. We urge you to support Senate Bill 484 and approve Governor Moore’s proposal to expand opportunities for new housing development as part of the strategy to address the critical shortage of affordable housing in our state.

Senate Bill 484 would directly address Maryland’s housing supply and affordability crisis to lower costs and expand economic opportunity for Marylanders across the state. The bill incentivizes construction of highly targeted new housing by removing barriers to development that have contributed to the current supply shortage. The legislation also has provisions to modernize land use law and expedite and simplify approval for transit-oriented development, development on former state-owned complexes, and housing development by 501(c)(3) organizations if certain affordability requirements are met, in addition to incentivizing development projects by allowing for greater density when other conditions are met.

Limitations on development such as density or other planning and zoning restrictions, unnecessarily limit development opportunities and increase costs of land, and the cost of housing purchase or rental. Maryland is estimated to have a housing shortage today of over 100,000 units, and the majority of those are needed for low-income families.

Maryland Nonprofits’ broad membership includes organizations serving the entire spectrum of individual, family and community needs across our state. This perspective allows us to see better than most that resolving poverty and the social and economic inequities that burden the lives of too many Marylanders, particularly families and communities of color, requires addressing the multiple interconnected challenges that they face every day. Factors such as lack of available transportation, food insecurity, unaffordable childcare, and access to adequate health care and services, all impact the health and education of children, the opportunity to access to jobs and stable employment, the ability to build a sustaining level of wealth, and more. Access to safe, stable, and affordable housing is essential to meeting most if not all of these needs.



*Maryland Nonprofits’ mission is to strengthen organizations and networks for greater quality of life and equity.*

Excessive housing costs among renters, but also for many low-and moderate-income homeowners, impacts their families' nutrition, decisions to when to seek health care, ability to own a car, pay college debt or save for their own children's education, and to live within accessible reach of employment, educational opportunities, or shopping for basic needs. The education of children who are forced to attend two or more different schools a year because of housing instability will suffer regardless of our investments in the Blueprint for Maryland's Future.

Housing affordability, or its 'unaffordability', has become a serious crisis in our state. According to the Maryland Housing Needs Assessment that was completed in 2021 by the National Center for Smart Growth and Enterprise Community Partners, Maryland will have to make a significant investment in housing over the next 10 years to keep up with economic and demographic shifts in the state. The analysis showed that the state is short 85,000 rental units for low-income households. With Maryland expected to add almost 100,000 low-income households by 2030, the shortage will worsen unless the state creates and preserves many more affordable homes.

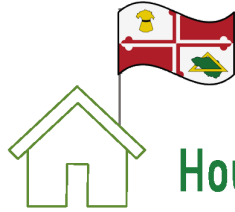
The "Housing Expansion and Affordability Act of 2024" is a necessary and integral part of Governor Moore's plan to end poverty and make Maryland more affordable for all.

We urge you to give Senate Bill 484 a **favorable report**.

**SB 484- Letter - Educ Energy Environ 2-29-24-1.pdf**

Uploaded by: Jackie Eng

Position: FAV



## Howard County Housing Affordability Coalition

February 29, 2024

Chairman Brian J. Feldman  
Vice Chair Cheryl C. Kagan  
Senate Education, Energy and the Environment Committee  
2 East  
Miller Senate Office Building  
Annapolis, MD 21401

Re. SB 484

Dear Senators Feldman and Kagan:

The Howard County Housing Affordability Coalition, representing 700-plus community housing advocates and organizations, strongly supports Governor Moore's housing initiatives, including the Housing Expansion and Affordability Act of 2024 (SB 484) legislation.

Restrictive and exclusionary zoning laws make housing and specifically affordable housing more costly and in many jurisdictions nearly impossible to build. Senate Bill 484 would legalize higher density and affordable housing units around transit on formerly state owned properties and on property owned by nonprofits. This bill has the potential to unlock many affordable housing projects that currently are not possible.

We are privileged to stand by Governor Moore and Housing Secretary Day in their push to create more affordable housing and thus a more equitable Maryland and ask the Senate Education, Energy and Environment Committee to issue a favorable report on SB 484.

Thank you for your consideration of our testimony.

Respectfully submitted,

*Jacqueline Eng*

Jacqueline Eng, Coordinator  
Howard County Housing Affordability Coalition  
[jleng1747@gmail.com](mailto:jleng1747@gmail.com)  
410-808-9677

cc: Jacob R. Day, Secretary, Maryland Department of Housing and Community Development  
Howard County Delegation

**9770 Patuxent Woods Road, Columbia MD 21043**

**SB484\_DHCD\_SUPPORT.pdf**

Uploaded by: Jake Day

Position: FAV



WES MOORE  
Governor  
ARUNA MILLER  
Lt. Governor  
JACOB R. DAY  
Secretary  
JULIA GLANZ  
Deputy Secretary

**DATE:** March 1, 2024

**BILL NO.:** Senate Bill 484

**TITLE:** Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)

**COMMITTEE:** Senate Education, Energy, and the Environment Committee

### Letter of Support

#### **Description of Bill:**

Senate Bill 484 prohibits local jurisdictions from prohibiting the placement of manufactured homes in single-family residential zones; limits, for the next 15 years, the ability of local jurisdictions to deny building permits or unreasonably restrict tax credit-funded or other DHCD-managed affordable housing projects through the use of adequate public facility ordinances (APFOs); and allows for the development of properties with higher density within 1 mile of a passenger rail station and containing at least 25% affordable housing units, as well as historic former state-owned campuses or complexes or nonprofit-owned properties containing at least 50% affordable housing units.

#### **Background and Analysis:**

Currently, Maryland faces a 96,000-unit housing shortage, exacerbated by local barriers to construction of multifamily housing. The shortage of housing affordable to Marylanders making below median incomes is particularly severe. Senate Bill 484 addresses this shortage in three key ways:

First, permitting the placement of new manufactured homes in any single-family zoned residential area addresses the high costs and lengthy time frames of construction of traditional stick-built housing. Manufactured homes typically take 20-50% less time to construct and install and have construction costs per square foot about half that of traditional stick-built homes. HUD standards also require that these homes have high construction quality and meet high energy efficiency standards.

Second, limiting the ability of local jurisdictions to unreasonably delay or restrict affordable housing projects will help house Marylanders already in those communities. Adequate public facility ordinances (APFOs) are currently outright preventing the development of essential, otherwise viable housing projects. Additionally, these policies often place unreasonable requirements on these projects that significantly increase their cost, and delay construction, which both increases costs and lengthens the wait for move-in-ready housing. This bill limits the application of APFOs to a very small number of state-financed projects (30-40 projects annually) that provide the housing that is most needed by working families in Maryland.

Finally, allowing and incentivizing higher-density and affordable housing near rail stations, on historic former state-owned properties, and nonprofit-owned properties both helps address the housing shortage and boosts Maryland's economy by connecting more residents to employment centers in the state. It also incentivizes the development of underutilized land and the creation of more housing units on those properties.

#### **DHCD Position:**

The Department of Housing and Community Development respectfully requests a **favorable** report on Senate Bill 484.



**MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
7800 HARKINS RD • LANHAM, MD 20706 • DHCD.MARYLAND.GOV  
301-429-7400 • 1-800-756-0119 • TTY/RELAY 711 or 1-800-735-2258





**SB 484 FAV FCG OCE JF LS24.pdf**

Uploaded by: Jessica Fitzwater

Position: FAV



**FREDERICK COUNTY GOVERNMENT**  
**OFFICE OF THE COUNTY EXECUTIVE**

Jessica Fitzwater  
*County Executive*

**SB 484 – Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)**

**DATE:** March 1, 2024  
**COMMITTEE:** Senate Education, Energy, and the Environment Committee  
**POSITION:** Favorable  
**FROM:** The Office of Frederick County Executive Jessica Fitzwater

As the Frederick County Executive, I urge the committee to provide a favorable report to Senate Bill 484, the Housing Expansion and Affordability Act of 2024.

Frederick County is the fastest growing jurisdiction in Maryland and with that comes great opportunity as well as considerable challenges. One of those challenges is meeting the housing needs of our residents. While we know that as a state we have a housing shortage of 96,000 units, I have seen firsthand the acute housing needs in Frederick County. Between high rates of new residents and our aging population here in Frederick County, our community is a prime example of the need for affordable units across a broad spectrum of housing needs from condominiums and senior housing to duplexes and triplexes to single-family homes. To best serve our constituents, we must invest in creative and coordinated solutions to incentivize mixed-use, mixed-income development.

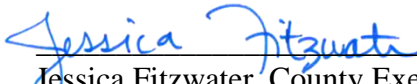
Frederick County's comprehensive plan, Livable Frederick, highlights not only a community-driven vision for the future of Frederick County, but also the many components that contribute to quality of life, including housing. A major goal of this plan is to build a varied housing stock in order to support fairness, equity, and resilience that serves the needs of present and future residents. This means using the levers we have in local government, such as zoning and land use decisions, to incentivize the development of a broader and richer mix of dwelling types.

During my time as a Frederick County Council Member, I was proud to sponsor and pass several pieces of legislation to incentivize the development of Moderately Priced Dwelling Units (MPDUs), including using density bonuses and impact fee exemptions. The provisions and intent of the Housing Expansion and Affordability Act of 2024 align well with those local initiatives and will help other jurisdictions move in a similar direction.

As a County Executive and member of the Maryland Association of Counties, I greatly appreciate the ongoing discussions between the Administration and MACO regarding amendments to this proposal. Local government must always balance development with infrastructure needs. One major piece of this bill is an exemption from local adequate public facility ordinances (APFOs) from projects receiving LIHTC or certain DHCD multifamily funding. For a jurisdiction like Frederick County, limiting that exemption to only the portions of the project that meet the definition of affordable housing is a crucial detail to ensure local governments can manage infrastructure needs.

Addressing the affordable housing crisis will require collaboration among all levels of government. There is no magical solution to this complex challenge, but mitigating the barriers to developing dense, affordable housing, is one crucial step forward. I commend the Governor and Secretary Day for tackling this issue head-on and greatly appreciate their team's ongoing commitment and dialogue with the legislature, local governments, and stakeholders.

Thank you for your consideration of SB 484. I urge you to advance this bill with a favorable report.

  
\_\_\_\_\_  
Jessica Fitzwater, County Executive  
Frederick County, MD

# **The Arc\_Fav Testimony\_SB484.pdf**

Uploaded by: Jonathon Rondeau

Position: FAV



March 1<sup>st</sup>, 2024

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

**Re: Senate Bill 484: Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024) – Favorable Support**

Dear Chairman Feldman and Members of the Education, Energy, and the Environment Committee:

***I am writing to you on behalf of The Arc Central Chesapeake Region in SUPPORT of SB484: The Housing Expansion and Affordability Act of 2024.***

The Arc Central Chesapeake Region (The Arc) serves over 3,000 children and adults with intellectual and developmental disabilities and their families in Anne Arundel County and Maryland's Eastern Shore. The Arc's mission is to support people with intellectual and developmental disabilities to live the lives they choose by creating opportunities, promoting respect and equity, and providing access to services. Building affordable housing has been a natural part of this work since The Arc's founding in 1961 and has accelerated in recent years in response to the housing crisis.

This is why in 2007, The Arc founded Chesapeake Neighbors, our affordable housing nonprofit subsidiary, to serve as a property redevelopment and management arm tasked with creating quality, affordable, and accessible housing for people with disabilities and low-income families. To date, Chesapeake Neighbors has created more than 70 affordable housing units in Central Maryland and the Eastern Shore.

Our state is in crisis - no community in Maryland has enough affordable housing to support the needs of its residents. We need the ability to leverage every resource to create more housing opportunities throughout the community, and density bonuses are a critical tool for allowing organizations like Chesapeake Neighbors to do so. **Density bonuses allow us to tailor affordable housing to a community's needs with greater nuance, which is especially important for the diverse and inclusive communities we create.**

Chesapeake Neighbors specializes in creating mixed-income communities that blend affordable housing with market rate housing. Mixed-income development is an established best practice for all populations because it helps deconcentrate poverty while creating affordable housing in areas of opportunity. We focus on small, scattered site housing, which utilizes existing housing infrastructure that is already aligned with established community norms. A typical Chesapeake Neighbors development might look like a single-family home split into a duplex, or a larger residence renovated to support ten individual units.

It may seem counterintuitive that a small, scattered-site housing developer would be a proponent of density bonuses. However, economies of scale are still relevant in small, scattered-site housing; it is still more cost-efficient to produce ten units rather than one. **Chesapeake Neighbors believes in small, scattered-site housing – and density bonuses allow us to be scattered and increase economies of scale while staying true to our mission.**

As a nonprofit developer, we execute this inclusive, scattered-site work through a combination of grants, donations, and government funding. By comparison, private, for-profit developers tend to skew toward higher-unit, market rate developments, or higher-unit developments that benefit from LIHTC tax incentives. This approach, paired with the use of investors who orient around a bottom-line only focus, creates a more profitable development model intended to generate revenue. And in generating revenue, we know the network of investment-oriented financial resources available to for-profit developers is considerable.

Both our development model and the for-profit development model are essential to creating greater housing supply for Marylanders. However, for organizations like Chesapeake Neighbors to survive and compete in the housing market while serving Marylanders with intellectual and developmental disabilities and low-income families, **it is quintessential we have our own robust network of financial resources that allow us flexibility and creativity to continue developing affordable housing at scale.** Density bonuses are an important tool that both provides this support and empowers us to remain competitive while we drive this essential work forward.

For these reasons, The Arc Central Chesapeake Region, and Chesapeake Neighbors support Governor Moore's vital Housing Agenda, including Section 7-504, and urge the Committee for a favorable report.

Sincerely,



Jonathon Rondeau  
President & CEO

# **SB484 - CASA Written Testimony.pdf**

Uploaded by: Jose Coronado Flores

Position: FAV



**Testimony in SUPPORT of SB484**  
**Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and**  
**Affordability Act of 2024)**

Senate - Education, Energy, and Environment

Jose Coronado-Flores , On Behalf of CASA

March 1st, 2024

Dear Honorable Chair Fedlam and Members of the Committee,

CASA is pleased to offer **favorable testimony in support of SB484**. CASA is the largest immigrant services and advocacy organization in Maryland, and in the Mid-Atlantic region, with a membership of over 120,000 Black and Latino immigrants and working families in the state.

SB484 is important legislation that will encourage the development of affordable housing and shift transportation demand towards public transit and rail stations. By setting a strong definition of affordable, “not exceeding 30% of household income”, the Housing Expansion and Affordability Act takes into account the financial burden that rent can have on workers with lower wages. Affordable dwellings are also defined as 60% or less of the median income of the area, which allows the required price points to fit more accurately in poorer areas in the state.

Within this plan, there are qualified projects that are allowed to exceed density limits. Among them include housing - which also has an affordability requirement - built or redeveloped near rail stations. When people choose public transportation, they are reducing total vehicle miles traveled. If housing can grow near transit centers, then it will be easier for people to drive less or not even need a vehicle. This pushes us closer to emissions reductions goals and alleviates the local pollution burden in communities adjacent to heavy traffic.

As Maryland continues to grow, it is critical affordable housing options do as well. Low-income renters deserve a place in Maryland’s new housing and redeveloped stock. For this reason, CASA urges a favorable report.

Jose Coronado-Flores

Research and Policy Analyst

jcoronado@wearecasa.org, 240-393-7840



**SB484\_JCRC\_FAV .pdf**

Uploaded by: Laura Salganik

Position: FAV



**Committee: Judicial Proceedings**

**Testimony on: SB484 – Renters’ Rights and Stabilization Act of 2024**

**Organization: The Jewish Community Relations Council, Howard County, MD**

**Submitting: Betsy Singer and Laura Salganik, Co-chairs**

**Position: Favorable**

**Hearing Date: February 29, 2024**

Dear Chair and Committee Members:

**The Jewish Community Relations Council of Howard County (JCRC) is submitting this testimony in support of SB484, the Renters’ Rights and Stabilization Act of 2024.**

Jewish texts are full of material that balances the rights of renters and landlords and supports the rights of people to stay in their homes .

Maryland’s current eviction filing fee clearly puts renters at a large and unfair disadvantage. With the lowest eviction filing fee in the country – \$15 compared to a national average of over \$100 – filing for eviction is an inexpensive first step for landlords when rent is more than ten days late. But the ramifications for renters are anything but inexpensive. Even though the vast majority of renters who receive an eviction notice pay their rent before being evicted, they have to take time off work for court, pay court costs, and have an eviction filing on their record, which reduces their ability to find housing in the future.

According to The Eviction Lab, the eviction filing rate in Maryland was 70 percent: the number of eviction filings was 70 percent of the number of renter households. Many households received repeated filings. The national average was below 10 percent.

Raising the eviction filing fee to \$100, as proposed in this bill, puts Maryland in the same group as most other states, where eviction is a last resort not an initial course of action. In addition, other provisions in the law such as preventing landlords from passing on filing surcharges are a needed part of increasing the justice behind the eviction process.

Raising the fee also provides funding for important programs, including legal services for those facing eviction and increased funding for rental vouchers. We also support the bill’s provision to reduce the limit on security deposits from two to one month’s rent. Requiring three months’ rent (two for security deposit and one month rent) is an unreasonable burden to place on low-income residents.

**We respectfully urge you to pass the Renters’ Rights and Housing Stabilization Act of 2024.**

**SB484\_MDSierraClub\_fav 01Mar2024.docx.pdf**

Uploaded by: Lindsey Mendelson

Position: FAV



P.O. Box 278  
Riverdale, MD 20738

**Committee: Education, Energy, and the Environment**  
**Testimony on: SB 484, Land Use - Affordable Housing - Zoning Density and Permitting**  
**(Housing Expansion and Affordability Act of 2024)**  
**Position: Support**  
**Hearing Date: March 1, 2024**

The Maryland Chapter of the Sierra Club supports the Housing Expansion and Affordability Act of 2024. SB 484 would allow density bonuses for housing developments that include a certain percentage of income-restricted affordable homes, along with other provisions to make residential projects move through the approval process more quickly.

We commend the Governor for his bold legislative package to address housing affordability in Maryland. Housing is too expensive almost everywhere across the state and is especially too expensive in places that are highly desirable due to their access to jobs and amenities. As Sierra Club's Urban Infill Guidance states, how we build cities and towns has a profound effect on the causes and impacts of climate change.<sup>1</sup> An essential strategy for reducing carbon emissions is supporting dense, mixed-use communities and land uses. Often the most expensive places to live are also the places where people could best reduce their carbon footprint by having shorter drives to work and other destinations or would have more sustainable transportation options, such as walking, biking, or using public transit.

Maryland makes massive investments in its rail transportation infrastructure. It makes sense that the state would play a role in enabling as many Marylanders to enjoy living near those investments as possible. More homes near transit will boost ridership and reduce greenhouse gas emissions. Sierra Club believes that development areas served by public transportation, shared transportation, and other public infrastructure should be zoned for dense, multi-family, and mixed-use development in order to reduce emissions and waste.<sup>2</sup>

We also believe that creating inclusive communities is key to a more sustainable, fair future. As such, we are pleased that the Governor is using this legislation as an opportunity to boost the production of both badly needed market-rate and affordable housing. As we recognize that high requirements for affordability can be a barrier to such new production, we would support consideration of reducing the required percentage of dedicated affordable units in certain types of buildings. This consideration could be especially relevant for duplexes, triplexes, and similar developments, where there might not be enough market rate units to subsidize the cost of providing a below market-rate affordable unit.<sup>3</sup>

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<sup>1</sup> [https://www.sierraclub.org/sites/www.sierraclub.org/files/Infill%20Policy\\_5.18.2019.pdf](https://www.sierraclub.org/sites/www.sierraclub.org/files/Infill%20Policy_5.18.2019.pdf)

<sup>2</sup> [https://www.sierraclub.org/sites/www.sierraclub.org/files/Infill%20Policy\\_5.18.2019.pdf](https://www.sierraclub.org/sites/www.sierraclub.org/files/Infill%20Policy_5.18.2019.pdf)

<sup>3</sup> Portland, Oregon's Residential Infill Project (RIP), for example, re-legalized small multiunit housing without affordability requirements in single-unit neighborhoods, and allowed for up to sixplexes that set aside some units for households making below the median income. One year after RIP passed, Portland found that legalizing multiunit housing resulted in more housing opportunities in high-amenity parts of the city, but out of the 271 units, only one was a sixplex that provided affordable units.

Founded in 1892, the Sierra Club is America's oldest and largest grassroots environmental organization. The Maryland Chapter has over 70,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

Climate change, land use, affordability, equity, and transportation are all inextricably entwined. Legislation like this is the right path forward to meeting the state's goals on all of these important issues. Therefore, we urge the committee to provide a favorable report for SB 484.

Jane Lyons-Raeder  
Chair, Transportation Committee  
janelyons@gmail.com

Josh Tulkin  
Chapter Director  
Josh.Tulkin@MDSierra.org

# **SB484 Housing Expansion favorable testimony CHAI 3**

Uploaded by: Lisa Budlow

Position: FAV

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Lisa K. Budlow  
Chief Executive Officer



**TO:** Education, Energy, and the Environment Committee  
**FROM:** Comprehensive Housing Assistance, Inc. (CHAI)  
**SUBJECT:** SB 484 Housing Expansion and Affordability Act  
**DATE:** March 1, 2024  
**POSITION:** Favorable

**Comprehensive Housing Assistance, Inc. (CHAI) supports SB484 Housing Expansion and Affordability Act**

Comprehensive Housing Assistance, Inc. (CHAI) is a nonprofit community-based provider of housing and community development serving northwest Baltimore City and County for 40 years. Since our founding in 1983, CHAI has developed and owns 17 multi-family properties with nearly 1,700 units of affordable housing, primarily age-restricted to benefit low-income older adults. Each property has onsite staff, including a service coordinator who works alongside residents to create a warm, welcoming, and vibrant community and to connect residents to resources needed to remain well as they age in community for as long as they desire. CHAI also provides community-based housing programs and services including a senior home repair program, HUD-certified housing counseling, and no-interest homeowner loans. CHAI's other community services include support to neighborhood associations and schools, serving as the fiscal sponsor of the Northwest Baltimore Partnership (through which we are a BRNI partner), and a significant focus on wellness and connection for older adults.

Affordable housing development has never been more critical to the health and wellbeing of all Marylanders and at the same time, has never been more complicated and challenging to produce. CHAI is grateful to Governor Moore for bringing forward a common-sense solution to streamline development that will increase the supply of housing that is accessible across generations and income levels. The Housing Expansion and Affordability Act will authorize certain properties, including ones owned by a nonprofit organization like CHAI, to develop housing at a higher density in a more expeditious manner than through our current system. This legislation will increase the opportunity for Marylanders of all income levels to live in affordable communities that promote wellbeing, like the ones developed and owned by CHAI.

This jumpstart to housing production is especially important as it relates to senior housing, where demand outpaces supply at rapidly increasing rates. When Baby Boomers became older adults, there was a focus on increasing services to support wellness. Now that the Boomers are aging into the later years of older adulthood, their needs are increasing while their income streams are dwindling. They have fewer adult children to care for them than previous generations, and the government must be a partner in ensuring an adequate supply of homes where they can be safe and secure in their later years. Nationwide, the number of households headed by an adult 65+ that are housing cost burdened is at an all time high. This puts older adults at a significant risk for homelessness, especially as the wait for affordable housing communities can be anywhere from 2-8 years. The inclusion in this bill of multiple modes of housing such as multifamily, ADU's and basement apartments, marks the kind of smart solution needed to address the magnitude of the challenge before us.



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Housing promotes healthy living, leads to stronger educational outcomes, and supports economic growth. CHAI commends the State of Maryland for taking the lead in advancing a strategy that will lead to more children, families and older Marylanders living securely in homes that anchor their lives in wellbeing.

CHAI respectfully requests a favorable report.





# **SB0484 ACDS Support - Housing Expansion & Affordab**

Uploaded by: Lisa Sarro

Position: FAV



**SB0484 – Land Use – Affordable Housing – Zoning Density and Permitting  
(Housing Expansion and Affordability Act of 2024)  
Hearing before the Education, Energy, and the Environment Committee  
March 1, 2024**

**Position: SUPPORT (FAV)**

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**SUPPORT:** Arundel Community Development Services, Inc., (“ACDS”) urges this Committee to issue a Favorable report on SB0484, the Housing Expansion and Affordability Act of 2024.

ACDS serves as Anne Arundel County’s nonprofit housing and community development agency, helping Anne Arundel County residents and communities thrive through the provision of safe and affordable housing opportunities, programs to prevent and end homelessness, and community development initiatives. As part of this role, ACDS advises the County on issues related to affordable housing, develops housing and community development strategies for Anne Arundel County, and works with the County to support the development of safe, affordable housing for all County residents.

Like the rest of the State, Anne Arundel County is facing a housing crisis. With 45 percent of all renters being cost burdened and the median home sales price at \$470,000 for 2023, we have a severe shortage of both rental and homeownership opportunities in the County, especially for low- and moderate-income residents. To address these challenges and ensure that Anne Arundel County is “the Best Place for All,” the County is tackling its housing crisis with a multi-faceted approach, having enacted policies to incentivize the development of affordable housing through land use and minimize barriers to development, establishing a Housing Trust Fund to financially support affordable housing development, and administering robust and effective eviction and homelessness prevention programs. Recently enacted policies include establishing and enhancing our own “Workforce Housing” density incentive provision and exempting LIHTC developments from school APF requirements. While there is still much work to do, collectively, these efforts have helped generate a pipeline that will preserve or create over 1,550 units in the next couple of years.

The Housing Expansion and Affordability Act of 2024 includes and expands upon provisions, such as eliminating APF requirements as a barrier to the development of LIHTC developments, that we have found to be helpful in generating new housing development opportunities here in Anne Arundel County. Creating increased density allowances in areas where it makes sense – close to transit and redevelopment areas- increases the financial viability of development and the requirement to include affordable units ensures that our workforce will not be left behind, while ensuring sustainable and smart development. Furthermore, increasing density allowances for nonprofit developers helps build the development capacity of smaller, locally rooted developers, like ACDS and partners like The Arc of the Chesapeake and Habitat of the Chesapeake, who are uniquely invested in and committed to our communities.

We look forward to the many benefits the implementation of the Housing Expansion and Affordability Act of 2024 will bring for our community.

**For the reasons noted above, ACDS urges the Committee to issue a FAVORABLE report on SB0484.**

**MBIA Letter of Support SB484.pdf**

Uploaded by: Lori Graf

Position: FAV

March 1, 2024

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

**RE: SB484 Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)**

Dear Chairman Feldman,

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB484 Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)**. MBIA supports this measure.

Maryland currently faces a housing shortage of approximately 96,000 housing units. If nothing changes, that number will increase by 5,600 units per year. The National Association of Homebuilders reports that the estimated rent of a Maryland Housing Unit 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 presents a comprehensive approach to addressing the housing shortage by modernizing local land use laws and streamlining approval processes for transit-oriented development. These measures are crucial in creating new opportunities for our members to construct much-needed housing units that meet the needs of all Marylanders. By incentivizing the construction of targeted new housing, the bill creates pathways for individuals and families to secure safe and affordable homes in areas with access to essential services and transportation.

Another key component of this bill is its provision to allow development on former state-owned complexes. By leveraging underutilized land resources and promoting partnerships with nonprofit organizations, this bill creates a conducive environment for builders to undertake innovative projects that meet the growing demand for all types of housing.

MBIA is also in support of this bill's emphasis on increasing density under certain conditions. We believe it is essential for optimizing land use and promoting sustainable growth. By encouraging denser development in appropriate locations, HB 538 ensures that builders can maximize the use of available land while preserving the character and charm of our communities. This balanced approach is critical in accommodating population growth and housing demand without compromising the quality of life that residents' value.

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](mailto:lgraf@marylandbuilders.org).

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

# **SB 484 Gov Affordability Expansion PJC FAV.pdf**

Uploaded by: Matt Hill

Position: FAV



**C. Matthew Hill**  
Attorney  
Public Justice Center  
201 North Charles Street, Suite 1200  
Baltimore, Maryland 21201  
410-625-9409, ext. 229  
hillm@publicjustice.org

**SB 484 - Land Use - Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)**  
**Hearing before the Education, Energy and Environment Committee, Mar. 1, 2024**  
**Position: SUPPORT (FAV)**

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**Public Justice Center urges you to move favorable on SB 484.** The Public Justice Center (PJC) is a nonprofit public interest law firm that stands with tenants to protect and expand their rights to safe, habitable, affordable, and non-discriminatory housing. The PJC represents or advises over 800 renters and their families each year. Renters in Maryland are in desperate need of additional housing opportunities. As the Moore Administration has pointed out, Maryland is experiencing a severe shortage of housing units. For working class families, the need is even more acute. The state lacks [146,085 units of affordable rental housing for families earning 50% or less of the state median income \(appx. \\$60,000\)](#). At Public Justice Center, we see the impact of this shortage daily. Our clients often cannot find affordable, habitable replacement housing – now more than ever. This lack of housing mobility forces them to remain in uninhabitable units, lose out on job opportunities that require a move, or even become homeless when they are evicted and cannot find a new place. In my 15 years as a housing attorney, this is the worst rental market I have ever seen for renters seeking affordable, sustainable housing.

SB 484's targeted density bonuses for projects that include affordable housing, limited exemptions from Adequate Public Facility Ordinances, and greater allowances for manufactured housing will help facilitate more development of affordable, inclusive housing. These reforms are a critical component of any plan to create more affordable housing, and, ultimately, prevent homelessness. The research is clear: the answer to homelessness is affordable housing. The lack of affordable housing affects also increases fiscal burdens on the state including: higher costs for state-funded shelters, increased costs for foster care, reduced tax revenue from lost employment and education instability. A [recent study by Stout, Risius, Ross in Maryland found that every dollar invested by the State in eviction prevention returns \\$2.39 in costs and fiscal benefits](#).

The need to clear zoning and regulatory hurdles is exemplified by recent issues in Baltimore County, where PJC has been involved in advocacy. A modest, [proposed 56-unit affordable housing development in Towson known as Red Maple](#) has been the subject of more than 4 years of litigation based on zoning and regulatory disputes. The development is still on pause while the case is on appeal even though the project is strongly supported by the County Administration and the local branch of the NAACP. More recently, a [proposed transit-oriented, mixed use development in Lutherville directly on the light rail](#) is facing significant community pushback using zoning and regulatory provisions to anchor their opposition.

Baltimore County is under a [HUD Voluntary Compliance Agreement and is obligated to produce 1,000 new affordable housing units in Opportunity Areas by 2027 to remedy decades of discriminatory land use and zoning policies](#). These discriminatory land use and zoning policies had perpetuated segregation in the County

and had a disparate impact on the housing choices available to Black households, households with children and persons with disabilities. The County is lagging far behind in meeting the interim benchmarks in developing the required affordable units in part because of restrictive zoning and regulatory provisions that have impeded developments such as Red Maple.

In short, Maryland cannot dismantle decades of segregation, right the racial wrongs, and lift children out of poverty without reducing zoning and land use barriers to the development of affordable housing.

**Public Justice Center urges the Committee's report of Favorable on SB 484.**



# 2024 SB0484 Support Testimony.pdf

Uploaded by: Michael O'Connor

Position: FAV



**FREDERICK**  
OFFICE OF THE MAYOR

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February 28, 2024

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

Re: Senate Bill 484: Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)

**Position: Favorable**

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

Thank you for your time and consideration of my testimony today. I am writing to you on behalf of The City of Frederick in SUPPORT of SB484: The Housing Expansion and Affordability Act of 2024.

It is common knowledge that Maryland is experiencing an affordable housing crisis. For several years, cities and towns across our state have worked hard to address this crisis across the many forms it takes:

- General Affordability
- Lack of housing stock
- Connectivity to infrastructure and areas of opportunity
- Building electrification and the transition to cleaner energies

The areas above form the core of our housing concerns, but they are by no means exhaustive, and represent broad strokes that contain tremendous nuance across our communities.

In the City of Frederick, we have made strides in addressing the crisis by establishing a Department of Housing and Human Services, in 2020. We have implemented a Moderately Priced Dwelling Unit ordinance. Most recently, we released an \$8.2 million plan for affordable housing projects, which will support over 870 families and promote inclusive community growth. This multifaceted approach reflects a deep commitment to enhancing living conditions and ensuring equitable access to housing across the housing continuum for all residents.



# FREDERICK

OFFICE OF THE MAYOR

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Of course, any increase in affordable housing when balancing the economic realities today requires the investment into infrastructure to build and sustain healthy communities. This includes investment in transportation, health care, childcare, energy, public safety, and education.

This multifaceted affordable housing crisis that exists across a diverse set of communities requires an extensive, well-resourced toolkit, as well as thoughtful leadership that brings stakeholders together to solve our collective challenges. Senate Bill 484 represents an opportunity for true partnership with the State of Maryland in bringing these tools to bear at a municipal level. I am grateful to the Governor and his team for their enthusiasm, collaboration, and thoughtfulness in addressing the affordable housing crisis in our state.

As the fastest growing jurisdiction in Maryland, and the second fastest growing jurisdiction in the DMV, Frederick is an epicenter of our region-wide housing dynamics. Our goal is to create a true range of housing options that spans the full spectrum of renters and buyers within our community. In doing so, we are constantly reminded of how intersectional this issue is. Affordable housing, for instance, impacts young renters and first-time homebuyers who may carry significant debt from student loans, older residents living on fixed incomes with growing medical expenses, and lower and middle-income wage earners with children in their households.

Understanding the diversity of the housing crisis is essential for de-stigmatizing conversations around affordability, as well as acknowledging the broad coalition of Marylanders who are dependent on the tools provided by legislation like Senate Bill 484. This legislation is broad in its impact because the crisis it is designed to address touches Marylanders from every walk of life.

For these reasons, The City of Frederick supports Governor Moore's Housing Agenda, including Senate Bill 484, and urge the Committee for a favorable report.

Sincerely,

Michael O'Connor,  
Mayor

# **MD Assembly 2024 Testimony Bills HB0538 & SB0484 (**

Uploaded by: Michael Scepaniak

Position: FAV

I'm in favor of SB0484 - the Housing Expansion and Affordability Act of 2024. As a resident of Cockeysville, I'm frustrated that the recently-passed Baltimore County 2030 Master Plan was neutered such that it will not result in a meaningful increase in residential development in the county. And the County Executive's Mixed-Use Development legislation, which would have brought more abundant housing options to the county, is due to be withdrawn.

In listening to concerns raised about Master Plan 2030, I heard pushback to the plan's promotion of urban development in what is mostly a suburban county. The concerns were spoken to in such a way that the concept of "urbanization" is viewed as being intolerable. But, the densification of our land use and development patterns is really the natural order of things.

As a place matures over the course of time, it develops amenities and characteristics that draw in more and more people. That attraction results in property values appreciating. But, there's a limit to how much people are able to pay for where they live and do business. This causes landlords to redevelop their properties such that more people can fit into the same parcels of land, which lowers the cost of entry into that in-demand place. The cost per square foot keeps increasing somewhat, but the total amount of available square feet keeps increasing, as well.

What should this look like? Single-family homes add on accessory dwelling units, or become duplexes. Duplexes become triplexes, or townhouses, or small apartment buildings. Small apartment buildings incrementally grow in size. This is how densification is supposed to work. But, we have kneecapped this natural and ancient process over the course of the past 70+ years - with exclusionary zoning.

Baltimore County is a poster child for why this legislation is needed. For the most part, all of the single-family homes built across the landscape of Baltimore County have never evolved along to their next logical increment. We've prevented densification. And yet, the demand has kept building.

It's been going on for so long that we've all come to believe that this is the natural order of things - perpetual, unchanging, low-density suburbia. But, it isn't natural at all. In fact, it is unhealthy and unsustainable.

Too many people are clinging to an outdated, unhealthy vision of Baltimore County that forbids density or urbanization. Please understand the fundamentals. **The population of Baltimore County is greater than that of four U.S. states.** It doesn't fall all that much shy of the population of Rhode Island. In fact, the population density of Baltimore County (1,400 people per square mile) significantly exceeds that of Rhode Island. Rhode Island has Providence. Baltimore County's biggest pocket of urbanization is Towson.

The Baltimore County Council has failed to put forth a new and necessary vision for Baltimore County, one that allows for and encourages densification where it makes absolute sense. Their limited, district-specific focus is capping our potential. The Housing Expansion and Affordability Act of 2024 offers Baltimore County (and all of Maryland) the opportunity to move beyond the

weaponization of adequate public facilities ordinances and a paralyzing fear of change that is steering us toward stagnation and population loss.

Please vote for SB0484 - the Housing Expansion and Affordability Act of 2024. Thank you.

Michael Scepaniak  
Cockeysville

# **Signed\_SB484\_housing\_expansion.pdf**

Uploaded by: Mike Posko

Position: FAV

Testimony  
SB484  
Education, Energy, and the Environment Committee  
February 28, 2024  
Position: Favorable

Dear Chair Feldman and members of the committee:

For 40 years, Habitat for Humanity of the Chesapeake has been a catalyst for moving low-income families out of poverty toward more prosperous, stable futures through affordable homeownership. By bringing people together to build homes, communities, and inspire hope, we settled 794 families into energy-efficient, affordable homes with zero-interest mortgages. This positively impacted the lives of more than 3,000 partner family members (more than half of whom are children), involved more than 1,200 volunteers annually and impacted hundreds of other community residents who benefit from safer, more vital communities as homeownership rates increase.

During the next year, Habitat Chesapeake will work on 16 homes, some of them new construction, and rehabilitate properties that stand vacant or abandoned in Baltimore area neighborhoods including Curtis Bay, Milton-Montford, and Sandtown.

We know that homeownership is one of the most effective means for ensuring progress for first-time and first-generation homebuyers. It also provides tremendous benefit for our city and entire state. The supply of homes—especially for first-time homebuyers has plummeted over the past few years, and we know that this is deeply effecting us in Maryland.

The Housing Expansion and Affordability Act could provide a real means for our State to meet its goal of creating more housing units, increasing population, and creating equitable revitalization.

We favor enlarging access to affordable homeownership for low- to moderate-income homebuyers as an essential strategy for equitable revitalization. Such investments will pay great dividends for Baltimore and the State of Maryland. We hope that the Committee will look favorably upon this bill, as it may provide a real solution to some of the consistent problems of housing supply in our state.

Sincerely,



Mike Posko, CEO



**MAHC Testimony\_SB 484\_Gov Hsng Bill\_FAV.pdf**

Uploaded by: Miranda Willems

Position: FAV



**Testimony to the Senate Education, Energy & the Environment Committee  
SB 484 – Land Use – Expedited Development Review Processes for Affordable  
Housing - Requirements  
Position: FAVORABLE  
March 1, 2024**

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SB 484 is landmark legislation that would improve the development review and approval process for affordable housing and prevent local governments from overburdening these projects with red tape. According to the National Low Income Housing Coalition, as of 2023 Maryland had a shortage of 146,000 rental units available to extremely low-income renters. Maryland is experiencing a true housing crisis, and the only way to solve it is to build more affordable housing units. This will take time, creativity, financing, and cooperation among State and local governments. This bill would help to expedite the review and approval process and remove unnecessary barriers to allow affordable housing developments to proceed. It would also give developers more incentives to build more affordable housing.

Our members are told by policymakers at the state and federal level to locate affordable housing developments in “communities of opportunity” with well-funded schools and available services. This is sound public policy. Unfortunately, these areas often have schools that have been deemed overcrowded under local Adequate Public Facilities Ordinances (APFO). This creates a self-perpetuating system of exclusion whereby well-performing schools attract new families, drive up housing prices, and box out new affordable housing.

The irony here is that our members provide the workforce housing that makes Maryland communities great. The Governor’s legislation will ensure that our members can continue to provide cohesive communities in which the “janitor lives next to the CEO”.

We appreciate the concern expressed by some that abrogating Adequate Public Facilities Ordinances will have a detrimental impact on their local communities. We want this committee to know that the ultimate impact of the Housing Expansion Act as it relates to this provision will be small. Our members routinely need to seek exemptions from APFO in counties that prohibit new development in “closed” schools. Although these exemptions add significant expense and substantially delay much needed affordable housing developments, their impact on local school capacity is limited. Based on past experience, the SB 484 exemption would benefit just 2-3 projects per year in any given county, with a de minimis impact on local schools.

**We support SB 484 to expand the ability to develop affordable housing across the State as we work collaboratively to solve the housing crisis.**



MAHC is the leading organization for the affordable rental housing industry in Maryland and represents over 185 member organizations, including nonprofit and for-profit developers, State and local housing authorities, property management companies, financial institutions, community development organizations, contractors, tax credit investors, consultants and individuals.

Respectfully submitted on March 1, 2024 by Miranda Darden-Willems, Executive Director, on behalf of the MAHC Board of Directors.

**MAHC Board of Directors**

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Tom Ayd, Green Street Housing, Vice President  
Willy Moore, Southway Builders, Secretary  
Miles Perkins, AGM Financial, Treasurer  
Mansur Abdul-Malik, NHP Foundation  
Marsha Blunt, Pennrose Properties  
Mike Cumming, CohnReznick, Chief Financial Officer  
Mary Claire Davis, AHC Greater Baltimore  
Ivy Dench-Carter, Pennrose Properties, Advisor Emeritus  
Maryann Dillon, Housing Initiative Partnership  
Peter Engel, Howard County Housing Commission  
Mike Font, New Harbor Development  
Chickie Grayson, Retired, Advisor Emeritus  
Dana Johnson, Homes for America  
Brian Lopez, Osprey Property Company  
Dan McCarthy, Episcopal Housing  
David Raderman, Gallagher, Evelius & Jones, Of Counsel  
Catherine Stokes, Telesis Corporation  
Jessica D. Zuniga, Foundation Development Group, Ex Officio

# **SB484.pdf**

Uploaded by: Mitchell Posner

Position: FAV

February 21, 2024

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

Re: In Support of SB484, Housing Expansion and Affordability Act of 2024

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

I am writing on behalf of Community Assistance Network, Inc., (CAN), the designated anti-poverty Community Action Agency (nonprofit) serving Baltimore County and a committed advocate for community development and affordable housing initiatives. We have reviewed SB484, titled the "Housing Expansion and Affordability Act of 2024," and we are pleased to express our enthusiastic support for this critical legislation.

In Baltimore County CAN operates the three largest homeless shelters, a Community Choice Pantry and assists hundreds of families a year avoid evictions. The lack of affordable housing is the number one stress on almost all of our clients (your constituents). SB484 addresses key issues related to land use and zoning that directly impact the availability and affordability of housing in our communities. We believe this legislation will significantly contribute to the expansion of affordable housing options and foster sustainable growth. The provisions outlined in the bill, particularly those related to manufactured homes, adequate public facilities, and qualified projects, align with our organization's mission of "Helping People. Changing Lives".

The specific provisions of SB484 that prohibit local legislative bodies from impeding the placement of certain manufactured homes and restrict the use of adequate public facility laws to deny permits for state-funded affordable housing projects are commendable steps toward removing barriers to affordable housing development.

We appreciate the forward-thinking approach of the bill, especially in encouraging local jurisdictions to allow increased density for qualified projects near rail stations and especially those owned by nonprofit organizations. These measures will facilitate nonprofits like CAN to directly contribute to the development of diverse housing options, promoting inclusivity and addressing the critical issue of affordable housing shortages.

CAN firmly believes that SB484 represents a positive and necessary step towards ensuring that all members of our community have access to safe, affordable housing. We commend the bill's sponsors and urge approval of this legislation for the betterment of our clients and our larger community. Thank you for your attention to this matter. We look forward to witnessing the positive impact that SB484 will have on affordable housing initiatives in our county and state.



CAN

Community Assistance Network

*Helping People. Changing Lives.*

7900 E. Baltimore Street  
Baltimore, MD 21224

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Please feel free to contact me at [mposner@canconnects.org](mailto:mposner@canconnects.org) or 410-336-8035 if you have any questions and/or need additional information.

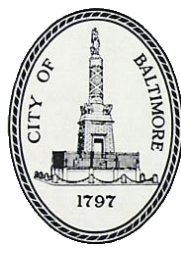
Sincerely,

Mitchell Posner  
Executive Director

**SB0484-EEE-SUPP.pdf**

Uploaded by: Nina Themelis

Position: FAV



**BRANDON M. SCOTT**  
MAYOR

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

**SB0484**

March 1, 2024

**TO:** Members of the Senate Education, Energy, and the Environment Committee

**FROM:** Mayor Brandon M. Scott, City of Baltimore

**RE:** Senate Bill 484 – Land Use – Affordable Housing – Zoning Density and Permitting  
**Housing Expansion and Affordability Act of 2024**

**POSITION: SUPPORT**

Chair Feldman, Vice Chair Kagan, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** Senate Bill (SB) 484

SB 484 would establish local density bonuses for residential development and create regulatory certainty for developers seeking to address Maryland’s housing shortage.

A number of key components of the legislation such as Density Bonuses and Manufactured Homes are initiatives that BCA supports, and are already reflected in our local Building and Zoning Codes or our work to incentivize development in targeted areas in Baltimore. The changes proposed in this bill to APFO Exemptions, such as limiting meetings and addressing standing to affordable developments, are not generally applicable to Baltimore City. Baltimore City already allows for manufactured housing in our Building Fire and Related Codes (BFRC) and we do not see this legislation to permit new manufactured homes in zones that allow single-family residential uses as an impediment in Baltimore City. BCA is committed to working with Governor Wes Moore and his Administration to continue to address Maryland’s housing crisis by promoting affordable residential development.

Mayor Brandon M. Scott is poised to make the largest investment ever into Baltimore’s disadvantaged neighborhoods. In late 2023, the Scott Administration announced a comprehensive vacant housing reduction strategy which will include the issuance of non-contiguous TIF Bonds, revival of the Industrial Development Authority and working with BUILD and the GBC to raise \$300 million from private investors and the philanthropic community. SB 484 would aide efforts already underway to support development in targeted areas of the City, some of which align with our focus areas.



The density bonuses proposed in SB 484, which includes Baltimore MARC stations, metro subway stations, MTA Light Rail Stations, and other passenger rail stations, includes many areas already targeted for investment in East Baltimore, West Baltimore, South Baltimore and Park Heights.

Baltimore City developers also already enjoy some additional incentives to aid their work in targeted neighborhoods to rehabilitate vacant properties assisted by the work of Baltimore City Department of Housing and Community Development (DHCD). Baltimore City DHCD also offers a number of homebuyer incentives to help populate newly rehabilitated or constructed housing such as;

- Homebuyer Down Payment Grants to be paired with developer incentives to make rehabbed vacants in target neighborhoods affordable at all income levels.
- Live work incentives: There is capital ear-marked for entrepreneurs to create live/work spaces with retail or studio on the first floor, with living space above it. Many vacants in Baltimore neighborhoods are zoned for commercial use and can be rehabbed to support our small businesses.

SB 484 represents a targeted approach that will be particularly helpful in transit centered jurisdictions like Baltimore. The Bill seeks to establish local density bonuses for residential development which will help to create regulatory certainty for developers seeking to address Maryland's and Baltimore's affordable housing shortage. A number of key components of the legislation enhance or expand incentives to create housing opportunities that are so desperately needed for Baltimore families.

For these reasons, the BCA respectfully request a **favorable** report on SB 484.

# **SB0484 – TSO - Housing Expansion and Affordability**

Uploaded by: Patricia Westervelt

Position: FAV

March 1, 2024

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

***RE: Letter of Support – Senate Bill 484 – Affordable Housing – Zoning Density and Permitting  
(Housing Expansion and Affordability Act of 2024)***

Dear Chair Feldman and Committee Members:

The Maryland Department of Transportation (MDOT) supports Senate Bill 484 as an opportunity to address crucial issues related to affordable housing and zoning regulations, which are significant to the State's communities and residents.

Senate Bill 484 prevents local jurisdictions from utilizing elements of public facilities laws to impede the development of certain State-funded affordable housing projects or other qualified projects, or to unnecessarily restrict or limit their progress. Ensuring access to affordable housing is essential for fostering inclusive and sustainable communities.

Senate Bill 484 will support greater transit ridership by enabling increased housing and other land uses near rail stations. This complements and amplifies our on-going State and local transit-oriented development (TOD) efforts, where in concert with local communities, we are working to make transit more convenient, accessible, and attractive to residents and commuters, and thus increasing their likelihood of using the service. With more riders using the system, Senate Bill 484 has the ability to expand employment opportunities and drive economic growth. Additionally, increasing transit ridership is essential to addressing the climate crisis by reducing carbon emissions, and promoting safer and healthier streets for our entire region.

By supporting Senate Bill 484, MDOT recognizes the importance of removing barriers to affordable housing development and advancing equitable housing policies throughout Maryland. This legislation aligns with MDOT's commitment to promoting accessible transportation options and enhancing quality of life for all Maryland residents.

For these reasons, the Maryland Department of Transportation respectfully requests the Committee grant Senate Bill 484 a favorable report.

Respectfully submitted,

Pilar Helm  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090

# **SB 484 Land Use – Affordable Housing – Zoning Dens**

Uploaded by: PRISCILLA KANIA

Position: FAV



One Park Place | Suite 475 | Annapolis, MD 21401-3475  
1-866-542-8163 | Fax: 410-837-0269  
aarp.org/md | md@aarp.org | twitter: @aarpm  
facebook.com/aarpm

**SB 484 Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)**  
**Senate Education, Energy & Education Committee**  
**FAVORABLE**  
**March 1, 2024**

Good afternoon, Chair Feldman, Vice Chair Kagan and members of the Senate Education, Energy and Environment Committee. My name is Priscilla Kania, AARP volunteer lead advocate and resident of Anne Arundel County. AARP Maryland advocates for over two million Marylanders. We thank you for the opportunity to speak in support of SB 484 Affordable Housing – Zoning Density and Permitting. We thank Governor Moore for initiating such important legislation.

The topic of affordable housing is being discussed throughout the state at all levels of government. I am speaking to you today to emphasize the importance of expanding the availability of affordable housing. Zoning restrictions and the permitting processes currently in place are a major factor in limiting the availability of affordable housing. Across the United States, there is a mismatch between the available housing stock and what the market wants and needs. This is partly due to shifting demographics, such as a rapidly aging population and shrinking household sizes, and partly due to the growing demand for walkable living.

However, communities and builders are recognizing the need for a shift in the way American homes are designed, regulated, and developed. So-called Missing Middle Housing is a critical part of the solution. Such residences are described as missing because very few have been built since the early 1940s due to regulatory constraints, the shift to auto-related patterns of development and financing challenges.

Where the structures do exist, they often go unnoticed because — and this is a good thing — they blend right in. Missing middle-style buildings such as modular homes are compatible in look and feel with surrounding homes but are much more affordable. “Missing middle housing types are a terrific way to deliver affordable housing choices by design since they are of a scale that most communities would support. But they can also hit higher-value niche markets,” says Daniel Parolek, founder of Opticos Design and the architect who coined the missing middle terminology.

The missing middle concept also enables housing conversations — even in communities that bristle at words like “density” or “multi-family.” Discussions develop around questions

such as “Where will your children live if they move back to the area after college?” “Where will downsizing empty nesters move when they need to be in a less car-dependent community?” “Where will new teachers or police officers who have moderate incomes be able to live?” The answer is missing middle housing.

Cincinnati, Ohio; Flagstaff and Mesa, Arizona; Kauai County, Hawaii; Beaufort County, South Carolina and Decatur, Georgia are among the communities that have identified their zoning codes as a barrier and are either modifying the use-based codes or replacing them with a form-based, place-based approach that will allow a mix of housing types and land uses. That way, for instance, a neighborhood or street can contain single-family modular homes and multifamily homes as well as, say, a small market within walking distance — so buying a gallon of milk will not require a drive to the supermarket.

This bill defines Affordable as using less than 30% of household income for housing and applies to households earning 60% or less of area median income. Seniors, families, service workers and many other groups on fixed or limited income will benefit from this legislation and be able to use the remainder of their income for life’s necessities such as food and medical care.

AARP Maryland is committed to working with you to effectively address Maryland’s housing options for older adults. We ask the Committee to issue a favorable report on SB 484. If you have any questions, please feel free to contact Tammy Bresnahan at [tbresnahan@aarp.org](mailto:tbresnahan@aarp.org) or by calling 410-302-8451. Thank you.

**MDP SB 484 Written Testimony.pdf**

Uploaded by: Rebecca Flora

Position: FAV

**HEARING DATE:** March 1<sup>st</sup>, 2024

**BILL NO:** SB 484

**COMMITTEE:** Senate Education, Energy, and the Environment

**POSITION:** Support

**FOR INFORMATION CONTACT:** Andrew Wilson (443) 366-4224

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**TITLE: Land Use – Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)**

**BILL ANALYSIS:**

SB 484 includes amendments to the §4–104(c), §7–105; and §7–501 through §7–506 of the Land Use Article of the Maryland Code to facilitate development of affordable housing around existing and planned fixed rail transit stations, as well as targeted affordable housing opportunities, through the application of density bonuses in specific instances.

**POSITION AND RATIONALE:**

The Maryland Department of Planning (MDP) supports SB 484 and is providing testimony specific to the density bonus provisions. MDP is the primary state agency tasked with both supporting local governments in their implementation of the Land Use Article and with the State’s oversight of smart growth land use policy such as the Priority Funding Areas. MDP also partners with DHCD and MDOT to align community revitalization goals with transportation planning using data and geospatial mapping in developing interactive tools to assist in local decision-making regarding land use and development. One such tool is the [Transit Station Area Profile Tool](#) (TSAPT) that displays socioeconomic, employment, median housing sales and ridership data around Maryland’s rail transit stations. This tool is used by local governments, interest groups and the private sector to explore transit-oriented development (TOD) opportunities in their community. MDP is working on other tools to help identify affordable housing opportunities as well as other state and local land use concerns.

The density bonus approach proposed in SB 484 retains the underlying zoning and simply allows for added number of units or square foot if a residential project is located within 1-mile of a transit station and includes affordable housing in the project plans. Density bonuses are a common approach to incentivizing development that is desired and require an added boost to stimulate the market response. The application proposed in SB 484 is serving to stimulate the development of affordable housing through streamlining of process and increasing the amount of development that may occur. These reduce the per unit development cost that will in turn enhance affordability.

The density bonuses outlined in SB 484 have been reviewed by the MDP planning team and are considered appropriately scaled to ensure there are no significant conflicts with area context and properties adjacent to the 1-mile zones. These bonuses include:

- Permitting “middle housing” in areas zoned for single-family;
- Permitting “mixed-use” and 30% greater density in areas zoned for multifamily;
- Permitting 30% greater density in areas zoned for “mixed-use”; and
- Permitting residential uses in areas zoned nonresidential that is aligned with highest density residential area of the jurisdiction.



Focusing the density bonus within a 1-mile distance of rail stations allows for an adequate area to be considered for infill development. It also is consistent with research and actual case studies that indicate ½ mile walk distances from transit to be acceptable for the avoidance of cars or other vehicles to connect people from their home to transit centers. Application of these walk distances will of course also depend on quality of pedestrian (or cycle) paths, safety, and overall experience of the pedestrian to ensure alternative to cars are used for this “last mile” connection. Increasing the number of residents living within walking or cycling distance to transit stops also reduces overall carbon footprint, improves health, increases access to employment centers connected by transit and supports social connectivity to enhance community well-being. All these factors are also well documented contributors to community resiliency.

Density bonuses targeted around transit centers also works to optimize the transit investments to benefit the maximum number of people which has the added potential to increase overall ridership leading to improved financial viability of the transit systems. Additionally, providing a density bonus will also attract other public and private investment in the area, leading to great economic and community development around the rail stations. Clearly, this approach as proposed in SSB 484 provides multiple benefits that have been outlined above.

MDP stands ready to support local jurisdictions with the interpretation and implementation of SB 484 and will continue to develop data driven tools to inform decision making. We are confident that this landmark bill will have a positive impact on communities and support the sustainable growth of Maryland for generations to come.

# **Habitat Metro MD Favorable Testimony SB484.pdf**

Uploaded by: Sarah Reddinger

Position: FAV

**Land Use – Affordable Housing – Zoning Density and Permitting  
(Housing Expansion and Affordability Act of 2024)  
Senate Bill 484**

**Position: Favorable**

**March 1, 2024**

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

My name is Sarah Reddinger and I'm the Vice President of Community Development with Habitat for Humanity Metro Maryland. Habitat Metro Maryland is an affordable homeownership nonprofit serving Prince George's and Montgomery Counties.

Maryland is experiencing an affordable housing crisis which is particularly acute as it relates to affordable homeownership. Current market conditions make it nearly impossible for many lower- and middle-income families to purchase homes and build generational wealth.

The data show that the only income bracket increasing in net ownership units are households earning more than \$150,000 and there is an increasing racial ownership gap. In Montgomery County, there is a 36% gap between white and Black and African American households that own their homes. We must actively and intentionally work to break down inequitable systems and barriers to affordable housing. For too long, land use and zoning policies have been tools used to segregate our communities.

Habitat is pursuing manufactured housing options to increase the speed of affordable housing development while decreasing the cost per unit. There are many high quality, energy efficiency driven manufactured housing options on the market that can fit seamlessly into existing neighborhoods.

Regarding zoning changes, allowing for small increases in density will make the creation of new affordable homes less costly. Habitat typically subsidizes each single family, detached home that it builds or rehabilitates by between \$150,000 and \$200,000. Increasing density allows organizations to spread costs across more units, ultimately decreasing the subsidy needed per home and increasing the number of homes we can build with the same amount of money.

Also, by allowing increases in density for affordable homes, we may be able to build in higher cost neighborhoods that otherwise do not have affordable homeownership options, thus ensuring that families of all incomes have access to all neighborhoods.

No one tool will solve our housing crisis. We need a plethora of tools working in tandem to ensure all Marylanders are safely and affordably housed. This bill will add more tools to help us build a wealthier and more equitable Maryland.

Thank you for your time and consideration. We urge a favorable report on SB484.

Sarah Reddinger  
Vice President of Community Development  
Habitat for Humanity Metro Maryland, Inc.  
8380 Colesville Road, Suite 700, Silver Spring, MD 20910  
[Sarah.Reddinger@HabitatMM.org](mailto:Sarah.Reddinger@HabitatMM.org)  
(301)332-4391  
[www.HabitatMM.org](http://www.HabitatMM.org)

**Anne Arundel County \_FAV\_SB484.pdf**

Uploaded by: Steuart Pittman

Position: FAV



March 1, 2024

**Senate Bill 484**

**Land Use – Affordable Housing – Zoning Density and  
Permitting (Housing Expansion and Affordability Act of 2024)**

**Senate Education, Energy, and the Environment and  
Committee**

**Position: FAVORABLE**

Anne Arundel County **SUPPORTS** Senate Bill 484 - Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024). This critical legislation will help address the current housing crisis that Anne Arundel County and all of Maryland are facing.

In Anne Arundel County, 45 percent of renters are cost burdened and the median home sales price was \$470,000 in 2023. Since I took office in 2018, we have taken several important steps to address the severe shortage of both rental and homeownership opportunities in the County. These include numerous legislative incentives to spur the development of affordable housing, establishing a Housing Trust Fund to support affordable housing development, funding eviction and homelessness prevention programs, establishing and enhancing our own “Workforce Housing” density incentive provisions, and modernizing our school Adequate Public Facilities ordinance to reduce its impediment to housing development. Furthermore, in partnership with our County Council, we are undertaking several more significant pieces of legislation in the very near future, addressing inclusionary zoning through our Moderately-Priced Dwelling Unit (MPDU) program, incentivizing redevelopment in certain areas of the County, and creating Missing Middle housing.

The Housing Expansion and Affordability Act of 2024 includes and expands upon provisions that have been effective in Anne Arundel County. Increased density allowances in areas such as multi-family and mixed-use zones increase the financial viability of development, while requiring affordable units ensures that we leave no one behind. Increasing density allowances for nonprofit developers helps build the development capacity of smaller, locally rooted developers, like our own Arundel Community Development Services and its partners, who are committed to expanding housing opportunities for all of our residents.

For all of these reasons, I respectfully request a **FAVORABLE** report on House Bill 484.

A handwritten signature in blue ink, appearing to read "Steuart Pittman".

Steuart Pittman

County Executive

# **SB 484 Housing Expansion and Affordability Act - G**

Uploaded by: Talya Kravitz

Position: FAV



February 28, 2024

The Honorable Brian Feldman  
Chair, Education, Energy, and the Environment Committee  
Maryland Senate

**Re: Support for Senate Bill 484 (Housing Expansion and Affordability Act of 2024)**

Dear Chair Feldman and Committee Members,

On behalf of the Greater Washington Partnership (the Partnership), I am writing to express our support for the Housing Expansion and Affordability Act of 2024 (SB484). This bill will help address the state's housing shortage by incentivizing construction of market rate and affordable housing units near transit stations. We applaud the Moore Administration for introducing measures and confronting housing challenges on behalf of Maryland's workforce.

The Partnership is a nonprofit alliance of nearly 50 leading corporate, university and nonprofit employers in Maryland, Virginia, and the District of Columbia committed to championing the region's growth and vitality. Recognizing the importance of mobility and inclusive growth to our economic competitiveness, the Partnership developed the [Blueprint for Regional Mobility](#) and the [Regional Blueprint for Inclusive Growth](#), employer-informed strategies to enhance the transportation system from Baltimore to Richmond and address the region's pervasive racial wealth gap. Through these Blueprints, our employer community has called for increased housing availability rapid transit corridors as a cost-effective strategy to expand equitable access to opportunity in the region.

Cost of living – and specifically the cost of housing – features prominently in domestic migration patterns and appears to be contributing to Maryland's relatively slow population growth since at least 2019.<sup>1</sup> Housing demand has outpaced supply and cost increases have outpaced wage growth, exacerbating an affordability crisis. Maryland's housing shortage is estimated to be at least 96,000 units, a figure likely to grow absent of major changes in the market.<sup>2</sup> The lack of affordable and attainable housing threatens the state's economic competitiveness and vitality. As housing becomes increasingly unattainable, businesses face difficulty attracting and retaining talent, which has serious implications for community investment and economic growth.

Promoting transit-oriented housing development is a particularly impactful and equitable solution to this challenge. The average resident in the Washington, DC metro area can access more than 1.7 million jobs within 45 minutes by vehicle – assuming they have access to a personal vehicle – yet just 160,000 jobs (9%) can be accessed in the same amount of time via transit.<sup>3</sup> In the Baltimore region, this figure stands at 6% of jobs. Co-locating both market-rate and affordable housing with regional transit stations can greatly improve job accessibility, and by extension upward economic mobility for Marylanders.

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<sup>1</sup> See [State of the Economy](#), Office of the Comptroller (January 2024).

<sup>2</sup> See [December Briefing](#), House Environment and Transportation Committee (December 2023); see also [There's a housing crisis in Maryland. Here's how lawmakers might fix it](#), The Herald-Mail (Feb. 13, 2023) (120,000 units).

<sup>3</sup> See [Blueprint for Regional Mobility](#), Greater Washington Partnership.



By facilitating increased density in transit corridors, SB 484 has the potential to accelerate housing production while channeling density in a manner that ensures Marylanders of all incomes are able to access opportunities across the region.

For these reasons, we urge a **favorable** report on SB 484. Thank you for your consideration and shared commitment to reducing barriers to mobility and opportunity, as well as making this region the best place to live, work, and build a business.

Contact:

Thomas J. Maloney

Vice President, Policy & External Affairs

[tmaloney@greaterwashingtonpartnership.com](mailto:tmaloney@greaterwashingtonpartnership.com)



GREATER WASHINGTON PARTNERSHIP  
1330 Connecticut Ave NW, Suite 315  
Washington, DC 20036

[greaterwashingtonpartnership.com](http://greaterwashingtonpartnership.com)  
[info@greaterwashingtonpartnership.com](mailto:info@greaterwashingtonpartnership.com)

# **MH Advisors SB 484.pdf**

Uploaded by: Thomas Heinemann

Position: FAV



# MH Advisors

Thomas E Heinemann  
Principal  
[Tom@HeinemannConsulting.com](mailto:Tom@HeinemannConsulting.com)  
(202)276-0455

Re: Testimony in Favor of HB SB 484, Housing Expansion and Affordability Act of 2024

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My name is Tom Heinemann, Principal of MH Advisors. Along with Equity Plus, LLC, I am one of the developers of [Kilpatrick Woods](#), a 239 manufactured home subdivision on 63 acres in Hagerstown, MD. Our development was featured in [Fast Company](#) and [NPR](#).

On behalf of our development team and the [Next Step Network](#), our non-profit housing partner, I am pleased to be testifying in favor of SB 484, the Housing Expansion and Affordability Act of 2024. Reducing the zoning barriers to high quality manufactured housing is an important step in reshaping a zoning landscape that is more favorable to affordable housing. The term “manufactured housing” often evokes old mobile homes. Today’s manufactured homes are virtually indistinguishable from site-built homes – the only difference being the underlying building code. Manufactured homes are built to a [Federal pre-emptive building code](#). This code allows manufacturers to pass on cost savings associated with building all homes to one building code, regardless of where it is shipped, to the buyer.

[Harvard’s Joint Center for Housing Studies](#) found that manufactured housing construction costs are approximately 27% less than site-built homes. This savings makes all the difference. Both [Fannie Mae](#) and [Freddie Mac](#) have low down payment 30 year fixed rate mortgages for homes that meet criteria commonly found in site built homes – energy efficiency, steeper roof pitches, drywall interior construction, permanent foundations etc. These mortgage programs effectively place high quality manufactured home financing on par with site built. Because of the cost savings associated with manufactured housing, we can pass that critical savings to the consumer – and hit the 80%-120% AMI income band, or the “missing middle.”

Our work is built upon this value proposition. Next Step works with us to both exceed the Fannie Freddie build quality standards of the homes we use and helps ensure buyers are home purchase ready. Kilpatrick Woods, a green field development within city limits, and our Homes in the Heights our urban infill project in Petersburg, VA are proof of concept. In both instances we have been able to work through the existing zoning structure. But for every Hagerstown and Petersburg there are numerous jurisdictions that explicitly limit where manufactured homes can be placed. This patchwork of uncertainty is the greatest risk to the broader use of manufactured housing. Our track record in running the planning gauntlet for a zoning change is 50/50 (a loss in Winchester, VA, a win in Harrisonburg, VA)– and for many that is simply a risk too high.

Passage of HB 538 is critical to expanding the tools available to address the affordable housing crisis. We are pleased to show proof of the concept that manufactured housing can meet the demand in an attractive and sustainable way.

Kilpatrick Woods, Hagerstown, MD



Streetscape: 1347-1367 Connecticut Ave Hagerstown, MD



Interior

Homes in the Heights, Petersburg, VA



Freddie Mac CHOICE Home, Petersburg, VA

# **Senate Bill 484 Letter of Support.pdf**

Uploaded by: Tony Perez

Position: FAV



**Prince George's County Municipal Association**  
*An Association of 27 Municipalities*



February 27, 2024

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

Re: Support for SB0484

Dear Chairman Feldman,

Thank you for the opportunity to submit testimony. We write on behalf of the 27 municipalities that make up the Prince George's County Municipal Association (PGCMA), which collectively represents more than 955,000 residents, to share our support of this bill with the following amendments:

- Municipalities will allow manufactured homes to enter their communities. However, to protect local community property values and preserve local community culture, manufactured homes must adhere to local municipal design guidelines and local or county historical zoning laws.
- While density permitting is encouraged and supported, the SB0484 density requirements guidelines will be followed where municipal guidelines on density do not exist.

PGCMA therefore respectfully requests the Committee support the proposed amendments for SB0484.

Sincerely,

*Melinda Mendoza*

Melinda Mendoza

PGCMA President

MMendoza@ColmarManor.org

# **UWCM 2024 Letter of Information SB484.pdf**

Uploaded by: Valerie Skvirsky

Position: FAV



FOR INFORMATIONAL PURPOSES

Letter of Information Re: House Bill 538/Senate Bill 484 – Housing Expansion and Affordability Act of 2024 and House Bill 599/Senate Bill 483 – Housing and Community Development Financing Act of 2024.

United Way of Central Maryland (United Way) is committed to pursuing a more just, fair, and equitable society where one’s background does not predict future outcomes. Unfortunately, every day, low-wage earners are forced to make impossible decisions. They are ALICE: Asset Limited, Income Constrained, Employed. They often earn too much to qualify for government benefits, but not enough to support a “survival budget” for life’s essentials. ALICE households and households in poverty are forced to make tough choices, such as deciding between quality child care or paying the rent — choices that have long-term consequences not only for their families, but for all.

United Way’s public policy team analyzes the effects of legislation and policies on individuals and communities and helps guide policy formation to expand equity, opportunity, and access for all. Supported by a board-level Public Policy Committee, we advocate for needed investments, governmental action, and community empowerment, and help amplify the voices of others to effect positive change for our region. United Way in collaboration with its Public Policy Committee has identified accessible childcare and initiatives to move ALICE households away from the benefits cliff <sup>1</sup>and promote self-sufficiency as its [2024 Maryland General Assembly Legislative Session Key Priorities](#) (Key Priorities).

An essential component to United Way’s advocacy of its Key Priorities is the support of programs and funding aimed at eviction prevention and rehousing. Therefore, United Way supports the Governor Wes Moore’s Administration’s efforts to make housing affordable and accessible for ALICE residents and other struggling Marylanders. To learn more about United Way housing programs, visit: <https://uwcm.org/housing-programs>.

If you have any questions concerning United Ways Key Priorities or public policy initiatives, please contact either Windy Deese, Vice President of Public Policy and Economic Advancement for United Way, at [windy.deese@uwcm.org](mailto:windy.deese@uwcm.org) or our contract lobbyists Lisa Harris Jones ([lisa.jones@mdlobbyist.com](mailto:lisa.jones@mdlobbyist.com)) and/or Caitlin McDonough ([caitlin.mcdonough@mdlobbyist.com](mailto:caitlin.mcdonough@mdlobbyist.com)) with Harris Jones & Malone, LLC.

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<sup>1</sup> A “benefits cliff” is a term used to describe the potential loss of public benefits to working people resulting from small increases in earned income—sometimes as little as \$100 a year—whether or not they’re financially stable enough to absorb the loss of those benefits.

# **Health Care for the Homeless - 2024 FAV SB 484 - Z**

Uploaded by: Vicky Stewart

Position: FAV

**HEALTH CARE FOR THE HOMELESS  
TESTIMONY IN SUPPORT OF**

**SB 484 - Land Use – Affordable Housing – Zoning Density and  
Permitting (Housing Expansion and Affordability Act of 2024)**

**Senate Education, Energy, and the Environment  
Committee  
March 1, 2024**



**Health Care for the Homeless strongly supports SB 484**, which will allow for the creation of more critically needed affordable housing. As such, SB 484 will tangibly prevent and end homelessness in Maryland.

Health Care for the Homeless, established in 1985, is Maryland’s leading nonprofit provider of integrated health services and supportive housing for people experiencing homelessness. We envision a community where everyone is healthy and has a safe home in a just and respectful community. To bring about that future, the organization works to end homelessness through racially equitable health care, housing and advocacy in partnership with those of us who have experienced it.

Since 2001, Health Care for the Homeless has developed and gradually expanded programing to deliver tenancy assistance and supportive services in housing for people experiencing and at great risk of homelessness. Last Fall, we opened Sojourner Place at Oliver, a 70-unit affordable apartment building in the historic Oliver neighborhood in Baltimore City with co-developer and co-owner Episcopal Housing Corporation. We intend to develop more rental housing for people experiencing and at risk of homelessness because there is simply not enough affordable housing, particularly for people making 30% or less of Area Median Income. According to the National Low Income Housing Coalition 2023 GAP Report there are more than 200,000 Maryland households making less than 30% of AMI.<sup>1</sup> There are only 30 units of affordable housing for every 100 households making 30% or less of AMI in Maryland.<sup>2</sup> The deficit in available housing is the largest for any income level.

Housing ends homelessness. SB 484 will make it easier for mission-drive organizations like ours to meet the State’s pressing need for quality, affordable housing, particularly for households with extremely low incomes. This bill includes measures that increase a developer’s opportunity to leverage cost-saving construction technology, that reduce costly administrative delays for affordable housing projects that have already been scrutinized and deemed worthy of State investment, and to reasonably increase the diversity of housing options in neighborhoods with reasonable access to amenities. These are all tools that increase economy of scale, reduce costs and support the delivery of units in a timely manner – benefiting investors, lenders, developers and prospective tenants.

Housing is health care. Studies across the country confirm what we see in Baltimore City, that when people without homes are provided a safe and stable place to live, at a price they can afford, costly ED visits and

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<sup>1</sup> <https://nlihc.org/gap/state/md>

<sup>2</sup> <https://nlihc.org/housing-needs-by-state/maryland>.

hospitalizations reduce,<sup>3</sup> encounters with the criminal justice system reduce, and positive indicators of stability and health increase, particularly when the housing is accompanied with voluntary access to supportive health services.

Affordable housing with supportive services is precisely what we need more of in Baltimore City and across the state. If SB 484 bill passes, our organization (and many socially conscious developers like us) will be in a position to say “yes” to more redevelopment and new construction projects that our respective communities want and need, but that we currently have to pass on. I encourage you to say “yes” to much needed housing. Say “yes” to keeping well-considered projects on schedule and on budget. And vote in favor of HB 534.

*Health Care for the Homeless is Maryland’s leading provider of integrated health services and supportive housing for individuals and families experiencing homelessness.*

*We deliver medical care, mental health services, state-certified addiction treatment, dental care, social services, housing support services, and housing for over 11,000 Marylanders annually at sites in Baltimore City and Baltimore County.*

*Our Vision: Everyone is healthy and has a safe home in a just and respectful community.*

*Our Mission: We work to end homelessness through racially equitable health care, housing and advocacy in partnership with those of us who have experienced it.*

*For more information, visit [www.hchmd.org](http://www.hchmd.org).*

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<sup>3</sup> See, for instance, the outcomes of the Maryland Medicaid supportive housing waiver program, known as Assistance in Community Integration Services (ACIS), which showed “[s]tatistically significant decline in the average number of ED visits, avoidable ED visits, and inpatient admissions for ACIS participants in the year following enrollment in the program.” The Hilltop Institute UMBC, *Summary Report: Assistance in Community Integration Services (ACIS) Program Assessment, CY 2018 to CY 2021* (Sept. 15, 2023), available at [Summary Report: ACIS Program Assessment \(hilltopinstitute.org\)](https://hilltopinstitute.org/summary-report-acis-program-assessment).

# Senate Bill 0484 testimony.pdf

Uploaded by: Aidan Larsen

Position: FWA

Dear Members of the Senate Education, Energy, and the Environment Committee,

My name is Aidan Larsen. I am a resident of Montgomery County in District 16 and **I am writing in support of Senate Bill 0484, the Housing Expansion and Affordability Act of 2024.**

I grew up as a child in Montgomery County and loved my time here. I moved to other parts of the country for college and graduate school, but after experiencing the Midwest and the South, I knew I wanted to return to the place I had grown up to settle down and potentially raise children of my own. While my wife and I are lucky enough to be able to afford a nice townhome in the county, the lack of housing in the county and the restrictive zoning laws present here made that housing incredibly expensive and limited the number of options in denser areas and near the Metro. The Housing Expansion and Affordability Act of 2024 would help to ameliorate this problem and allow a greater diversity of housing options to be built.

In fact, while I support the act in its current form, I would like to acknowledge my support for additional amendments to the bill to include more types and price ranges of development so more Marylanders can benefit. I support lowering the percentage of affordable units required for the density bonus to kick in for larger apartment buildings. I also support removing the affordability requirement for “missing middle” housing that would be approved by right within areas zoned for single family homes. I believe these changes would make the bill even stronger and increase the amount of housing that these bills would produce that would be available to people who can afford market rate housing, like me.

Thank you for your consideration.

Sincerely,  
Aidan Larsen  
2 Grove Ridge Ct.  
North Bethesda, MD 20852  
larsenaid@gmail.com

**MMLSB 484 - FWA.pdf**

Uploaded by: Angelica Bailey Thupari

Position: FWA



Maryland Municipal League  
*The Association of Maryland's Cities and Towns*

## TESTIMONY

March 1, 2024

**Committee:** Senate Education, Energy, and the Environment

**Bill:** SB 484 - Land Use – Affordable Housing – Zoning Density and Permitting  
(Housing Expansion and Affordability Act of 2024)

**Position:** Favorable with Amendment

**Reason for Position:**

The Maryland Municipal League (MML) appreciates the Administration’s intent with SB 484: safe and affordable housing is a fundamental component of a healthy, thriving community, and municipalities have a vested interest in promoting policies and initiatives that ensure housing affordability for all current and future residents. However, this interest must be balanced with the pragmatic challenges of running a local government. To meet these challenges, MML requests amendments addressing the following concerns.

The first of these is limited infrastructure capacity. Increasing density also increases the risk that adequate infrastructure will not be available for those new residents, especially public water and sewer capacity. This is especially true in zones that do not receive high volume water or sewer services, like areas exclusively zoned for single-family homes or commercial use. Granting the State authority to bypass public facilities regulations, even in limited circumstances like LIHTC and State-funded projects, could create a significant burden on infrastructure that local governments will have to navigate alone.

The bill’s definition of “unreasonable limitation or requirement,” which includes any limitation or requirement that has a substantial adverse impact on the qualified project’s viability, the degree of affordability of the qualified project’s affordable units, or the qualified project’s allowable density, is also concerning. Without access to the project’s financing information, how can local governments ensure that their well-intentioned requirements don’t impact the project’s affordability? Lack of information and lack of clarity can lead to increased and costly litigation, which local governments are eager to avoid.

However, MML appreciates the Administration’s collaboration and communication in the drafting of this bill, and since its introduction. The League is confident that continued conversations will lead to solutions that meet the intent of the bill while addressing our members’ concerns.





Maryland Municipal League  
*The Association of Maryland's Cities and Towns*

For these reasons, the League respectfully requests that the committee provide Senate Bill 484 with a favorable report after adopting amendments addressing the issues above.

**FOR MORE INFORMATION CONTACT:**

Theresa Kuhns  
Angelica Bailey Thupari, Esq.  
Bill Jorch  
Justin Fiore

Chief Executive Officer  
Director, Advocacy & Public Affairs  
Director, Public Policy & Research  
Deputy Director, Advocacy & Public Affairs

# **SB484.pdf**

Uploaded by: brian quinn

Position: FWA

March 1, 2024

Brian M. Quinn

T 410.494.6221  
F 410.821.0147  
BQuinn@Venable.com

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

**Re: Senate Bill 484 – Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024) - FAVORABLE WITH AMENDMENTS**

Dear Chairman Feldman:

On behalf of our client, Himmelrich Associates, Inc. (“Himmelrich”), I am writing to express our support for SB 484 with the amendments included below. Himmelrich is a Baltimore-based real estate firm focused on repurposing and readapting industrial and historic properties.

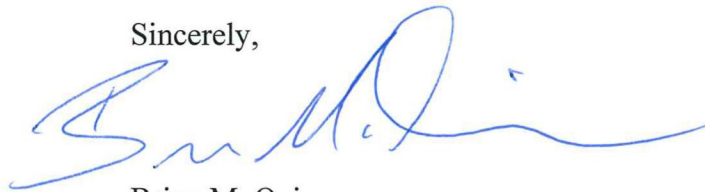
Himmelrich supports SB 484 with the following amendments:

1. On page 4, in line 8, after “ARTICLE” insert “, UNLESS THE NEW MANUFACTURED HOMES ARE LOCATED ON LAND CURRENTLY OR PREVIOUSLY OWNED BY THE FEDERAL GOVERNMENT THAT IS OVER EIGHTY ACRES IN SIZE AND WAS THE SITE OF A MILITARY RESERVATION”.
2. On page 7, in line 2, after “(I)” insert “IS OR”; after “BY” insert “EITHER”; and after “STATE” insert “OR THE FEDERAL GOVERNMENT IF THE FEDERAL LAND IS OVER EIGHTY ACRES IN SIZE AND WAS THE SITE OF A FORMER MILITARY RESERVATION”.
3. On page 7, in line 23, after “USE,” insert “OR ON LAND THAT IS OR WAS OWNED BY THE FEDERAL GOVERNMENT, IS EIGHTY ACRES IN SIZE AND WAS THE SITE OF A FORMER MILITARY RESERVATION,”
4. On page 13, in line 4, after “ARTICLE” insert “; OR (III) WITH FEDERAL HISTORIC TAX CREDITS FOR RENOVATIONS COMPLYING WITH THE STANDARDS OF THE U.S. DEPARTMENT OF THE INTERIOR”.

March 1, 2024

Thank you very much for your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Brian M. Quinn". The signature is fluid and cursive, with a long horizontal flourish at the end.

Brian M. Quinn

cc: Member, House Environment and Transportation Committee

# **CSG Support for SB 484 Housing Expansion and Affor**

Uploaded by: Cheryl Cort

Position: FWA

March 1, 2024

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

RE: [SB 484](#) -- Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024) — Position: **Favorable with Amendments**

Dear Chair Feldman and committee members:

Please accept this testimony on behalf of the Coalition for Smarter Growth, the leading organization advocating for walkable, bikeable, inclusive, and transit-oriented communities as the most sustainable and equitable way for our region to grow and provide opportunities for all.

We urge you to support SB 484. As noted in the Comptroller's January 2024 [State of the Economy report](#), Maryland faces an urgent housing shortage and rising housing costs. This lack of available housing harms middle- and low-income families, and threatens our economic competitiveness as households leave Maryland to seek lower costs of housing elsewhere.

SB 484 would open up more opportunities to build needed housing, overcoming impediments for both market-rate and affordable home construction. We support this bill but suggest two amendments to strengthen it.

**Proposed Amendments:**

1. Lower the share of affordable units to 20% of the units in a qualified project.
2. Stipulate Priority Funding Area locations for non-profit qualified projects.

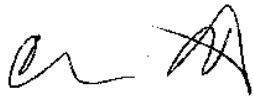
**Discussion of amendments**

**Affordable set aside:** We recommend a 20% set aside share of affordable units rather than 50% or 25%, in order to conform to and leverage the most common affordability financing tool, 4% Low Income Tax Credits (LIHTC). These tax credits allow for financing of 20% affordable housing with the remainder at market rate. In most cases, non-profit projects are likely to build 100% of their units as affordable, but more flexibility in financing can help create more possibilities for affordable housing.

**Priority Funding Areas:** The location and connectivity to essential services is a core component in a households' budget. After housing costs, [transportation is the greatest cost](#). Thus we continue to support the state's approach using Priority Funding Areas (PFAs) as a guide for the cost-effective locations of new housing. To this end, we recommend requiring that qualified non-profit housing projects be located in Priority Funding Areas in order to maintain minimal levels of accessibility to services, reduced household transportation costs, and consistency with reduced environmental impacts associated with development outside PFAs.

Thank you for your consideration. We ask the committee for a favorable recommendation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cheryl Cort', with a stylized flourish at the end.

Cheryl Cort  
Policy Director

# **SB0484 Housing Exp Affordability Act - AIA MD Sup**

Uploaded by: Chris Parts

Position: FWA





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

# **Comments on SB 484, the Housing Expansion and Affo**

Uploaded by: Dan Reed

Position: FWA



Chair Brian Feldman  
and Members, Education, Energy, and the Environment Committee  
2 West, Miller Senate Office Building  
Annapolis, Maryland 21401

March 1, 2024


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

My name is Dan Reed and I serve as the Regional Policy Director for [Greater Greater Washington](#), a nonprofit that works to advance racial, economic, and environmental justice in land use, transportation, and housing throughout Greater Washington. **GGWash strongly supports Senate Bill 484, the Housing Expansion and Affordability Act.** We applaud the leadership displayed here by the Governor and by Secretary of Housing and Community Development Jake Day, and are grateful that they have started this important dialogue.

As written, Senate Bill 484 would require local jurisdictions to allow a 30% “density bonus” for new developments near transit or on land owned by nonprofits or the state. It would also streamline the local permitting process, including multiple public hearings and Adequate Public Facility Ordinances that at worst can kill a project and at best add significant delays and costs. Exclusionary zoning and lengthy permitting processes are two ways that local governments have choked off Maryland’s housing supply, resulting in a shortage of 96,000 homes. The consequences are clear: double-digit home price increases in the past five years; working families getting priced out of the neighborhoods where they have built their lives; and a slowing economy as Marylanders pack up for cheaper locales. I have lost count of how many of my friends and loved ones have left for North Carolina or Florida in the past few years. Every single one of them is a loss not just for my family, but for our whole state.

Governor Moore has been clear that the issue is a lack of supply. That’s why we have two recommendations to ensure that the Housing Expansion and Affordability Act can rise to the occasion.

1. **Reduce the affordability requirements for larger residential projects.** Subsidized, income-restricted housing is a crucial part of our housing solution. However, the high requirements in this bill—setting aside 25 to 50% of the units in a development for lower-income households—will make new projects financially infeasible in many areas, including the high-cost, jobs- and resource-rich communities where the demand for housing is greatest. We recommend that the percentage be lower than the 30% density bonus, preferably 15 or 20 percent. A lower percentage will still yield more deeply affordable homes if it can catalyze the development of more homes overall.

The Washington, DC region is great  and it can be greater.



- 2. Eliminate the affordability requirement for smaller, middle housing developments.** Many middle-income Marylanders struggle to find homes they can afford but do not qualify for income-restricted, subsidized housing. We need solutions that increase housing for them as well. Allowing middle housing—duplexes, townhomes, and small apartment buildings—in single-family zoned neighborhoods can unlock housing options at a significantly lower price than comparable new construction single-family homes. We should encourage the production of this housing without income restrictions or subsidies, as it's providing a more affordable option that is largely missing today.

Again, we appreciate Governor Moore and Secretary Day's commitment to solving Maryland's housing shortage. This is certainly the beginning of a longer conversation, and we are eager to work with the administration and the General Assembly to identify solutions and make them a reality. We ask the Education, Energy, and the Environment Committee to be bold, and ensure that all Marylanders have access to more housing options within their budgets.

Sincerely,

Dan Reed  
Regional Policy Director

# Testimony - SB 484.pdf

Uploaded by: Deb Jung

Position: FWA



# Howard County Council

Deb Jung  
Council Chair

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District 4

George Howard Building  
3430 Court House Drive  
Ellicott City, Maryland 21043-4392

February 29, 2024

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

**SB0484-EEE\_MACo\_SWA.pdf**

Uploaded by: Dominic Butchko

Position: FWA



## Senate Bill 484

*Land Use – Affordable Housing – Zoning Density and Permitting  
(Housing Expansion and Affordability Act of 2024)*

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

To: Education, Energy, and the Environment  
Committee

Date: March 1, 2024

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS** SB 484 **WITH AMENDMENTS**. This bill makes several changes to the land use article enabling higher density bonuses under three different scenarios, authorizing the use of manufactured housing, and loosening restrictions related to adequate public facility ordinances. Counties are pleased to join this policy discussion, and offer amendments to help implement these goals most effectively.

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 greatly appreciate Governor Moore’s collaborative approach in developing the Administration’s housing package. For several months, staff from the Department of Housing & Community Development have been meeting with both MACo and our membership to discuss possible components of the bill. It goes without saying, SB 484 is a surgically targeted piece of legislation, aimed at preserving the foundations of local autonomy while also taking emergency measures to meet the current housing crisis.

While supportive of several concepts within the legislation, counties do have some concerns, specifically around implementation, ambiguity, and infrastructure capacity. Counties offer the following amendments to both strengthen this legislation and ease local apprehensions:

**Amendment # 1: Replace “Manufactured” with “Modular”**

The distinction between manufactured and modular housing may appear minute, but this precision is important. Historically, until about the 1970s, manufactured housing had been associated with trailers and trailer parks. While the quality and imagination of design has shifted since then, this type of housing still must follow HUD standards and can still take the form of a trailer. Modular housing on the other hand offers all the same benefits in terms of affordability and speed, but must comply with state and local regulations. Counties agree that modular housing should be a potential component of moving the needle on housing supply.

Additionally, section 4-104 may be interpreted so that local governments are prohibited from limiting development in single family residential areas for any project that may have a manufactured home. Counties may have a variety of reasons for limiting development, the biggest reasons being infrastructure and school capacity. In addition to replacing “manufactured” with “modular,” counties request clarifying language be added to ensure that local authority on these matters be clearly retained.

*Amendment Language:*

- 4-104 MODULAR
  - On page 5, STRIKE lines 1-5, AND INSERT,
    - THE GOVERNING BODY OF A POLITICAL SUBDIVISION MAY NOT PROHIBIT THE PLACEMENT OF A MODULAR HOME IN ANY ZONE THAT ALLOWS SINGLE FAMILY RESIDENTIAL DEVELOPMENT, BASED ONLY ON THE FACT THAT THE STRUCTURE IS MODULAR.
    - A MODULAR HOME FOR THIS SECTION MEANS A HOUSE BUILT IN A FACTORY IN TWO OR MORE MODULES THAT MEETS THE STATE OR LOCAL BUILDING CODES WHERE THE HOUSE WILL BE LOCATED, AND WHERE SUCH MODULES ARE TRANSPORTED TO THE BUILDING SITE, INSTALLED ON FOUNDATIONS, AND COMPLETED.
    - THIS SUBTITLE DOES NOT AFFECT THE AUTHORITY OF A GOVERNING BODY OF A POLITICAL SUBDIVISION TO ENACT AND ENFORCE STANDARDS OR REQUIREMENTS RELATED TO THE PLACEMENT OF HOUSING IN ANY ZONE THAT ALLOWS SINGLE FAMILY RESIDENTIAL DEVELOPMENT, INCLUDING MODULAR HOUSING.

**Amendment #2: Clarify Applicability of Density Bonuses**

Under the state density bonuses awarded in sections 7-502, 7-503, and 7-504, the administration has made it clear that their intent was to allow for multiple paths to one 30% state density bonus, instead of multiple paths to multiple stackable bonuses. If state density bonuses can be stacked, it is not inconceivable to envision a scenario where projects can quickly and dramatically escape the bounds of

local infrastructure constraints, and end with a wide variety of serious unintended consequences. This would carry a significant risk of overwhelming the schools, roads, emergency response, water and stormwater systems, along with other critical infrastructure. Counties request clarifying language be added ensuring that the bill matches the Administration's clearly stated intent.

*Amendment Language:*

- 7-502 (B)(5)
  - After this section, INSERT, “(6) IF A PROJECT IS AWARDED A 30% DENSITY INCREASE UNDER THIS SECTION, THEN IT IS NOT ELIGIBLE FOR A DENSITY UNIT INCREASE UNDER 7-503 (B)(5) OR 7-504 (B)(5)
- 7-503 (B)(5)
  - After this section, INSERT, “(6) IF A PROJECT IS AWARDED A 30% DENSITY INCREASE UNDER THIS SECTION, THEN IT IS NOT ELIGIBLE FOR A DENSITY INCREASE UNDER 7-502 (B)(5) OR 7-504 (B)(5)
- 7-504 (B)(5)
  - After this section, INSERT, “(6) IF A PROJECT IS AWARDED A 30% DENSITY INCREASE UNDER THIS SECTION, THEN IT IS NOT ELIGIBLE FOR A DENSITY INCREASE UNDER 7-502 (B)(5) OR 7-503 (B)(5)

**Amendment #3: Align Distance from a Train Station to Reflect Infrastructure Capacity Limits**

As drafted, this bill currently awards a 30% state density bonus for housing projects that meet a certain affordability threshold within 1 mile of a rail station. Counties recognize that these are areas where density should be concentrated and, in many cases, already award bonuses within a certain proximity of rail stations. While the proposed bonus itself does not necessarily cause concern, the 1-mile proximity poses some significant challenges. In most jurisdictions, the infrastructure within .25 miles may largely be able to handle additional capacity constraints. But beyond that threshold, factors like road capacity, sewer capacity, etc. begin to become more challenging to address. Counties request that the proximity state density bonus be decreased to avoid unintended consequences.

*Amendment Language:*

- 7-503 (A)(2)(II)
  - Strike “1” and replace with “.25.”

**Amendment #4: Establish a Proportional Standard**

There are extensive references to an ambiguous “unreasonable” standard which the legislation attempts to create. The broad intent of the section is to ensure that local jurisdictions do not enact certain requirements, such as setbacks and height restrictions, which may impede the ability of developers to execute on the state density bonuses they may be granted. Counties recognize the intent, but as drafted, the current language will lead to significant litigation, along with additional time and

costs, and will likely result with the courts settling issues in a manner contrary to the will of the General Assembly or the Governor. Instead, counties propose that a “proportional” standard be adopted, allowing local jurisdictions the flexibility of amending their codes to accommodate state density bonuses, preventing unintended outcomes, but still preserving the ability for residents to shape the look, smell, and feel of their communities.

*Amendment Language:*

- 7-501 (N)
  - Strike lines 17 through 23.
- 7-505
  - In lines 20-28, STRIKE and INSERT “A LOCAL JURISDICTION MAY IMPOSE ANY LIMITATION OR REQUIREMENTS PROPORTIONAL TO THE IMPACT OF A QUALIFIED PROJECT UNDER THIS SUBTITLE.”

**Amendment #5: Align Public Hearing Requirements with Existing Law & Practice**

The Administration has made it clear that the intent of this legislation is to significantly limit the number of public hearings a local jurisdiction may require for a qualified project. As drafted, the current language does not accurately reflect or address current practice or law related to public hearings. Counties request a clarifying amendment that ensures this provision can be implemented.

*Amendment Language:*

- 7-506
  - In lines 2-5 STRIKE and INSERT, “EXCEPT AS OTHERWISE PROVIDED OR REQUIRED BY STATE LAW, A LOCAL GOVERNMENT MAY NOT REQUIRE THAT A QUALIFIED PROJECT UNDER THIS SUBTITLE BE SUBJECT TO MORE THAN ONE PUBLIC HEARING FOR EACH REQUIRED DEVELOPMENT APPLICATION, BEFORE EACH OF THE FOLLOWING:”

**Amendment #6: Flexibility Around Adequate Public Facilities**

Counties are appreciative of the Administration’s willingness to engage with local leaders to try to address significant concerns related to relaxing adequate public facility ordinances (APFOs). For context, APFOs are guardrails on development to ensure that critical infrastructure – like classroom size, hospital capacity, water, stormwater, and wastewater systems, emergency response capabilities, and others – do not become overwhelmed. As the primary provider of public services, management of these services is always a top priority for counties. The Administration has agreed to place a 15-year sunset on this provision, highlighting the seriousness of the housing crisis and the need for APFOs.

Additionally, while counties recognize the Administration’s urgency to loosen APFO restrictions for certain projects, it is not clear why a market rate portion of a project should not be subjected to these

requirements. Units at or above market rate provide the same infrastructure constraints but do not have the benefit of increasing affordability. To this effect, counties request amendments balancing the need for increased unit production with the limits of infrastructure capacity.

*Amendment Language:*

- 7-502, 7-503, & 7-504 (B)(2)
  - Add clarifying language “EXCLUSIVELY ZONED RESIDENTIAL” and “IF ADEQUATE PUBLIC WATER AND PUBLIC SEWER IS AVAILABLE TO SERVE THE PROJECT”
- 7-502, 7-503, & 7-504 (B)(4)
  - Strike and replace with “IN AN AREA ZONED EXCLUSIVELY FOR COMMERCIAL USE AND SERVED BY PUBLIC WATER AND SEWER, A QUALIFIED PROJECT MAY CONSIST OF MIXED-USE DEVELOPMENT WITH DENSITY LIMITS THAT DO NOT EXCEED THE HIGHEST ALLOWABLE DENSITY IN THE LOCAL JURISDICTION’S MULTIFAMILY RESIDENTIAL ZONES.”
- 7-105
  - In (B)(1) INSERT “...FOR AFFORDABLE HOUSING”
  - In (B)(2) INSERT “...AFFORDABLE HOUSING PORTION OF THE...”
  - In (B)(2) (I) & (III) INSERT “PORTION OF”
  - INSERT “(C) IF A PROJECT IS DETERMINED TO NOT MEET ADEQUATE PUBLIC FACILITY REQUIREMENTS, THE LOCAL JURISDICTION SHALL HAVE TWO YEARS TO TRY TO ADD CAPACITY TO THE NECESSARY PUBLIC FACILITIES.
  - (D) IN INSTANCES WHERE A PROJECT QUALIFIES FOR THE EXEMPTION UNDER 7-105 (B), THE STATE SHALL PROVIDE ADEQUATE ADDITIONAL FUNDING TO INCREASE THE CAPACITY OF THE NECESSARY PUBLIC FACILITIES.”

**Amendment #7: Extend the Effective Date**

Currently, the implementation date is set for October 1, 2024. Several sections of this bill will require significant revisions to local code and processes. Counties request that the implementation date be pushed back to January 1, 2025, to allow additional time to complete any necessary revisions before implementation.

*Amendment Language:*

- On page 13, line 18, STRIKE: “October 1, 2024” and INSERT: “January 1, 2025”
- On page 13, line 19, STRIKE: “September 30, 2039” and INSERT “December 31, 2039”

**Amendment #8: Guardrails Around Nonprofit State Density Bonus**

Under this bill, nonprofits that develop projects with certain affordability thresholds are granted a state density bonus. Counties have serious concerns with this provision as it may open the door for bad actors to create nonprofits or form nonprofit divisions to take advantage of the state density bonus.

Counties request clarifying language to ensure state density bonuses are awarded to genuine nonprofits and protect against unscrupulous corporate actors who may wish to undermine the intent of the General Assembly and the Governor.

*Amendment Language:*

7-504 (A)

- STRIKE (A)(2)
- At line 15, INSERT:
  - “(2) "CONTROLLED BY" MEANS A BUSINESS STRUCTURE WHEREBY THE NONPROFIT ORGANIZATION IS A MANAGING MEMBER, GENERAL PARTNER, OR OTHERWISE CONTROLLING ENTITY IN A BUSINESS STRUCTURE WITH A FOR PROFIT MEMBER OR PARTNER AS DEMONSTRATED BY A LICENSED MARYLAND ATTORNEY.
  - (3) "NONPROFIT ORGANIZATION" MEANS AN ORGANIZATION THAT IS TAX-EXEMPT UNDER §501(C)(3) OF THE INTERNAL REVENUE CODE AND HAS DEMONSTRATED SUCCESSFUL RESIDENTIAL CONSTRUCTION AND/OR MANAGEMENT OF AFFORDABLE RESIDENTIAL DEVELOPMENT WITHIN THE SAME METROPOLITAN STATISTICAL AREA (AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT) AS THE PROPOSED DEVELOPMENT.”
- At line 17, STRIKE "(3)" and INSERT "(4)"

**Amendment #9: Technical Changes**

Planners almost universally define “TOWN HOUSE” as three or more connected units. Language should be amended to be consistent with terminology currently used by planning professionals.

*Amendment Language:*

- 7-501 (M)
  - STRIKE “TWO” INSERT “THREE.”

Require DHCD to establish a clear definition for “SUBSTANTIAL RENOVATION.”

*Amendment Language:*

- 7-502 (A)(1)



- Add, “AS ESTABLISHED BY THE MARYLAND DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD) ANNUALLY AND IDENTIFIED IN THE DHCD MULTIFAMILY RENTAL FINANCING PROGRAMS STANDARDS.”

Allow counties flexibility in determining a definition of “AFFORDABLE DWELLING UNIT” that may better align with local policies.

Amendment Language:

- 7-501 (D)
  - Add “OR DESIGNATED AS A MODERATELY PRICED DWELLING UNIT UNDER CHAPTER 25A OF THE MONTGOMERY COUNTY CODE OR ANY ADDITIONAL PROGRAM WITH THE SAME LEVEL OR GREATER OF AFFORDABILITY.”

As the frontline actor in land use, and housing policy, counties remain committed to working with all stakeholders in advancing comprehensive housing solutions. Counties gladly voice our appreciation to Governor Moore for both the targeted nature of this housing package, and for his Administration’s months-long collaboration with local leaders. While counties do have refining concerns as mentioned above, none of these issues are insurmountable. For this reason, MACo urges the Committee to give SB 484 a **FAVORABLE WITH AMENDMENTS** report.

**CalvertCounty\_FAV\_AMEND\_SB0484.pdf**

Uploaded by: Earl Hance

Position: FWA



**CALVERT COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**

175 Main Street  
Prince Frederick, Maryland 20678  
410-535-1600 • 301-855-1243  
www.calvertcountymd.gov

*Board of Commissioners*  
Mark C. Cox Sr.  
Catherine M. Grasso  
Earl F. Hance  
Mike Hart  
Todd Ireland

February 28, 2024

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

Re: SB0484 – Land Use – Affordable Housing – Zoning Density and Permitting

Chair Feldman, Vice Chair Kagan, and Committee Members:

The Board of County Commissioners for Calvert County writes to **SUPPORT with AMENDMENT SB0484** and ask the Committee to consider the long-term and detrimental effect of usurping local zoning authority and creating a pathway to avoid the provision of adequate public facilities. We appreciate the current housing shortage, and, with the compounding effect of recent inflation, its impact on the lives of our citizens. However, we do not find that a blanket increase of density of 130% is not appropriate in all circumstances, but, instead, could be crafted as a planning objective for local jurisdictions. Also, bypassing the test for the adequate provision of public facilities undermines the principles of quality of life that supports residents and empowers them to reach their personal best. Instead, where there is State investment in bricks and mortar, there should be a commiserate support for the infrastructure that ensures the high quality of life for the residents who would benefit from this initiative. We therefore, support the premise of SB0484, but seek amendments that leave zoning authority with the local jurisdiction and not compromise the quality of life and education afforded through the provision of public facilities in sufficient supply.

Should you have any questions or require further information, please do not hesitate to contact County Administrator Julian M. Willis at 410-535-1600, extension 2201, or County Attorney John Norris at 410-535-1600, extension 2566. Thank you for your kind consideration of our position regarding this important Bill.

Sincerely,  
BOARD OF COUNTY COMMISSIONERS  
CALVERT COUNTY, MARYLAND

Handwritten signature of Earl F. Hance in blue ink.

Earl F. Hance, President

Handwritten signature of Catherine M. Grasso in blue ink.

Catherine M. Grasso, Vice President

Handwritten signature of Mark C. Cox Sr. in blue ink.

Mark C. Cox Sr.

Handwritten signature of Mike Hart in blue ink.

Mike Hart

Handwritten signature of Todd Ireland in blue ink.

Todd Ireland

cc: The Honorable Senator Michael Jackson  
The Honorable Senator Jack Bailey

**BaltimoreCounty\_FWA\_SB0484.pdf**

Uploaded by: Elisabeth Sachs

Position: FWA

JOHN A. OLSZEWSKI, JR.  
*County Executive*



JENNIFER AIOSA  
*Director of Government Affairs*

AMANDA KONTZ CARR  
*Legislative Officer*

WILLIAM J. THORNE  
*Legislative Associate*

**BILL NO.:** SB 484

**TITLE:** Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)

**SPONSOR:** President Ferguson (By Request of the Administration)

**COMMITTEE:** Education, Energy, and the Environment

**POSITION:** **SUPPORTS WITH AMENDMENTS**

**DATE:** March 1, 2024

Baltimore County **SUPPORTS WITH AMENDMENTS** Senate Bill 484 – Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024). This legislation seeks to establish regulatory incentives to development to address the housing supply and affordability crisis. The legislation contains three main components:

- HB 538 allows for certain properties to be developed with higher density if they include a certain percentage of affordable units (defined in this context as units preserved at 60% AMI).
- The legislation limits the ability of local jurisdictions to deny permits or unreasonably restrict projects funded by low-income housing tax credits (LIHTC) or other affordable housing financing programs managed by State DHCD on the basis of local adequate public facilities ordinances (APFOs). Baltimore County concurs with the Maryland Association of Counties (MACo) that this exemption should sunset after a period of 15 years.
- The legislation permits new manufactured/modular homes in areas zoned for single-family residential uses, overriding any local laws or ordinances that would prevent their placement.

SB 484 is a comprehensive approach at tackling the housing crisis head on. As a whole, the bill is a positive step that has the potential to benefit local housing production on sites where that development is appropriate. Consistent with our partners at MACo, we believe that changes are still needed to ensure that housing production does not preempt local land use authority or impact critical community infrastructure.

Accordingly, Baltimore County requests a **FAVORABLE WITH AMENDMENTS** report on SB 484 from the Senate Education, Energy, and the Environment Committee. For more information, please contact Jenn Aiosa, Director of Government Affairs at [jaiosa@baltimorecountymd.gov](mailto:jaiosa@baltimorecountymd.gov).

**SB 484 Testimony\_TownofChevyChase\_March 1.pdf**

Uploaded by: Irene Lane

Position: FWA



Irene Lane, *Mayor*  
Barney Rush, *Vice Mayor*  
Rich Brancato, *Treasurer*  
Stephanie Martz, *Secretary*  
Joy White, *Community Liaison*

**Testimony by the Town of Chevy Chase**  
**Maryland Senate Education, Energy, and the Environment Committee**  
**Public Hearing on Housing Expansion and Affordability Act of 2024 (SB0484)**  
**March 1, 2024**

Chair Feldman, Vice Chair Kagan, and Members of the Senate Education, Energy, and the Committee,

My name is Irene Lane, and I am the Mayor of the Town of Chevy Chase, which is a self-governing municipality located in Montgomery County. Our town is comprised of 1,032 homes and is situated entirely within one mile of the Bethesda metro rail station. While we have embraced accessory dwelling units (ADUs) and recently supported construction of a senior living community with 507 dwelling units, our current zoning is for single-family homes.

We fully appreciate and support the aim of the housing bill to broaden housing options, including multifamily and affordable housing, both in our area and across the state. However, we have some questions and propose two amendments for the committee's consideration during your deliberations. Our intention is to ensure that this legislation supports affordable housing development without compromising municipal authority to establish building codes that apply uniformly to all residential housing types.

First, clear and precise language should be used for the avoidance of doubt in implementing the legislation and safeguarding affordable housing developments. Unfortunately, sections 7-501 and 7-505 use vague terms like “unreasonable” and “substantial adverse impact” when referring to local jurisdictions’ established building codes and ability to regulate housing development.

We are concerned that the current language suggests that the sole criterion for assessing the reasonableness of local regulations is whether the established building code would have a "substantial adverse impact" on a potential qualified project. This approach neglects other crucial factors that municipalities need to consider, such as stormwater management, emergency vehicle access, the right to quiet enjoyment, and tree canopy preservation for climate resilience. Additionally, it overlooks factors that developers must weigh, such as prevailing land values and profit margins. Allowing developers to bypass a local building code for a “qualified project”, arising from criteria unique to that project, undermines both fairness and the crucial need for consistent building regulations across different housing types within the municipality.

Therefore, we urge the committee to amend Sections 7-501 and 7-505 to stipulate that limitations or requirements imposed on qualified projects be no stricter than those applied to other allowable housing types within the zone. Our specific suggested amendments are offered in Appendix A of this letter.



Second, Section 7-503 includes mixed-use development as part of qualified projects in areas zoned for multifamily residential use. Given ongoing discussions in Montgomery County to up-zone single-family residential communities to accommodate multifamily housing, many small municipalities could face rapid changes under the current bill. If the primary goal is to increase housing, particularly affordable housing, why introduce mixed-use development especially as many small municipalities across the state lack current building codes for commercial or retail establishments? We propose that mixed-use development be deferred for further consideration, allowing time to assess the impacts of qualified projects.

Finally, Section 7-503 permits a 30% housing density bonus for qualified projects, raising questions about adherence to local municipal building codes and the potential for larger structures. We seek clarification on whether the 30% density bonus requires compliance with local codes and reiterate our aim for equitable application of municipal building regulations across all residential housing types.

Thank you for considering our questions and amendments, ensuring that local municipal building codes are upheld consistently.

Sincerely,

A handwritten signature in cursive script that reads "Irene N. Lane". The signature is written in black ink and is positioned to the left of the typed name.

Irene N. Lane  
Mayor, Town of Chevy Chase

## Appendix A

*The subjective nature of terms like "unreasonable" and "substantial adverse impact" may result in varying interpretations and could potentially necessitate judicial intervention for resolution. We are looking to avoid that with the proposed amendments.*

7-505

A LOCAL JURISDICTION MAY NOT IMPOSE ANY ~~UNREASONABLE~~ LIMITATION OR REQUIREMENTS ON A QUALIFIED PROJECT UNDER THIS SUBTITLE THAT IS STRICTER THAN INCLUDING LIMITATIONS ON OR REQUIREMENTS THAT APPLICABLE TO OTHER PERMISSIBLE HOUSING TYPES FOR THE ZONE, CONCERNING:

- (1) HEIGHT;
- (2) SETBACK;
- (3) BULK; OR
- (4) PARKING;
- (5) LOADING, DIMENSIONAL, OR AREA; OR
- (6) SIMILAR REQUIREMENTS.

7-501

~~(N) "UNREASONABLE LIMITATION OR REQUIREMENT" INCLUDES ANY LIMITATION OR REQUIREMENT THAT HAS A SUBSTANTIAL ADVERSE IMPACT ON:~~

- ~~(1) THE VIABILITY OF IAN AFFORDABLE HOUSING DEVELOPMENT IN A QUALIFIED PROJECT;~~
- ~~(2) THE DEGREE OF AFFORDABILITY OF AFFORDABLE DWELLING UNITS IN A QUALIFIED PROJECT; OR~~
- ~~(3) THE ALLOWABLE DENSITY OF THE QUALIFIED PROJECT.~~

# **UPDATED\_MNCPPC\_SB 0484\_Housing Expansion and Aff**

Uploaded by: Jordan BaucumColbert

Position: FWA



THE MARYLAND-NATIONAL CAPITAL  
Park and Planning Commission

## POSITION STATEMENT

**Bill:** SB 0484 Land Use – Affordable Housing – Zoning Density and Permitting (*Housing Expansion and Affordable Housing Act of 2024*)

**Position:** Support with Amendments

**Date:** March 1, 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.

**Overview:** The Commission supports the need to provide more housing throughout the State of Maryland. This Bill is a great start to moving the state in that direction. We have some suggested amendments to clarify language and help to avoid conflicts and confusion in implementation.

### *Proposed Amendments*

#### **Effective Date:**

A proposed effective date of October 1, 2024, may not allow the counties sufficient time to amend their zoning and subdivision ordinances to conform to the bill.

#### **Suggested language:**

- Change to December 31, 2024, or later.

### **Section 4-104:**

There is a distinction between “manufactured home” and a home manufactured off site and assembled on a property, which is known as a “modular home” in current planning parlance and can be a more reasonably priced housing option than a stick-built home. Further, allowing these in any zone would provide more housing options.

#### **Suggested language:**

- (page 2, line 24): §4-104(C) (Limitations – Modular Homes)
- (page 4, lines 1-8): A legislative body may not prohibit the placement of a modular home in any zone that allows residential development. A modular home for this section means a house built in a factory in two or more modules that meets the State or local building codes where the house will be located, and where such modules are transported to the building site, installed on foundations, and completed.

### **Section 7-501 Definitions:**

- Definition of “affordable dwelling unit” should allow inclusion of existing affordable or inclusionary housing programs in various jurisdictions across the state.  
Suggested language (page 5, lines 9-11): Affordable dwelling unit means a dwelling unit that is affordable to households earning 60% or less of the area median income or meets the criteria of a local jurisdiction’s inclusionary zoning housing program and provides price controls for at least 30 years.
- Definition of “mixed use” should capture residential with any other use.  
Suggested language (page 6, lines 2-3): “Mixed use” means any combination of a residential use with a non-residential use.
- Definition of “town house” should align with general planning definitions and allow for different ownership structures, such as a condominium regime. It should be 3 units and should not specify it has to be on a separate lot to allow for condominium ownership.  
Suggested language (page 6, line 13-16): “Town house” means a complex of dwelling units constructed in a row of three (3) or more attached units, where each dwelling unit shares at least one common wall with an adjacent dwelling unit.

### **Section 7-502:**

- Definition of “unreasonable limitation or requirement” should be modified to help explain its limitations. The term “affordable housing development” is also not needed and is confusing because it is not a defined term, because the term “Qualified Project” encompasses the affordability component. Also, including an impact on not only density but also the number of units to capture various ways of calculating more units.  
Suggested language (page 6, lines 17-23): “Unreasonable limitation or requirement” includes any limitation or requirement that has a substantial adverse impact on:
  - (1) The viability of a Qualified Project;
  - (2) The degree of affordability of affordable dwelling units in a Qualified Project; or
  - (3) The allowable density or number of units in a Qualified Project.
- Density Bonus language should specify that a Qualified Project can exceed the density of the zone including any local bonus density. In the section allowing middle housing units, there is no

need to restrict this to exclusively single-family zones, it can just apply to all residential zones. This would allow more housing types and density in more locations. Further, including that it could be more units or square footage may also provide more opportunities for more housing in certain zones.

**Suggested language:**

- (page 7, lines 12-14): In accordance with this subsection, a local jurisdiction shall allow the density of a Qualified Project to exceed the density otherwise authorized, including bonus density allowed by the local jurisdiction, in a district or zone.
- (page 7, lines 15-16): In an area zoned exclusively for residential use a Qualified Project may include middle housing units.
- (page 7, lines 23-26): In an area zoned exclusively for non-residential use, a Qualified Project may consist of mixed-use development with density limits that do not exceed the highest allowable density, in the local jurisdiction's multifamily residential zones, including any bonus density allowed by the local jurisdiction.
- (page 7, lines 27-29): In an area zoned for mixed use, a Qualified Project may include 30% more housing units or residential development square footage than may be allowed in that zone, including any bonus density allowed by the local jurisdiction.

**Section 7-503:**

- A Qualified Project under this section should include projects that are deed-restricted for 30 years as opposed to 40 years, as this is fairly standard for such programs and financing. Also, the rail station should not need to be within the State of Maryland as stations located in the District of Columbia but within 1 mile of a Maryland project could be useful locations for more housing as well.

**Suggested language:**

- (page 8, lines 6-7): Is on property that is located within 1 mile of a rail station
  - (page 8, lines 10-11): Is deed restricted to include 25% of units that are affordable dwelling units for a period of at least 30 years.
  - (page 8, line 17): Metrorail system station.
- The Bonus Density, like in the prior section, should specify that it is in addition to any bonus density afforded by the local jurisdiction. Also, remove restriction to only single-family residential zones for middle housing.

**Suggested language:**

- (page 8, lines 19-21): In accordance with this subsection, a local jurisdiction shall allow the density of a Qualified Project to exceed the density otherwise authorized, including any bonus density allowed by the local jurisdiction, in a district or zone.
- (page 8, lines 22-23): In an area zoned exclusively for residential use, a Qualified Project
- may include middle housing units.
- (page 8, lines 24-25 and page 9, lines 1-3): In an area zoned exclusively for multifamily residential use, a Qualified Project: (i) shall have a density limit that

exceeds by 30% the allowable density in that zone, including any density bonuses allowed by the local jurisdiction.

- (page 9, lines 9-11): In an area zoned for mixed-use, a Qualified Project may include 30% more housing units or residential square footage than may be allowed in that zone, including any bonus density allowed by the local jurisdiction.

### **Section 7-504:**

- Allow for situations of non-profit entities owning or controlling the land, possibly by ground lease or other structure. Also reduce the time frame from 40 years to 30 years.

#### **Suggested language:**

- (page 9, lines 22-23): Is wholly owned or under control of a non-profit organization
  - (page 9, lines 28-29): Is deed-restricted to include 50% of units that are affordable dwelling units for a period of 30 years.
- Clarify that the additional bonus density is above what the local jurisdiction otherwise provides, as stated in the above sections. Also remove restriction for middle housing units to only single-family zones.

#### **Suggested language:**

- (page 10, lines 1-3): In accordance with this subsection, a local jurisdiction shall allow the density of a Qualified Project to exceed the density otherwise authorized in a district or zone, including any bonus density provided by the local jurisdiction.
- (page 10, lines 4-5): In an area zoned exclusively for residential use, a Qualified Project may include middle housing units.
- (page 10, lines 8-10): Shall have a density limit that exceeds by 30% the allowable density in that zone, including any bonus density allowed by the local jurisdiction.
- (page 10, lines 16-18): In an area zoned for mixed-use, a Qualified project may include 30% more housing units or residential square footage than allowed in that zone, including any bonus density allowed by the local jurisdiction.

### **Section 7-505:**

- In this section, it makes sense that design criteria cannot impose an unreasonable limitation or requirement, but operational aspects of a use, like loading, should still be considered by a local jurisdiction to assure that projects do not have unintended negative impacts.

Suggested language (page 10, line 27): Remove this line related to “loading, dimensional, or area.”

#### **Suggested language:**

- (page 10, line 28): Remove the phrase “Similar requirements”.

### **Section 7-506:**

- Projects that come before the Planning Board often require more than one application approval. For instance, a project might need approval of a concept plan, a subdivision plan and a site plan, each with their own hearing. Applicants generally decide how many applications they wish to process at the same time, as there is significant investment in creation of these plans.

Sometimes financing is staggered or business partners need to be found before a project can proceed to the final approval stages. Therefore, it may not be possible or economical for a qualified project to have only one hearing before the Planning Board. However, in the interest of streamlining and preventing unnecessary hearings we could offer some amendment to the language.

**Suggested language:**

- (page 11, lines 2-5): Except as otherwise provided or required by State law, a local government may not require that a Qualified Project under this subtitle be subject to more than one public hearing for each required development application, before each of the following:

**Section 10-103:**

- Change the nomenclature from “Manufactured Homes” to “Modular Homes”.

**Suggested language:**

- (page 11, line 26): § 4-104(c) (Limitations – Modular Homes)

**Section 7-105:**

- All development needs adequate public facilities. It is important that affordable housing has public services, and facilities that are comparable in quality to those of market-rate developments. We understand the goal of this provision is to prevent the use of APF to block affordable housing and agree that APF should not be a tool to specifically prevent affordable housing, but a different approach may address this issue more effectively to ensure affordable housing developments have equitable access to infrastructure and amenities. If these projects are receiving state funding, it would be most equitable for the state funding to include the necessary infrastructure funding. Alternatively, in jurisdictions with local impact taxes these units should be exempt from the local jurisdiction impact taxes, but not from all APF.

**Suggested language:**

- (page 13, new lines 17-20): (C) Notwithstanding the above section B, in a local jurisdiction that imposes impact taxes for transportation and schools, State Funded Affordable Housing Projects will be exempt from local impact taxes but will be subject to the local Adequate Public Facility Law.

The Commission urges the committee to give this bill a favorable report with the proposed amendments.



# **SB 484- Housing Supply - FAV - REALTORS.pdf**

Uploaded by: Lisa May

Position: FWA



## **Senate Bill 484 – Land Use - Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)**

### **Position: Support with Amendments**

Maryland REALTORS® supports efforts to address our housing crisis. For this reason, we urge your strong support for SB 484.

Maryland currently faces a shortage of nearly 150,000 housing units and growing, according to the National Low Income Housing Coalition. This shortage now impacts not just low-income residents, but also those of moderate incomes, young professionals, seniors, and working families. It encompasses both what has been traditionally considered as “affordable housing” but now also Missing Middle Housing types. What is more, these housing shortages are impacting our broader economy, as evidenced by the Comptroller’s 2023 State of the Economy report, which noted that Maryland’s economy is growing at just a fraction of our national rate.

SB 484 begins the work of closing our housing shortage by granting density bonuses and easing zoning restrictions on qualified projects in areas adjacent to transit, owned by non-profits and lands formerly controlled by the state. It removes restrictions on the construction of modular housing and streamlines the development process that is currently subject to excessive delays created by the public hearing process.

For SB 484 to have the most impact, we recommend the following:

- To revise the percentages for affordable housing downward to levels that will result in financially viable projects for housing developers,
- To increase the percentages of density bonuses granted to offset costs incurred in providing dedicated affordable housing units; and,
- Expanding the definition of “cottage cluster” under 7-501 to incorporate all local cottage development types, including those currently enacted in Queen Anne’s County.

Many will state that SB 484 is an intrusion into local control of zoning. In reality, local zoning practices have led us to the housing shortage that we are in today and maintaining that local control will continue to grow the crisis.

It is time for state action. The status quo is no longer an option, both for policy makers and for the residents of Maryland. Included in our testimony are the full results of the Maryland REALTORS® State of Housing Poll, which surveys the views of registered Maryland voters on housing. In it, you will find support for the very policies outlined in SB 484, including Middle Housing, and reducing regulatory roadblocks that stand in the way of producing it.

Maryland REALTORS® applauds efforts to ease our housing crisis and reduce our current 150,000-unit housing shortage. With the above considerations, we ask for your support of Senate Bill 484.

**For more information contact**  
**[lisa.may@mdrealtor.org](mailto:lisa.may@mdrealtor.org) or [christa.mcgee@mdrealtor.org](mailto:christa.mcgee@mdrealtor.org)**

# **Testimony SB484 - Written.pdf**

Uploaded by: Matthew Wessel

Position: FWA

**March 1, 2024**

**Matthew Wessel, PLA**  
**Testimony for Senate Bill 484**  
**(Housing Expansion and Affordability Act)**

My name is Matthew Wessel, and I am a land planning consultant with over 20 years of experience entitling projects that provide housing in Maryland. I'm also serve on the executive board of the Maryland Building Industry Association.

Taking a project from concept to reality can be full of uncertainties including regulatory changes, NIMBY opposition, and added costs that ultimately reduce density, increase home prices, and slow the speed to market making it challenging to supply the amount of housing needed to meet demand.

The Housing Affordability and Expansion Act provides hope by recognizing our state's housing crisis and initiating steps towards its resolution. I am in support of this bill. My concern is that while helpful, the bill as written is not enough to address the overall housing shortage of 96,000 units.

A recent policy brief on the bill from the George Mason University Mercatus Center (attached) outlined a 10-year pathway that illustrates just how much needs to be done to meet the shortfall. I would like to see the bill amended to promote all forms of housing including market rate.

One way to do this is to amend the bill to require clear housing targets for each jurisdiction based on economic and population growth projections. This would support strategic, informed local planning, and provide local jurisdictions with a state goal that can be used to measure progress and eliminate obstacles in meeting this goal, eventually solving the state's housing crisis.

Thank you or your consideration of this amendment.



# Expanding Maryland’s Housing Stock: A Roadmap to Meeting Housing Targets

*Salim Furth and Emily Hamilton*

February 2024

Governor Wes Moore’s administration has adopted a goal to increase the housing supply in Maryland by 96,000 housing units.<sup>1</sup> This would constitute a 4 percent increase in the state’s housing stock—a target that is modest relative to the demand for housing in Maryland, and at the same time ambitious relative to Maryland’s baseline policy context. This policy brief tries to map out a realistic path to achieve this goal:

- We argue that good zoning policies deliver over decades.
- We imagine the types and locations of housing that would be enough to meet the governor’s goal.
- We warn against the false choice between abundance and affordability.

## REFERENCE POINTS

Maryland has about 2.5 million housing units. Local governments in the state report issuing about 18,000 building permits per year.<sup>2</sup> The state likely loses about 9,000 units per year to demolition, disaster, and deterioration.<sup>3</sup> The net growth rate of the housing stock, 0.36 percent per year, is one-half to two-thirds of what the state needs to retain its share of the US population.<sup>4</sup>

Any estimate of housing need is a moving target, because markets are dynamic. States that provide abundant housing attract migrants—people not previously counted as “needing housing.” Taking dynamic migration and other sources of demand into account, economists estimate that the rent elasticity of demand is about negative two-thirds.<sup>5</sup> That means that *every 3 percent increase in a metro area’s housing stock reduces rent by 2 percent*, all else equal. That’s a long-term estimate; in the short term, new lease rents can fall more sharply.

Although metro area estimates do not translate perfectly to the state level, the rent elasticity of demand suggests that a 4 percent increase in the housing stock is just a beginning—slowing the growth of rents and prices by a few percentage points would be welcome, but not transformational.

## **GOOD INSTITUTIONS CREATE A STREAM OF HOUSING**

Although economists find it easier to think in terms of static comparisons, cities change—slowly. A large, sudden reduction in regulation creates a slow, steady stream of new housing. The gradual nature of this change is partially due to physical reasons: construction requires investment in skilled workers and equipment. It only makes sense to invest in skills or machinery if long-term, steady work is expected. But change is gradual also because housing markets absorb new supply slowly. When thousands of new units are delivered in a short period, many sit vacant, losing money, as the market gradually adjusts to fill them.<sup>6</sup>

One example of the persistent effects of regulation on housing construction is in Arlington County, Virginia. Metro corridors were designated for transit-oriented development back in the 1970s. Even though Arlington is one of the smallest counties in the US, developers there have been thumping out an average of 925 apartments per year in the last 45 years. We at Mercatus witnessed the gradual nature of this change: a large parcel, enviably located near the Clarendon Metro station, used as a taxicab company’s parking lot until 2021, has finally been developed, and new apartments are available for leasing as of this writing.<sup>7</sup>

We can point to other examples across the country. California’s accessory dwelling unit (ADU) reforms (contained in at least eight bills over several years) undammed a steady stream of investment. New data show that ADU production has grown each year, nearing 25,000 applications and 18,000 completions in 2022. In Houston, minimum lot size reforms have delivered on average 1,900 townhouses per year for 25 years but with strong business-cycle variation.<sup>8</sup> Duplex zoning in Palisades Park, New Jersey, has resulted in the replacement of about 1.2 percent of all single family homes with duplexes each year for decades. Since 1960, the population there has doubled and the property tax rate has fallen, unlike in neighboring towns.<sup>9</sup> In the state next door, after a creative downtown upzoning plan, New Rochelle, New York, awoke from permitting less than 100 units per year to over 800.<sup>10</sup>

In each case, decisive reform did not lead to a one-time surge in development. Instead, reforms raised the baseline rate for years—even generations. Permissive regulations are part of the institutional mix, along with a building industry attuned to local markets, that enables a steady flow of housing units.

## **A PATH TO 96,000**

With these principles in mind, what is a realistic path to Governor Moore’s 96,000-unit goal? We convert this to annual thinking: 10,000 permits per year—over and above Maryland’s 18,000 baseline—as a

10-year path to 96,000, with a cherry on top. What mix of policies could reasonably get us there? We outline one pathway in table 1.

It is challenging to predict the outcomes of even the best-designed reforms. And while we make no pretense of rigor in this section, we have tried to be honest, realistic, and grounded in experience. For all these housing supply reforms, we are thinking of realistic but high-quality versions of the relevant policies. For each of them, a totally ineffective version also exists.

<b>Table 1: A policy pathway to 10,000 additional building permits per year</b>	
500 homes per year	<b>Accessory dwelling units.</b> Given Maryland’s housing stock and prices, we guess that a high quality ADU law would deliver units at about half of California’s rate.
2,555 homes per year	<b>Middle housing near transit.</b> Governor Moore has proposed allowing up to four units per lot within one mile of rail stations, provided one unit is affordable. In unpublished work, the American Enterprise Institute’s Housing Center estimates that this policy would enable up to 1040 new units per year. <sup>11</sup> However, they estimate that the policy would be five times as effective in the absence of the affordability mandate. Creative resistance in some counties and adaptation needed from the construction industry make us more cautious—we adopt half the AEI estimates.
1,500 homes per year	<b>TOD in Prince George’s, Baltimore, and Montgomery Counties.</b> Of these, only Montgomery County has consistently dense development around transit stations (and thus less room for growth above baseline). Transit-oriented development (TOD) rules on par with Arlington’s could deliver growth for generations. But prices are not very high in the first two counties, so it would be slow.
500 homes per year	<b>MARC line TOD.</b> Commuter rail stations in Jessup, Savage, and Laurel are adjacent to low-value industrial districts. They may be the easiest places in the state to invite transformational growth. Some is occurring at baseline. Strict affordability requirements, however, would kneecap TOD zoning.
200 homes per year	<b>Rehabilitation.</b> Significant rehab efforts have already begun at baseline, but we can imagine funding or tax policies that keep more Baltimore rowhouses and Cumberland duplexes from falling out of service.
200 homes per year	<b>Zoning for sewers.</b> Septic systems create nitrogen pollution in the Chesapeake Bay. <sup>12</sup> A creative solution is to allow any residential lot owner with a septic system to pay to extend sewers to his property. In exchange, the lot owner receives a denser level of zoning, keyed to allow townhouses or a cluster of single-family homes on what was previously an acreage. With no benchmark, we cannot do better than provide a conservative guess of the impact of the policy.
200 homes per year	<b>God’s and the state’s backyards.</b> The Moore administration has proposed density bonuses for affordable housing on state campuses and non-profit owned land, an approach often called “Yes in God’s Backyard.” Such land may attract low-income housing tax credits that would have been spent elsewhere, making it hard to measure the contribution relative to baseline. Again, we have no benchmark and adopt a conservative guess.
4,345 homes per year (the residual)	<b>Greenfield development.</b> There are few successful scenarios where greenfield development, scattered around the state, is not the lion’s share of growth. One square mile, developed at a modest six units per gross acre, yields 3,840 homes. Almost all housing growth in less-urban counties will come in greenfields. Some share of this growth can come via densifying baseline greenfield growth.



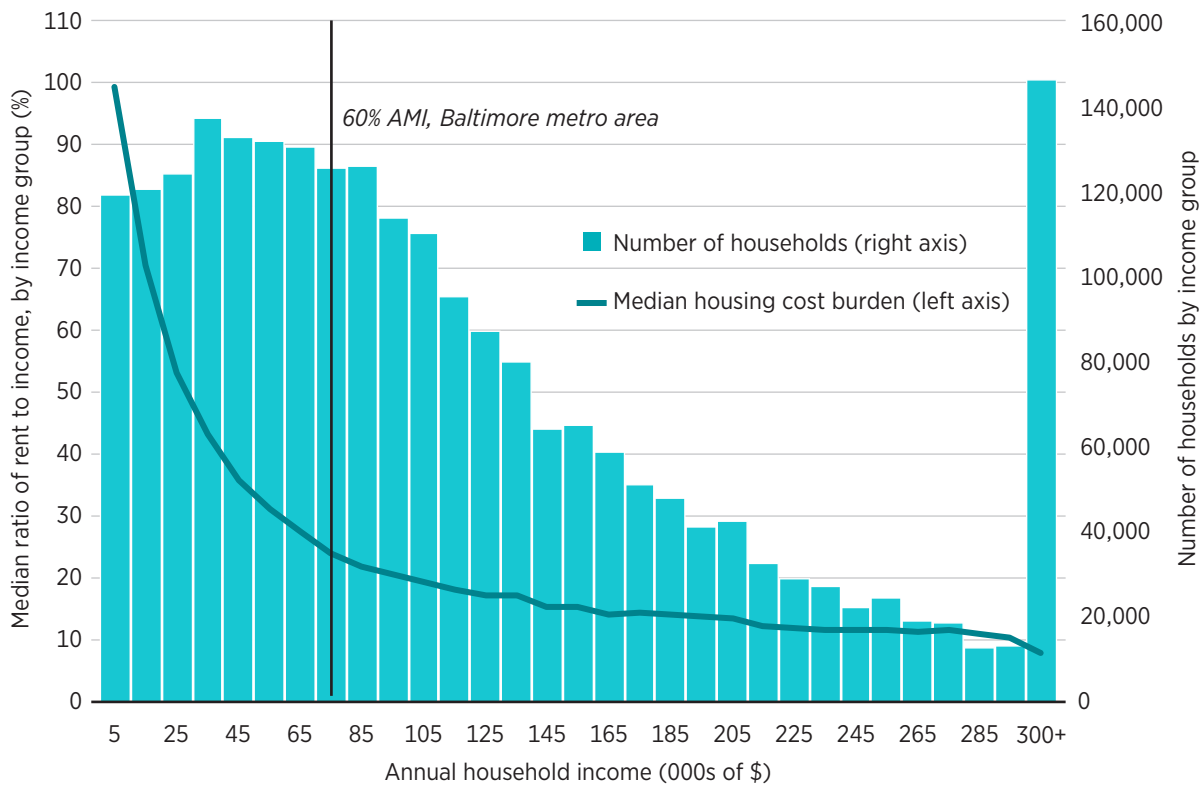
What stands out starkly in the table above is that there is little prospect for achieving the governor’s goal with affordable infill strategies only. This policy brief does not contemplate the kind of big policy changes that would unlock dense, high-quality growth in greenfield areas—but we cannot chart a path to success without a large contribution from densifying and extending the state’s greenfield growth.

### HOW DEEP CAN THE MARKET REACH?

Maryland’s housing policy debate risks derailment by the false choice between abundance and affordability. Without assistance, the poorest people end up living in conditions below modern standards—in housing that is crowded, inaccessible, or unsafe, or even in tents. Policymakers should direct subsidies at those most in need, allowing those with moderate means to house themselves. And policymakers should welcome market-rate housing on its own terms—as a product that can even serve Marylanders with incomes well below the median.

As figure 1 shows, housing affordability problems are concentrated among the quarter of the state’s households earning less than \$48,000. However, this group is crowded out of many affordability

**Figure 1:** Housing cost burden bites at the lowest incomes



Source: U. Census Bureau, American Community Survey 2022, via Steven Ruggles, Sarah Flood, Matthew Sobek, Daniel Backman, Annie Chen, Grace Cooper, Stephanie Richards, Renae Rogers, and Megan Schouweiler, IPUMS USA: Version 14.0 (dataset), Minneapolis, MN, 2023, <https://doi.org/10.18128/D010.V14.0>.

programs by people earning as much as 60 percent area median income (AMI)—which is \$73,000 in the Baltimore metro area, a level at which the median Maryland household spends just 24 percent of its income on housing costs.

Indeed, for people with moderate incomes, even new construction can be attainable. For example, in Montgomery County, the typical renter household living in a unit built since 2010 has a total monthly housing cost of \$2,050, affordable to a household earning 54 percent of AMI.

Some Maryland localities have turned to local inclusionary zoning (IZ) mandates in an attempt to improve housing affordability.<sup>13</sup> The Moore administration proposes to expand IZ, but on a voluntary basis. Usually, these programs produce little housing and set it aside for households earning as much as 60 percent of AMI, sometimes more, thus failing to serve the least-well-off households.

The IZ approach to affordability is precisely attuned to do little to ease housing unaffordability for those with low incomes while also making housing scarcer at all levels of the income distribution. A more robust approach is two-fold: (1) let builders get to work on market-rate housing, which pays for itself and opens up the filtering process,<sup>14</sup> and (2) supplement the incomes of those in the greatest need.

## **CONCLUSION**

As this policy brief has argued, Maryland builders will find housing construction opportunities in diverse places, including transit stations, established neighborhoods, and unimproved land. All of those will be needed to meet Governor Moore’s goal. However, each also needs policy intervention at the county or state level to legalize construction of different styles and densities. And none is likely to grow at scale if legalization is encumbered with unfunded affordability mandates.

## **ABOUT THE AUTHORS**

Salim Furth is a senior research fellow and director of the Urbanity project at the Mercatus Center at George Mason University. He has testified before several state legislatures as well as the US Senate and House of Representatives. He frequently advises local government officials on zoning reform and housing affordability.

Emily Hamilton is a research fellow at the Mercatus Center at George Mason University. Her research focuses on urban economics and land use policy. Hamilton has testified before several state legislatures as well as the US House of Representatives. Hamilton serves on the Advisory Boards of Up for Growth and *Cityscape*, a journal published by the Department of Housing and Urban Development.

## NOTES

1. Josh Kurtz, “State Leaders Promise Vigorous Housing Agenda but Tenant Advocates Sweat the Details,” *Maryland Matters*, December 22, 2023.
2. Sid Kapur, “Maryland,” (database based on US Census Building Permits Survey), (accessed January 22, 2024), <https://housingdata.app/states/Maryland>.
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4. The US population is likely to grow about 0.5 percent per year this decade, but the number of households will grow faster due to aging, low birthrates, and rising affluence.
5. David Albouy, Gabriel Ehrlich, and Yingyi Liu, “Housing Demand, Cost-of-Living Inequality, and the Affordability Crisis,” (National Bureau of Economic Research Working Paper #22816, November 2016).
6. Andreas Mense, “Secondary Housing Supply,” (Geography and Environment Discussion Paper Series 40, Department of Geography and Environment, LSE, London, UK, 2023).
7. “Lease by 1/31 and Receive 6 Weeks Free,” Alexan Fitzroy Apartments (website), accessed January 2024, <https://alexanfitzroyapartments.com/>.
8. Salim Furth, “Resources for Reformers: Houston’s Minimum Lot Sizes,” *Market Urbanism*, January 11, 2024.
9. Edward Pinto, Tobias Peter, and Emily Hamilton, *Light Touch Density: A Series of Policy Briefs on Zoning, Land Use, and a Solution to the Nation’s Housing Shortage*, (Washington, DC: American Enterprise Institute Housing Center, January 2022).
10. Salim Furth and Philip Wharton, *Case Study: New Rochelle: Zoning and Permitting Innovations Unlock Opportunity*, (Better Cities Project, June 2021); Sid Kapur, “New Rochelle, NY,” (database based on US Census Building Permits Survey), (accessed January 22, 2024), [https://housingdata.app/places/NY/New\\_Rochelle](https://housingdata.app/places/NY/New_Rochelle).
11. Unpublished memorandum, January 2024, based on Light-Touch Density Estimates, *AEI Housing Center*, <https://heat.aeihousingcenter.org/ltd-map>.
12. Melanie Harrison et al., “Smart Growth and the Septic Tank: Wastewater Treatment and Growth Management in the Baltimore Region,” *Land Use Policy* 29, no. 3 (July 2012): 483–92; Ethan Hain et al., “Geospatial and Co-occurrence Analysis of Antibiotics, Hormones, and UV Filters in Chesapeake Bay (USA) to Confirm Inputs from Wastewater Treatments Plants, Septic Systems, and Animal Feeding,” *Journal of Hazardous Materials* 460, no. 15 (October 2023).
13. Most studies of IZ, including Hamilton’s own study of the Baltimore-Washington region, find that it raises median housing costs, indicating that it hurts many of the households who aren’t lucky enough to secure an income-restricted unit. Emily Hamilton, “Inclusionary Zoning Hurts More Than It Helps,” (Mercatus Policy Brief, Mercatus Center at George Mason University, Arlington, VA, February 2021); Emily Hamilton, “Inclusionary Zoning and Housing Market Outcomes,” *Cityscape* 23, no. 1 (2021): 161–94.
14. Michael Marville, Michael Lens, and Paavo Monkkonen, “Zoning and Affordability: A Reply to Rodríguez-Pose and Storper,” *Urban Studies* 59, no. 1 (August 2020): 36–58.

# **SB 484 Housing Expansion and Affordability Act.pdf**

Uploaded by: Ray Nosbaum

Position: FWA

## SB 484 Housing Expansion and Affordability Act

My name is Ray Nosbaum. I live at 1503 Sanford Road, which is in District 18. I am active with CHEER in the Long Branch community and am a member of St Camillus, which is a member of Action in Montgomery. CHEER in Long Branch collaborates with AIM. Long Branch and St Camillus are in District 20

I work with the Long Branch Stakeholders Housing Action Team convened by CHEER on addressing affordable housing issues especially since there will be 3 Purple Line stations in Long Branch

The Housing Expansion and Affordability Act needs amending for it to impact Long Branch positively

HB 538 and SB 484 Housing Expansion and Affordability Act of 2024 threatens already existing affordable housing in some locations around transit where there is already older, established housing that is market affordable

This bill would encourage housing to be built within 1 mile of train stations by allowing more density and quicker review processes. This Bill **needs** provisions for protecting **existing** affordable housing near transit with NO NET LOSS protection of the number of existing affordable housing units near a transit station. The Bill granting 30% bonus density near rail without NO NET LOSS protection would create incentives to demolish buildings with current market affordable units in Long Branch near new transit stations and only require new developments to include 25% affordable units. This would result in a loss of affordable units

The Bill needs to include clear, mandatory one-for-one replacement of existing affordable units with new affordable units or No Net Loss

Let me give a specific example of why this is important:

The Montgomery County 2013 Long Branch Sector Plan supports development at the intersection of University Boulevard and Piney Branch because one of the 3 Purple Line stations in Long Branch will be at that intersection

The Long Branch Sector Plan identified apartment complexes likely to be redeveloped because of the Purple Line, with 288 affordable units in 2013. This is all of the units in those apartment complexes. With redevelopment for higher density allowed by zoning there might be a maximum of 686 new units. Current language of the proposed Bills in the Assembly allowing for 25% affordable housing in higher density around transit stations would keep 170 of the current 288 affordable units. The neighborhood could lose almost 120 of the current 288 apartments that are affordable to current residents. This is why the proposed Bills need NO NET LOSS protection

## **SB 484 Housing Expansion and Affordability Act**

Thank you for reading my concern and I hope the Housing Expansion and Affordability Act of 2024 is amended to include language for No NET LOSS of affordable homes near transit stations. Please reply to these comments

**SB484 Amendment.pdf**

Uploaded by: Tom Coale

Position: FWA

**Modular Homebuilders Association – Proposed Amendment**

Submitted by Tom Coale – Perry, White, Ross & Jacobson

[tom@pwrjmaryland.com](mailto:tom@pwrjmaryland.com)

443-630-0507

**p. 2, line 24**

(10) §4-104(c) (Limitations – Manufactured Homes/**MODULAR DWELLINGS**);

**p. 4, §4-104**

**Insert:**

**(A)(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.**

**(2) "MODULAR DWELLING" MEANS A BUILDING ASSEMBLY OR SYSTEM OF BUILDING SUB-ASSEMBLIES, DESIGNED FOR HABITATION AS A DWELLING FOR ONE OR MORE PERSONS, INCLUDING THE NECESSARY ELECTRICAL, PLUMBING, HEATING, VENTILATING AND OTHER SERVICE SYSTEMS, WHICH IS MADE OR ASSEMBLED BY A MANUFACTURER, ON OR OFF THE BUILDING SITE, FOR INSTALLATION, OR ASSEMBLY AND INSTALLATION, ON THE BUILDING SITE, INSTALLED AND SET UP ACCORDING TO THE MANUFACTURER'S INSTRUCTIONS ON AN APPROVED FOUNDATION AND SUPPORT SYSTEM.**

**P. 4, beginning on line 1**

(c) A legislative body may not prohibit the placement of a new manufactured home **OR MODULAR DWELLING** in a zone that allows single-family residential uses if the ~~manufactured~~ home **OR DWELLING**:

**(1) MEETS THE DEFINITION OF MODULAR DWELLING IN THIS SUBTITLE; OR**

**(2) Meets the definition of a manufactured home in § 9-102(A) of the commercial law article and IS, OR WILL BE AFTER PURCHASE, CONVERTED TO REAL PROPERTY IN ACCORDANCE WITH TITLE 8B, SUBTITLE 2 OF THE REAL PROPERTY 8 ARTICLE.**



# **Proposed Housing Expansion and Affordability Act o**

Uploaded by: Adam Rybczynski

Position: UNF



# CITY OF HAYRE DE GRACE

## OFFICE OF THE MAYOR

**William T. Martin**

February 15, 2024

The Honorable Wes Moore  
100 State Circle  
Annapolis, MD 21401

**Re: Proposed Housing Expansion and Affordability Act of 2024**

Dear Governor Moore,

I share your concern about the housing shortage in our state. However, I disagree that the proposed *Housing Expansion and Affordability Act of 2024* (Senate Bill 484 and House Bill 538) (the “Act”) will adequately address that challenge. As the mayor of a unique and diverse city, I have seen that solutions to problems like housing shortages (which have multiple causes) are best addressed at the local level, taking into account the interests of all stakeholders, rather than through top-down, one-size-fits-all legislation. *The Housing Expansion and Affordability Act of 2024* is flawed because it prescribes an unrealistic approach to affordable housing that ignores local conditions, and will undermine the local land use and zoning authority granted under Maryland’s Land Use and Local Government Articles. Most importantly, if passed, this Act would jeopardize the safety, well-being and quality of life for all Marylanders, by allowing non-compliance with our current regulations, which have served our citizens well for the past thirty years. The Act will also set our state back from the strides made using successful managed growth and best practices through comprehensive plan development and sensitivity to environmental issues.

For the following reasons I urge you to request that the *Housing Expansion and Affordability Act of 2024* be withdrawn from the Maryland General Assembly:

**The *Housing Expansion and Affordability Act of 2024* prescribes unreasonable requirements with undefined terms and thus would damage local communities such as Havre de Grace:**

- **Property being formerly State-owned or owned by a non-profit does not mean that it is appropriate for high-density development. For example, State-owned National Guard property is located in the City’s industrial district, while “non-profit” owned property previously operated by Harford Memorial Hospital lies in the middle of the City and a few blocks from the**

**Susquehanna River where parking is at a premium. Other areas may not have access to City water and sewer services. This focus on who owns the property and when is completely arbitrary.**

- Indiscriminately allowing “middle housing” regardless of the location could deeply affect property values in the surrounding neighborhoods and negatively affect the fabric of the community, particularly those which are historically single family neighborhoods. While reduced property values may be viewed as “code” for others, from a municipal standpoint this is the City’s bread and butter. Our primary source of revenue is through property taxes – so a decrease in property values affects the bottom line and could mean higher tax rates down the road.
- The City of Havre de Grace was recently granted Certified Local Government status from the Maryland Historical Trust. The City would potentially lose its historic character with limited Historic Preservation Committee design reviews under this legislation.
- “Viability of an affordable housing development” is not defined and gives developers a lot of opportunity to usurp local zoning controls for their own profit motive.
- Allowing a 30% increase in density for a “qualified project” is unreasonable and does not take into consideration the ability to provide public services and may impact quality of life for local residents by overburdening parking, schools, roads, water and sewer, and fire and EMS services.
- Allowing residential development in areas where residential land uses are not allowed does not take into consideration the ability to provide services and transit options to residents.
- “Unreasonable limitation or requirement” is not defined and allows a developer to usurp local zoning controls arbitrarily.

**The *Housing Expansion and Affordability Act of 2024* proposes a 60% Area Median Income threshold with 50% of units dedicated to affordable housing for a 40-year period - this is an arbitrary and capricious threshold:**

- The Governor's office has not provided any rationale for arriving at the income and unit set-aside thresholds.
- The Maryland unit set aside, and income provisions are arbitrary and lack a rational basis.

**The *Housing Expansion and Affordability Act of 2024* negates Adequate Public Facilities Ordinances:**

In the supporting Memo titled *Governor Moore’s 2024 House Package*, it is stated that Adequate Public Facilities Ordinance are “barriers to the construction of new affordable housing.” I respectfully disagree; Adequate Public Facilities Ordinances are barriers to *all* housing if a developer cannot show that adequate public facilities are available to service the residents.

These laws are necessary controls to ensure essential public facilities such as water and sewer, schools, roads, and emergency services, can be provided to local citizens to maintain certain minimum standards everyone is entitled to receive in modern society. Adequate public facilities allow a local government to postpone or halt development until such time as these services can become available, are built and/or are provided by third parties.

For example, in the City of Havre de Grace:

- Two elementary schools serving the City are above or near capacity. Roye-Williams Elementary will be at or near capacity in the next three years based on committed development in the City of Havre de Grace and the City of Aberdeen.
- The Havre de Grace Middle/High School will be at or near capacity in the next three years.
- Harford County Board of Education redistricting will not be able to alleviate these known school capacity issues.
- The School Board has no plans to construct any new schools serving the City and even if they did, construction would not be funded and completed within the next three to five years.
- Dense development, as allowed in the proposed *Housing Expansion and Affordability Act of 2024*, will exacerbate school crowding and reduce educational opportunities for the very populations which the Act seeks to serve.

**The *Housing Expansion and Affordability Act of 2024* would reverse the progress Maryland has made toward creating mixed-income communities, thus creating a new generation of housing projects and concentrated pockets of poverty which have not worked to lift people out of poverty in the past:**

The Act explicitly states that developments under this proposal are, in fact, “qualified projects,” which would reverse the current model of affordable housing in our State and re-establish pockets of concentrated poverty.

If passed, the *Housing Expansion and Affordability Act of 2024* will do the following:

- Relax standards below federal standards for the development of housing for households at 60% of the Area Median Income or less. The United States Department of Housing and Urban Development defines “low income” as 80% of the area's median income and “very low income” as 50%.
- Relax standards below what the State requires local communities to examine as part of their Comprehensive Plan—workforce household incomes in the 60% - 120% Area Median Income range.
- Will require at least 50% of the housing units that fall under its requirements to be available for mostly very low-income families.

- Promote the development of concentrated pockets of poverty and the negative effects on families that are forced to live in those high-density environments.

***The Housing Expansion and Affordability Act of 2024 negates local Comprehensive Plans:***

If passed, the *Housing Expansion and Affordability Act of 2024* would reverse local governments' progress toward addressing the affordable housing shortage. For example, pursuant to Chapter 713 of *the 2019 laws of Maryland*, Havre de Grace is required to and is in the process of preparing a housing analysis as part of its Comprehensive Plan. Local governments should be given the opportunity to make affordable housing fit into the fabric of their community, not have it forced on them at arbitrary high density with a corresponding loss of taxable property. If passed, the *Act* would undo much of the work the City has already done to create a desirable quality of life that is accessible to residents of all income levels.

As part of this process, the City of Havre de Grace is taking the following steps:

- Developing quality policies that locate affordable housing near transit, employment, and services.
- Promoting the development of mixed-income communities as part of the comprehensive plan that would recognize the harms of concentrated poverty.
- Working with groups such as Habitat for Humanity to assist lower income families achieve home ownership.
- Developing policies to discourage blighted and vacant properties which diminish neighborhoods and which tend to affect lower income neighborhoods disproportionately by holding landowners accountable.

***The House and Expansion and Affordability Act of 2024 would have prevented the recent Cheverly, hospital redevelopment project:***

- The redevelopment project was not required to meet affordable housing set-aside requirements or the very low-income requirements listed in the *Housing Expansion and Affordability Act of 2024* in order to receive the funding.
- The redevelopment will have a “complete streets” focus, which is not required in the *Housing Expansion and Affordability Act of 2024*, but is important in connecting this site to the rest of the Town.
- The Cheverly redevelopment proposes a mix of housing types; on the other hand, the *Housing Expansion and Affordability Act of 2024* would allow developers to build any type of unit as they wish (meaning, what is best for their pocketbooks and not necessarily for the people who will be living in the housing or surrounding neighborhoods).
- The redevelopment project is located near transit, including the Cheverly Metro Station. This is not a consideration in the *Housing Expansion and Affordability Act of 2024*.

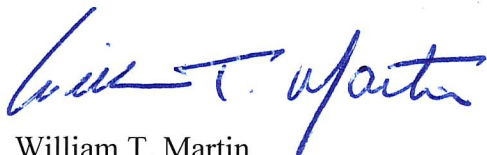


- Centralized public green space is included in the redevelopment plans (typically required by most local zoning laws and comprehensive plans). The *Housing Expansion and Affordability Act of 2024* does not allow local governments to plan for open space if it will affect the “viability” of the project.
- This project provides for 40,000 square feet of retail and 70,000 square feet of medical offices. This provides for services and employment opportunities near the housing development. The *Housing Expansion and Affordability Act of 2024* would not require the development of mixed uses and focuses solely on residential development for very low-income households.
- The Cheverly project had an intensive community engagement process. The *Housing Expansion and Affordability Act of 2024* limits public hearings and opportunities for the public to shape the project and is being pushed forward on an emergency basis without data to back up the immediate need for such housing on the properties to which it applies.

While I respectfully disagree with the Act for the reasons stated above, I do agree with your intention to ensure availability of affordable housing for Marylanders. It is unacceptable that our state is experiencing a shortage of 96,000 units. As a mayor and public school teacher who has spent my entire professional and elected career serving communities along the Route 40 Corridor which has its fair share of lower and middle income residents, I am reminded every day that this is a very real problem and witness daily the struggles of my students and their families.

The shortage of 96,000 housing units means that tens of thousands of families, veterans, and other hard-working Marylanders are being deprived of their dignity because they are unable to access housing. The uncertainty and disruption this housing shortage creates for the people we serve devastates the education system and the local communities. But waiving local land use and zoning requirements developed through local legislation and well thought out comprehensive plans which have served our communities well is not the answer.

In closing, I urge you to request that the *Housing Expansion and Affordability Act of 2024* be withdrawn from the Maryland General Assembly. Instead, I respectfully request that you set up a task force composed of local government leaders who have boots on the ground experience in responding to this housing issue in real time. These local leaders can assist in developing a proposal that would enable local governments to do what they do best - quickly respond to problems – , while allowing the state to provide necessary resources and funding. Together we can create livable communities where adequate public facilities laws, local land use and zoning, and environmental laws are applied equally to all residents, regardless of income.



William T. Martin  
Mayor, City of Havre de Grace

cc: The Honorable Sen. Bill Ferguson, President of the Maryland Senate  
The Honorable Del. Adrienne A. Jones, Speaker of the Maryland House of Delegates  
The Honorable Sen. Brian J. Feldman, Chair Education, Energy, and the Environment  
Committee  
The Honorable Del. Marc Korman, Chair Environment and Transportation Committee  
The Honorable Members of the Senate Education, Energy, and the Environment  
Committee  
The Honorable Members of the House of Delegates Environment and Transportation  
Committee  
The Honorable Members of the Harford County Delegation  
The Honorable Robert Cassilly, Harford County Executive  
The Honorable Members of the Harford County Council  
The Honorable Members of the Havre de Grace City Council  
Mayor John Carroll, President of the Maryland Municipal League  
Mayor Michael O'Connor, President Elect of the Maryland Municipal League  
Theresa Kuhns, Chief Executive Officer of the Maryland Municipal League

# **Resolutions - Calendar Resolution - 2024 - Resolut**

Uploaded by: Adam Rybczynski

Position: UNF



CITY COUNCIL  
OF  
HAVRE DE GRACE, MARYLAND

RESOLUTION NO. 2024-02

Introduced by \_\_\_\_\_ Council President Ringsaker

**A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF HAVRE DE GRACE, MARYLAND, PURSUANT TO THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND AND SECTIONS 33 AND 34 OF THE CITY CHARTER FOR ESTABLISHING A POSITION OF OPPOSITION TO SENATE BILL 484 AND HOUSE BILL 538 INTRODUCED IN THE 446 SESSION OF THE MARYLAND GENERAL ASSEMBLY**

**WHEREAS**, “The American people have always acted upon the deep-seated conviction that local matters can better be regulated by the people of the locality than by the state or central authority. One controlling idea of local self-government is to bring the officials nearer to the people whose interests are immediately affected by official conduct” E. McQuillin, *Municipal Corporations* § 70 (1911); and

**WHEREAS**, “The term ‘the people’ means a body politic, a corporate unit forming a compact organized society and acting as a political entity by and through representatives who constitute for the time being, the public authorities to whom is confided the duty of carrying out the will of the society, whether in making, executing or construing the rules and regulation comprehensively termed laws” E. McQuillin, *Municipal Corporations* § 62 (1911); and

**WHEREAS**, “The residents of a municipality are a municipal corporation” *Md. Local Government Code Ann. § 4-103*; and

**WHEREAS**, pursuant to Chapter 440 of the *1878 Laws of Maryland*, the citizens of Havre de Grace have incorporated into a body politic and corporate under the name the Mayor and City Council of Havre de Grace; and

**WHEREAS**, since the City's incorporation the Citizens of Havre de Grace have effectively developed and executed land use ordinances that are reflective of the diversity of this historic community and have been responsible stewards of the authority granted to them; and

**WHEREAS**, it is in the best interest of the citizens of Havre de Grace to retain full authority granted under the Maryland Constitution Home Rule Article XI-E and Maryland’s Land Use and Local Government Articles; and

**WHEREAS**, the 446 session of the Maryland General Assembly convened on January 10, 2024; and

**WHEREAS**, at the request of the Governor of the state of Maryland Senate Bill 484 and House Bill 538 *Land Use - Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)* have been introduced in the Maryland General Assembly; and

**WHEREAS**, if passed, Senate Bill 484 and House Bill 538, according to Maryland’s Department of Legislative Services, would prohibit “a local legislative body from prohibiting the placement of a certain manufactured home in certain residential zoning districts under certain circumstances; prohibiting a local jurisdiction from using an element of an adequate public facilities law to deny certain permits for certain State-funded affordable housing projects or other qualified projects or to restrict or limit the development of the projects in a certain manner”; and

**WHEREAS**, before any bill introduced in the Maryland General Assembly is passed, it must receive a public hearing at which time the public has the opportunity to submit a position of favorable, favorable with amendments, unfavorable, or information through written or oral testimony; and

**WHEREAS**, it is in the best interest of the citizens of Havre de Grace for the Mayor and City Council of Havre de Grace to oppose Senate Bill 484 and House Bill 538.

**NOW, THEREFORE**, it is determined, decided, and resolved by the City Council that:

1. The Mayor and City Council of Havre de Grace (“the City”) reaffirm its position opposing legislation that would diminish a municipal government's authority for any powers presently granted under the Maryland Constitution or by the State Legislature under the Local Government Article or under the Land Use Article of the Annotated Code of Maryland.
2. It is the position of the City that if SB 484 and House Bill 538 are passed as introduced the general welfare of the citizens of the City of Havre de Grace would be harmed because the legislation would deprive local elected officials and zoning and land use bodies the authority to manage the maximum density of residential areas when compared with local zoning laws, historic preservation, availability of local business resources to service increased population, environmental impacts, and increased burdens on public facilities, all of which must be balanced to provide a healthy, thriving community for the citizens.
3. It is the position of the City that adequate public facilities ordinances serve the public's best interest and allow for managed growth consistent with the City’s well-thought out comprehensive plan. SB 484 and House Bill 538 would deny the underlying purposes of adequate public facilities laws, which are to ensure that such that public facilities are present or paid for prior to development. All residential communities, no matter their income levels, are entitled to adequate public facilities and those citizens already burdened with taxes, utilities rates, and other fees to support the City’s existing facilities should not bear the burden of unrestrained high density growth.

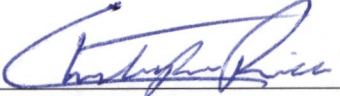


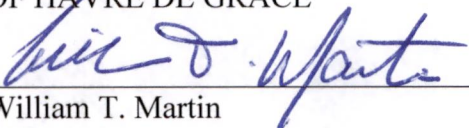
4. The City opposes Senate Bill 484 and House Bill 538 *Land Use - Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)*.
5. The City respectfully requests the Maryland Senate Education, Energy, and Environment Committee to give Senate Bill 484 an unfavorable report.
6. The City respectfully requests the Maryland House of Delegates Environment and Transportation Committee to give House Bill 538 an unfavorable report.
7. The Mayor or his designee may submit testimony opposing Senate Bill 484 and House Bill 538.

ADOPTED by the City Council of Havre de Grace, Maryland this 5<sup>th</sup> day of February, 2024.

SIGNED by the Mayor and attested by the Director of Administration this 6<sup>th</sup> day of February, 2024.

ATTEST:

  
\_\_\_\_\_  
Christopher Ricci  
Director of Administration

MAYOR AND CITY COUNCIL  
OF HAVRE DE GRACE  
  
\_\_\_\_\_  
William T. Martin  
Mayor

Introduced: 2/5/2024  
Passed/Adopted: 2/5/2024  
Effective Date: 2/6/2024

# **Testimony on SB 484.pdf**

Uploaded by: Eric Rockel

Position: UNF

February 29, 2024

The Honorable Senator Brian J. Feldman  
Chairman, Education, Energy and  
Environmental Committee  
Miller Senate Office Bldg.  
Annapolis, MD 21401

RE: SB 484

Dear Senator Feldman and Committee Members:

I am writing to express my opposition to SB 484, the “Housing Expansion and Affordability Act of 2024,” for a variety of general and specific reasons. Some of those reasons I will outline in this letter. Please enter this letter into the committee’s record.

In a broader sense, this bill seeks to weaken the authority and powers granted to localities thru home rule as it relates to affordable housing, specifically, and to land use, more generally. The 10<sup>th</sup> Amendment grants the states the right to allocate that power, and Maryland has granted the authority to enact local charters and home rule to the majority of counties in the state. That home rule provides for a government that best meets the needs of its constituency by allowing for flexibility, increased citizen participation and increased responsiveness to local problems.

By contrast, this bill provides a one size fits all approach by granting affordable housing benefits with regard to land formerly owned by the State, land within one mile of a transit station and housing projects undertaken by non-profits in all areas of the State. The approach is the same in Charles County as it is in Baltimore County, and it is the same in Montgomery County as it is in Kent County. Yet I would suggest to you that each of these localities have very different patterns of land use, local constituencies, reach of local government and affordable housing needs.

Specifically, this bill will weaken the effects of adequate public facility law for localities. Section 7-105 (B), states that a local jurisdiction may not use an element of an adequate public facility law to: (1) deny the permit; or unreasonably restrict or limit the development of the project... . If, for example, a locality has a local ordinance that would prevent development in an overly congested traffic shed, as determined by the locality, this bill seeks to supersede the power of the locality. I would argue that

existing residents don't care about the origins of the additional traffic, rather they just care about the additional time and aggravation that this additional traffic will create in their lives. The public urged their local government to enact a traffic congestion component as part of an Adequate Public Facilities Law. So, the State being able to supersede, even for something noble like affordable housing, is not going to be received favorably.

Under Sec. 7-505 of the bill, it states that "a local jurisdiction may not impose any unreasonable limitation ... on a qualified project ..., including limitations on or requirements concerning height, setbacks, bulk, parking, loading, dimensional, or area; or similar requirements." Now this section goes beyond Adequate Public Facilities Law, and it cuts to the most basic tenets of zoning regulations. For example, certain height standards are in place to ensure appropriate light and air flow that could be restricted by a building that is too tall. Imagine if a neighbor has a garden in their rear yard, but this legislation would allow, in limited circumstances, for an affordable housing project to exceed height limitations that would deprive that neighboring garden from necessary sunlight. Again, I think such a possibility is a violation to the neighbor's peaceful enjoyment of their property. The State should not have this right under any circumstances, even for affordable housing.

I am also concerned over the density bonuses afforded under this bill. For projects that are within one mile of a rail station, there is a density bonus if the project contains at least 25% of units that are affordable. The amount of density bonus depends on the zoning/land use category that the project is situated in. Now in the county where I reside, that density bonus is equal to the 25% of units that are to be set aside for affordable housing in at least one multi-family zoning classification. Now, circling back to my earlier comments about Adequate Public Facilities Law, and this bill's superseding of those laws, if this theoretical project does not have an affordable housing component it will be halted until the APFL issues are addressed and rectified. On the other hand, by giving the density bonus afforded under this bill, the developer can choose to include 25% of affordable housing and be able to avoid the APFL issues for the rest of the project. This is clearly wrong, in my opinion.

For these and other reasons, I urge the committee to return an unfavorable report.

Sincerely,

***Eric Rockel***

Eric Rockel

Sent via email



# **Oppose Senate Bill 484.pdf**

Uploaded by: Jasper Swim

Position: UNF



Oppose Senate Bill 484:

- Will cause overcrowding in schools
- Will increase burden on understaffed Police Forces & Fire/Rescue Workers
- Will increase traffic on already over crowded roads
- Takes away public input/control over zoning bills/hearings
- Areas that have established single family homes will see reduced property values
- Wording in bill is vague regarding manufactured housing

# **Testimony in Opposition -SB484.pdf**

Uploaded by: Kathleen Beadell

Position: UNF

Hearing Date March 1, 2024 at 9:00am -

**Testimony in Opposition to SB484 – Before The Education Energy & Environment Committee**

My name is Kathleen Beadell and I am President of the Greater Timonium Community Council. Our group is located in central suburban area of Baltimore County. I am testifying on behalf of myself.

I would like to thank the Committee for letting me speak.

I am speaking in OPPOSITION to SB484 as it is written currently for the following 2 very serious reasons:

First, residents are very concerned that the bill it states that **“the local jurisdictions may not apply the standards of Adequate Public Facilities laws to deny, restrict or limit a State-funded Affordable Housing Project.”**

The existing residents and community should not have to experience overcrowded schools, congested roadways, increased storm water run-off or overburdened sewer systems **because an Affordable Housing project is able to be built without the consideration of the local and existing Adequate Public Facilities regulations.**

Secondly, in certain land use categories, State-Funded Affordable Housing is given a zoning density bonus, of up to 30% **in multi-family residential zones;** and the highest allowable residential density **in the non-residential zones.**

This approach ignores the local land use and density decisions. These Affordable Housing projects would simply proceed without having the benefit of input from local planning departments **and** the local elected official’s legislative scrutiny and decision-making authority.

Lastly, citizens, planners and local elected officials have thoughtfully tried to create a balance in land use density for many years. This bill, if enacted, would overturn many years of hard work and proper local government planning. **The net result could be overcrowding and congestion, two conditions that citizens should not have to endure, regardless of the noble intentions of this bill.**

In closing, let land use and density considerations remain at the local level. It is simply unfair and detrimental for our State government’s policies to disrupt the balance of residential density and our own Adequate Public Facility limits. Residential development densities should appropriately be determined and approved by local elected officials and county authorities.

**SB484HB538.pdf**

Uploaded by: Lisa Baldanza

Position: UNF

Hello,

I am writing to express my strong opposition to SB484 and HB538. These bills would promote dense housing without consideration for infrastructure, including overcrowded schools, failed intersections, and aging sewers. The proposed legislation is not only unfair, but it is completely irresponsible.

Dense housing without proper planning and infrastructure would decrease the quality of life for residents and have a negative impact on all community members. It is unacceptable to push through legislation that disregards the well-being of our communities and limits the voice of people affected by dense development.

I urge you to kill bills SB484 and HB538. Our communities deserve to be heard and have our concerns addressed.

Thank you,

Lisa Baldanza

**SB 484 HB 538.pdf**

Uploaded by: Pamela Shaw

Position: UNF

I am writing to you today, as the President of the Lutherville Community Association, about HB 538 AND SB 494 the Governor's "Housing Expansion and Affordability Act of 2024"

I urge you to reject or substantially amend this bill.

Even the Maryland Association of Counties, of which, County Executive Johnny Olszewski, Jr Is the 2024 President, MACo submitted a letter containing 10 amendments.

I recommend that some of these amendments should be implemented.

MACO #1- I agree that the language in the bill is confusing. Whatever word "manufactured" or "modular" is should be defined for clarity.

MACo #2 - I agree that this bill should not permit a stacking effect that would allow layering of the bonuses.

MACo #3- While I disagree in principle to this node concept, a reduction from 1 mile to .25 mile is a highly desirable improvement.

I would also suggest that there be an assessment for potential rail stops. For instance, near me there was a lightrail stop that was proposed and is shown on the original map from 2002 in "Texas", Baltimore County. Interestingly, this location is a new Node, added by Councilman Kach and approved by the Baltimore County Council in Masterplan 2030. (Attached)

MACo #4- I agree that the concept of "reasonableness" is too subjective for legislation and should be amended. If not amended it will result in many lawsuits. Some standard that would assess the impact, in a proportional way, such as the MACo recommendation is preferable.

MACo- #5- This bill should not override the zoning and development procedures of an individual county. Attempting to do so will also likely result in lawsuits as the State attempts to remake each County into a single vision.

MACo- #6 With respect to Adequate Public Facilities Ordinances (APFO), no one knows better what facilities are needed in their jurisdictions, and their limitations than the elected officials governing those jurisdictions. No regulatory time frame will force any county to just "get it done".

We all want every person to have a roof over their head, but if the underlying infrastructure is not present no pushing it forward can just "make it so".

I agree with the Greater Timonium Community Council (GTCC):

"Existing residents should not have to experience potentially overcrowded schools, congested roadways, drainage problems or overburdened sewer systems because an Affordable Housing project is able to bypass Adequate Facilities regulations."

MACo-#7 I support the extension of the implementation date.

MACo- #8 I support amendments to ensure that non-profits participating under this bill, demonstrate their non-profit status, their competency, and their experience.

In conclusion I'll quote the position of the GTCC to overall effect of these bills if they are approved unamended.

"This approach ignores local land use and density decisions that have the benefit of input from local planning commissions and local legislative scrutiny and decision making. Citizens, planners and local elected officials have thoughtfully tried to create a balance in land use density that this bill, if enacted, would overturn. The net result could be overcrowding and congestion, two conditions that citizens should not have to endure, regardless of the noble intentions of this bill."

Thanks in advance for your time and consideration.

*Pamela K. Shaw*

President

Lutherville Community Association



**02292024\_SB0484\_TOWN OF BEL AIR MARYLAND\_ETTING.p**

Uploaded by: Paula Etting

Position: UNF



# TOWN OF BEL AIR MARYLAND

39 N. Hickory Avenue · Bel Air, MD 21014

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TOWN ADMINISTRATOR  
Edward Hopkins

February 29, 2024

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

RE: Senate Bill 484 - Housing Expansion and Affordability Act of 2024

Dear Chairman Feldman:

As the Mayor of Bel Air, I am writing in opposition to Senate Bill 484 as currently written. Providing affordable housing to Marylanders is an admirable goal but it should not be done at the expense of local zoning laws, well thought out comprehensive plans, or those residents who have worked hard and achieved homeownership.

If passed, Senate Bill 484 will do the following:

- **Allow manufactured (mobile) homes in single family neighborhoods.** At the hearing before the House on February 20, 2024, Delegate Anne Healey asked Secretary Day about manufactured versus modular homes. Secretary Day and his team were not clear in their response.

A “manufactured home” is a mobile home. It is not a modular home.

A manufactured home is designed to be moved from site to site. A modular home is not designed to move from site to site once set on a permanent foundation. While all manufactured homes built after 1976 are built to Housing and Urban Development (HUD) standards, modular homes are constructed to the same building codes as site-built homes. See attached.

Senate Bill 484 permits mobile homes “in a zone that allows single-family residential uses . . .” (Page 4, lines 1-5)

- **Eliminate single family zoning for any “qualified project” as defined in the bill.** (Page 7, lines 15-16; Page 8, lines 22 and 23; Page 10, lines 4-5 “In an area zoned exclusively for single-family residential use, a qualified project may include middle housing units.”) This is going to change the character of any single-family neighborhood where middle housing units are built, resulting in depressed real property values for those who have worked hard to own a single-family home. For most families, their home is their most valuable asset. For governments, it is their greatest source of revenue.
- **Introduce uncertainty into the development process.** This bill contains several vague and undefined terms – such as “unreasonable limitation or requirement,” “substantial adverse impact,” “viability,” and “degree of affordability.” Page 6, lines 17-23; page 10, lines 20-28.

On February 20, 2024, Secretary Day admitted in his testimony before the House that we will have to look to the courts to determine what these terms mean. Litigation is expensive and time-consuming for all parties. This will result in delays while the developer and the local government litigate in the courts the meaning of these terms – wasting both money and time that neither of us can afford.

The Town of Bel Air has limited open land remaining for development. It is older and poorer than the surrounding county or the State of Maryland. Our older single-family neighborhoods of modest homes will be the obvious targets of the redevelopment encouraged by this bill. The likely result of this legislation will be the destruction of existing older homes to build new higher density housing units in modest already established single family neighborhoods.

- **Exempt State funded affordable housing projects from adequate public facility laws.**

On February 20, 2024, Secretary Day testified before the House Committee that “the bill does not prohibit APFOs from being applied.”

Senate Bill 484 specifically states that “in making a decision on a permit application for a State funded affordable housing project, a local jurisdiction may not use an element of an adequate public facility law to deny the permit.” Page 13, lines 5-8.

Adequate public facilities laws serve the best interests of ALL the residents of the Town by ensuring that there is adequate water and sewer capacity available, and that our schools have the resources to educate the students that show up at their door. Overcrowded schools will have a negative impact on those that need it the most – students who are struggling. A good education is the best path to a good

job and out of poverty. All schools in the Town of Bel Air are over 100% capacity – with one currently at 115%. Overcrowding is likely to worsen with the addition of mandatory preschool. The Town needs to be able to manage its growth so that our schools are not flooded with students whose needs cannot be met.

- **Incentivize the creation of nonprofits to build affordable housing.** I have attached a map showing in blue all the real property in our town that is not on the tax rolls. As the county seat, we have county buildings as well as both the circuit and district courthouses within municipal limits. The State has recently purchased (or is in the process of purchasing) several properties in town for a new district court, resulting in the loss of an additional \$76,000 in tax revenue. The hospital is within town limits. Many churches also call Bel Air home. To incentivize more non-profits to purchase property in town is courting fiscal disaster.

The bill also gives no consideration to the location of the property owned by a nonprofit. Focusing on who owns the property has never been a factor in how a property can be developed – and with good reason.

All nonprofit housing does not have the same impact. Bel Air has a 20% poverty rate among its seniors. Senior housing has no impact on our school capacity – and is therefore exempt from that factor under the Town’s adequate public facilities law. Other nonprofit housing projects would seriously impact Bel Air’s already overcrowded schools. School capacity must remain a factor in the development process.

There are valid concerns about how nonprofit organizations might try to take advantage of this bill’s provisions. It is remarkably simple to set up a nonprofit under the broad rules established by the IRS. A key measure of a charitable nonprofit is how much of its funds are spent on its mission – serving people in need. According to the Charities Review Council, at least 65% of a charity’s funds should be spent on program expenses, with 35% allocated to fundraising and administration combined. Charity Watch considers a charity to be “highly efficient” if it spends at least 75% of its funds on its mission. Some measure of a nonprofit’s spending on its program is critical to ensuring that the benefits of this bill go to nonprofits who have shown a commitment to using their funds responsibly by spending it on programs.

This bill will make it impossible for the Town to direct and plan its growth, strain our schools and teachers, and reduce property values in neighborhoods by overriding local zoning and permitting mobile homes and middle housing in areas zoned for single family homes. It will also introduce ambiguous language which will be challenged in the courts for years to come, stressing fiscal resources which are already limited.

Approaches to affordable housing need to be adapted to local conditions. The small Town of Bel Air with 10,700 residents and a land mass of 3 square miles is very different from Baltimore City with over 500,000 residents in an area of 81 square miles. The Town of Bel Air, as the local government and closest to its community, is best able to serve the needs of its residents.

I urge the Committee to issue an unfavorable report on Senate Bill 484.

Sincerely,



Paula S. Etting  
Mayor, Town of Bel Air  
410-937-6154



# What is a Modular and a Manufactured (Mobile) Home? - Building Code Administration

## WHAT IS A MODULAR HOME?

- A Modular Home is an Industrialized/Modular building.
- The state of Maryland definition of an Industrialized/Modular building:

"Industrialized building" means a building assembly or system of building subassemblies manufactured in its entirety, or in substantial part, off site and transported to a site for installation or erection, with or without other specified components, as a building or as part of a finished building that comprises two or more industrialized building units.

"Industrialized building" includes the electrical, plumbing, heating, ventilating, insulation, and other service systems of the building assembly or system of building subassemblies if the service systems are installed at the off site manufacture or assembly point.

"Industrialized building" **does not** include:

- (i) open frame construction that can be completely inspected on site; or
- (ii) a manufactured home

- A modular home is built with or without a chassis and is transportable in one or more sections.
- A modular home is designed to be used as a dwelling with a permanent foundation when connected to the required utilities.
- The modular homes are built in a factory to state standards and enforced by the State using State laws and regulations. For the state of Maryland, the state Department of Labor, Licensing and Regulation regulates the home's design and construction, strength and durability, transportability, fire resistance, energy efficiency and quality control by using Maryland regulations. The state of Maryland regulates by using a Model Performance Code which includes International Codes (published by International Code Council) and National Electrical Code (published by National Fire Protection Association).
- The Maryland state standards pre-empt local jurisdiction building codes for modular homes.
- Modular homes are transported and delivered to home sites in one or more sections.
- The sections of the modular home are joined at the site, with minimal finish work completed by the installer.
- A modular home is not designed to move from site to site once set on a permanent foundation.
- A modular home may be placed on a private property just as a site built home.
- In Maryland, a modular home displays green certification labels provided by the state in the interior of the home, generally inside the cabinets under the kitchen sink.

## WHAT IS A MANUFACTURED (MOBILE) HOME?

- The federal U.S. Housing and Urban Development (HUD) definition of a Manufactured (Mobile) Home:

"Manufactured home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or forty body feet or more in length, or, when erected on site, is three hundred twenty or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, airconditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the Secretary and complies with the standards established under this chapter; and except that such term shall not include any self-propelled recreational vehicle.

- A manufactured home is built on a permanent chassis and is transportable in one or more sections.
- Manufactured homes are designed to be used as dwellings with or without permanent foundations when connected to the required utilities.
- The homes are built in a factory with federal standards enforced by the Department of Housing and Urban Development (HUD Code). The HUD regulates the home's design and construction, strength and durability,

- transportability, fire resistance, energy efficiency and quality control.
- The HUD code pre-empts local building codes relating to federal construction codes for manufactured homes.
  - Manufactured homes are transported and delivered to the home sites in one or more sections.
  - If a home has multiple sections, the sections are joined at the site, with minimal finish work completed by an installer.
  - A manufactured home may move from site to site or may be set on a foundation permanently.
  - A manufactured home may be placed on private property or in a manufactured home community called manufactured (mobile) home park.
  - A manufactured home displays a red certification label provided by the HUD (HUD label) on the exterior of each transportable section.
- 

For additional information, contact:

Department of Labor

**Division of Labor and Industry**

**Building Codes Administration**

10946 Golden West Drive, Suite 160

Hunt Valley, MD 21031

410-767-2227

e-mail: [dldlibuildingcodes-labor@maryland.gov](mailto:dldlibuildingcodes-labor@maryland.gov)



(53) "Lien creditor" means:

- (A) A creditor that has acquired a lien on the property involved by attachment, levy, or the like;
- (B) An assignee for benefit of creditors from the time of assignment;
- (C) A trustee in bankruptcy from the date of the filing of the petition; or
- (D) A receiver in equity from the time of appointment.

(54) "Manufactured home" means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term includes any structure that meets all of the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the United States Secretary of Housing and Urban Development and complies with the standards established under Title 42 of the United States Code.

(55) "Manufactured-home transaction" means a secured transaction:

- (A) That creates a purchase-money security interest in a manufactured home, other than a manufactured home held as inventory; or
- (B) In which a manufactured home, other than a manufactured home held as inventory, is the primary collateral.

(56) "Mortgage" means a consensual interest in real property, including fixtures, which secures payment or performance of an obligation.

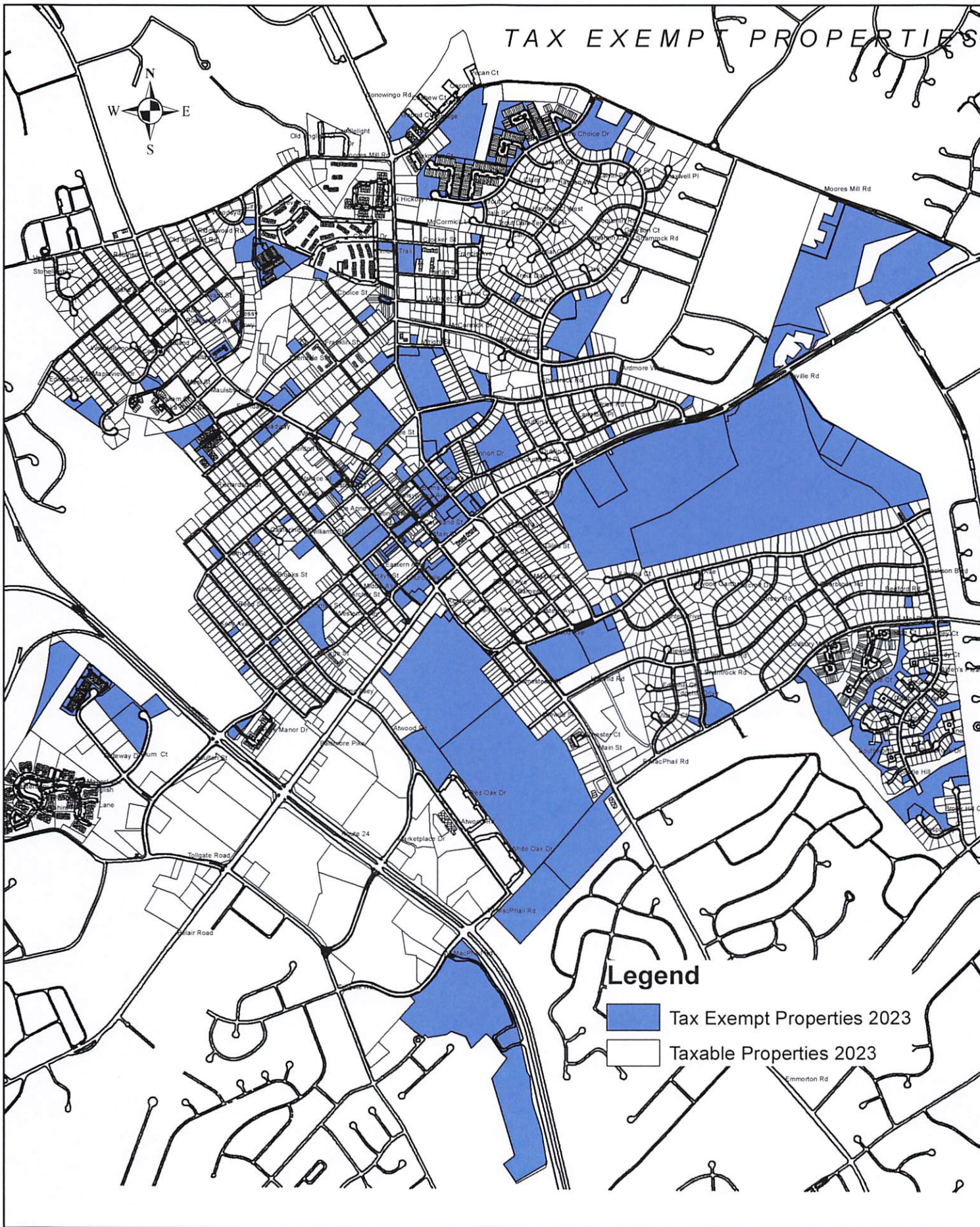
(57) "New debtor" means a person that becomes bound as debtor under §9-203(d) by a security agreement previously entered into by another person.

(58) "New value" means



- (i) money,
- (ii) money's worth in property, services, or new credit, or
- (iii) release by a transferee of an interest in property previously transferred to the transferee. The term does not include an obligation substituted for another obligation.



# TAX EXEMPT PROPERTIES



## Legend

-  Tax Exempt Properties 2023
-  Taxable Properties 2023

**SB0484.pdf**

Uploaded by: Suzanne Duffy

Position: UNF



SB0484 Will majorly **restrict local zoning** to pave the way for high density 'affordable' housing. A BAD AND dangerous bill for local development and a free and fair competitive marketplace. In addition the building of monstrosities every and any where they choose without limitations. There is NO LIMIT to how many units are going to be squeezed into our beautiful neighborhoods, towns and hamlets; watch your home devalue quickly. Or will they succeed as planned in squeezing out the middle class and retirees? How many people fled Maryland last year, how many more will leave to more affordable and safer states this year?

This is **Agenda21 and the unsustainable plan to create 15 minute cities**. Annapolis and Takoma Park are already under attack with the 2040 Plan/s to take away cars, gas powered lawn and appliance (already been BANNED last week in Annapolis City),

"YOU WILL OWN NOTHING AND BE HAPPY", via Heil Klaus Schwab and the Great Reset, Agenda21 which is regrouped into Agenda / Plan 2030, 2040.

[https://en.wikipedia.org/wiki/Great\\_Reset](https://en.wikipedia.org/wiki/Great_Reset)

SAY NO to this bad bill. People who are paying attention and doing our own citizen journalism understand how negatively these bad 'unsustainable' bills will impact a healthy and productive, free society.

Suzanne Price  
AACo, MD

READ **Behind the Green Mask,** [Rosa Koire](#)

WRITTEN in September 2, 2011

<https://www.goodreads.com/en/book/show/13487747>

Her nearly 30 years of experience analyzing land use and property value enabled her to recognize the planning revolution sweeping the country. While fighting to stop a huge redevelopment project in her city she researched the corporate, political, and financial interests behind it and found UN Agenda 21. Impacting every aspect of our lives, UN Agenda 21/Sustainable Development is a corporate manipulation using the Green Mask of environmental concern to forward a globalist plan.

**sb484b.pdf**

Uploaded by: Todd Baldanza

Position: UNF

I am writing to express my opposition to SB484. This bill would promote dense housing without consideration for adequate public facilities. I fail to see the logic of disregarding the need for adequate schools, roads and sewer capacity when considering projects of this size. Each community facing change as significant of this size needs to have input. This bill would take away the voice of the community and individuals. I urge you to vote no to bill SB484.

Thanks

Todd Baldanza

# **Opposition to The Housing Expansion and Affordabil**

Uploaded by: Virginia Crews

Position: UNF

## **Opposition to The Housing Expansion and Affordability Act Legislation SB0484 and HB0538**

As a resident of Baltimore County and the State of Maryland, I strongly oppose SB484 and its cross-file, HB538. This legislation advocates for the development of excessively dense residential units in our suburban areas of Baltimore County and across Maryland.

The proposed bill would permit the construction of high-density affordable housing projects using state funds in local jurisdictions, disregarding necessary restrictions and limitations, thus circumventing the local Adequate Public Facilities Ordinance (APFO) laws. This poses a threat to the integrity of our communities by overcrowding schools, overburdening sewer systems, and exacerbating traffic congestion.

This is especially true in our community of Lutherville where we have been voicing our opposition to the development of Lutherville Station for 4 years with the support of the Baltimore County Council and our Councilman District 3 Wade Kach who understands that our historic district would be severely impacted and threatened with mass new development which would totally overburden our area which is already overwhelmed with aging sewer system, traffic , overcrowded schools etc

Local jurisdictions must retain autonomy in making decisions regarding housing density to ensure that our county's infrastructure can support growth sustainably. The state's imposition of increased housing density undermines the role of local government and deprives residents of meaningful input into their communities' development.

It is imperative that local elected officials retain the authority to regulate the density of future residential development, safeguarding the well-being and interests of our communities.

The State should NOT undermine the authority at the local level !!!

We respectfully request that you vote against this bill and allow the local Baltimore county government council leadership determine what is best for our community as they always have been closest to the needs of the community.

Sincerely,

Virginia M Crews

**FNLOI Housing SB 484\_HB538 FINAL v.3.pdf**

Uploaded by: Lorenzo Bellamy

Position: INFO





# THE PRINCE GEORGE'S COUNTY GOVERNMENT

(301) 952-3700 County Council

## LETTER OF INFORMATION

**SB 484/HB 538:** Land Use - Affordable Housing - Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)

Prince George's County Council welcomes Governor Moore's bold legislative proposal that attempts to address Maryland's housing supply shortage. While Prince George's County Council supports the core tenants of SB484/HB538 Housing Expansion and Affordability Act of 2024, this letter highlights some of the unintended consequences that will profoundly impact Prince George's County residents. The Council supports affordable housing but mandating more affordable housing in a jurisdiction that is one of the state's largest providers of affordable housing places an undue burden on the county's economic development goals. Prince George's County provides more affordable housing than any other Metropolitan D.C. suburb. To attract large and small businesses, we must balance our housing stock with the need to have a more balanced tax base.

The Administration's proposal to allow manufactured (or even modular) homes placed in any single-family home zone is well-intentioned but too broad because it would disrupt the local character of neighborhoods and potentially the economic stability of those impacted neighborhoods. Prince George's County residents continue to face low appraisal valuations compared to our neighboring counties. Legislation that encourages developers to build factory-designed homes will only lead to lower property values for surrounding Prince George's County communities.

Clarifying language is needed to limit what nonprofits are eligible for density bonuses. The Council has expressed concern over for-profit developers creating nonprofit arms to exploit favorable development laws, specifically to the 30% density bonus allowed for nonprofits. Limiting eligible nonprofits to those whose sole mission is to provide affordable housing will lead to more equitable outcomes. Additionally, the Administration should consider adding geographical limitations for nonprofit developers by including incentives for nonprofits to develop in Maryland Enterprise Zones, which will catalyze equity and inclusion. Without providing some geographic limitation on nonprofit density bonus, the county could see increased sprawl. Focusing and locating affordable housing near available resources and transportation infrastructure would be more appropriate and viable for the goals the legislation is seeking to address. Therefore, we recommend that Maryland Enterprise Zones or other otherwise similarly designated areas be considered for affordable housing development to avoid sprawl.

**SB 484/HB538** uses language that doesn't fit our modern zoning categories. Recently, Prince George's County updated its zoning ordinances, and as a result, very few ordinances are exclusively residential or exclusively nonresidential. For example, even primarily residential zones allow for some commercial uses. Also, we request this Administration consider exempting local and national historical districts to preserve our historic communities. California has followed this example and this legislation is modeled after that state.

Providing the necessary infrastructure improvements in these communities is a prerequisite to increasing the housing supply. Areas along WMATA's Blue Line corridor, where this legislation attempts to increase density, are prone to flooding. This bill must include infrastructure funding for stormwater management systems to prevent future flooding that will only be heightened with increased density.

This proposed legislation, although laudable, has significant unintended and collateral consequences. Nonetheless, the Prince George's County Council appreciates the opportunity to work with the Moore Administration to address affordable housing, which is important to us and to Prince George's County residents. The County Council respectfully asks that you consider these recommendations.

# **4897\_Furth\_Market\_Rate\_Rents\_Maryland\_Testimony\_v1**

Uploaded by: Sarah Thorne

Position: INFO

## MARKET-RATE RENTS CAN SERVE MODERATE-INCOME MARYLANDERS

**SALIM FURTH**

*Senior Research Fellow, Director of Urbanity Project, Mercatus Center at George Mason University*

Maryland Senate Education, Business, and Administration Subcommittee  
SB 484, Land Use - Affordable Housing - Zoning Density and Permitting  
(Housing Expansion and Affordability Act of 2024)

March 1, 2024

Governor Wes Moore’s administration aims to increase Maryland’s housing supply by 96,000 homes.<sup>1</sup> This would constitute a 4 percent increase in the state’s housing stock—a target that is modest relative to the demand for housing in Maryland, and at the same time ambitious relative to Maryland’s baseline policy context. The bill before you, SB 484, is a modest first step toward that goal.

In a recent policy brief, Emily Hamilton and I imagine one conceivable path to seeing 96,000 more homes in the next decade.<sup>2</sup> The value of that exercise is that it breaks down a broad idea into practical pieces. For example, we applaud the idea of allowing churches and campuses to use their land to build housing, but we think it might only deliver 2,000 homes over a decade. We need either 47 other policies of that magnitude—or a bigger boat.

Getting to 96,000 also requires that we set aside the false choice between abundance and affordability. In SB 484, regulatory liberalization is available only to projects that set aside a large percentage of units for means-tested, moderate-income households. In this testimony, I argue that is neither a necessary nor effective way to provide attainable housing options for those households.

### HOW DEEP CAN THE MARKET REACH?

As figure 1 shows, housing affordability problems are concentrated among the quarter of the state’s households earning less than \$48,000. Without assistance, the poorest people end up living in conditions below modern standards. Public support should be entirely focused on those with the most need.

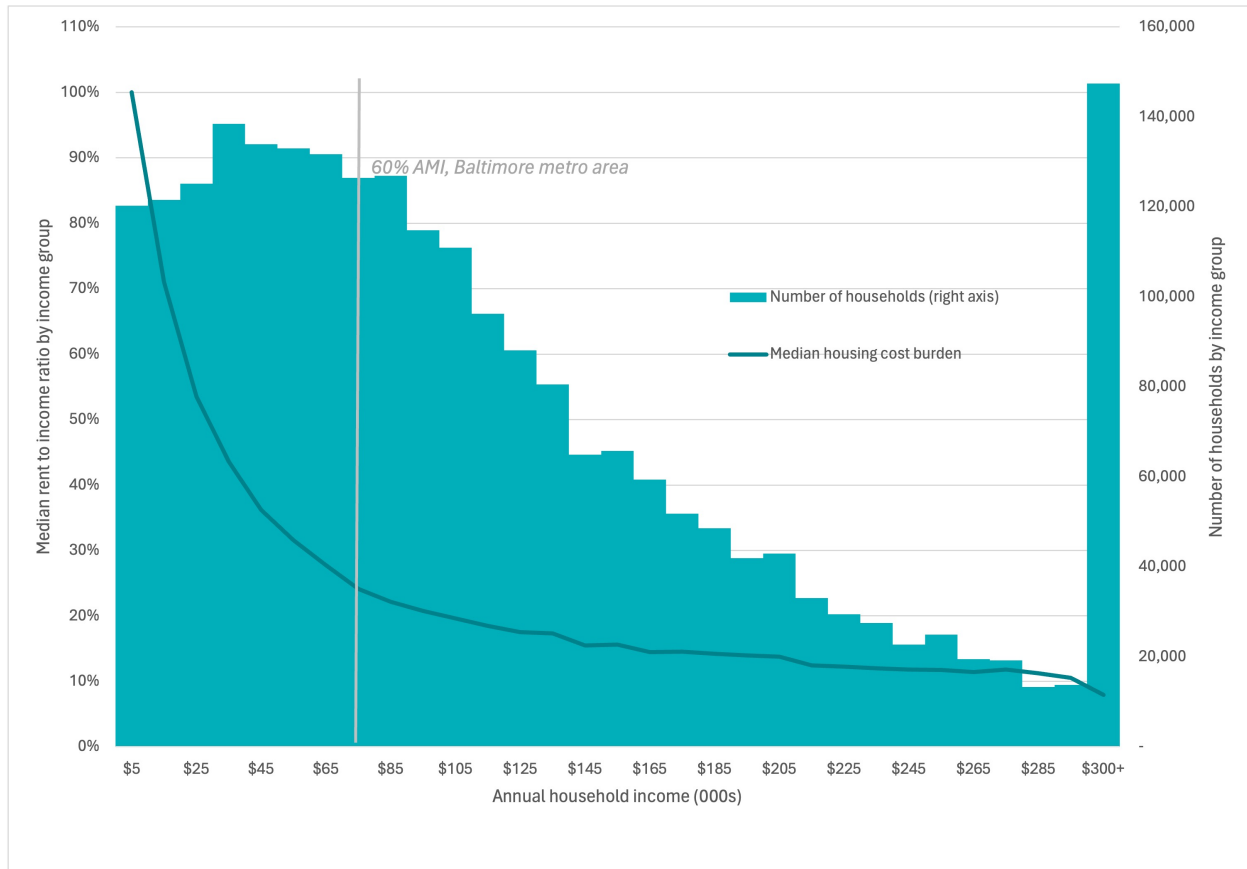
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<sup>1</sup> Josh Kurtz, “State Leaders Promise Vigorous Housing Agenda but Tenant Advocates Sweat the Details,” *Maryland Matters*, December 22, 2023.

<sup>2</sup> This testimony uses text from that policy brief. Salim Furth and Emily Hamilton, “Expanding Maryland’s Housing Stock: A Roadmap to Meeting Housing Targets” (Mercatus Policy Brief, Mercatus Center at George Mason University, Arlington, VA, February 7, 2024).

Many affordability requirements, however, are instead targeted to those earning 60 percent of area median income (AMI)—this is \$73,000 in the Baltimore metro area. At that income, the median Maryland household spends just 24 percent of its income on housing costs, indicating that attainable options are available in most places.

FIGURE 1: HOUSING COST BURDEN BITES AT THE LOWEST INCOMES



Source: US Census Bureau, “American Community Survey 2022,” via Steven Ruggles, Sarah Flood, Matthew Sobek, Daniel Backman, Annie Chen, Grace Cooper, Stephanie Richards, Renae Rogers, and Megan Schouweiler. IPUMS USA: Version 14.0 (dataset), (Minneapolis, MN: IPUMS, 2023), accessed February 2024.

Thus, Marylanders of moderate means can and do house themselves within their budgets. Indeed, even new construction can be attainable housing. For example, in Montgomery County, the typical renter household living in a unit built since 2010 has a total monthly housing cost of \$2,050, affordable to a household earning just 54 percent of AMI. If the state allows builders to create more modest-sized units in job-accessible locations, market affordability will stretch to even more households.

### DON'T BOX OUT MARKET AFFORDABILITY

The most potentially powerful aspect of SB 484 is that it allows that kind of housing: up to four units per lot within a mile of rail stations. I live in such a neighborhood. The modest old homes on my street

are being steadily replaced with five- and six-bedroom houses.<sup>3</sup> The most recent flip replaced a \$600,000 fixer-upper with a \$1.9 million residence. It has over 5,000 square feet of living space, which could easily fit three or four units. But under local zoning it is illegal to create multiple units on a lot, even though there is a small apartment building next door.

Legalizing flips that benefit four households instead of one is a great idea and would benefit my street as well as the state. But SB 484 comes with a catch: it mandates that one unit in each duplex, triplex, or fourplex be reserved by deed restriction for a family earning 60 percent of AMI or less. That comes with a bureaucratic income verification process that scares away tenants and small-scale managers. Even at market rates, a fourplex is not much more profitable than a big single-family house. Facing such a big additional risk, developers will stick with the \$1.9 million product that sells reliably.

The tragedy here is that the intent to create housing attainable at moderate incomes will directly undermine the creation of housing that is naturally attainable at moderate incomes.

## CONCLUSION

My neighborhood is just one of the diverse places that ought to have more housing opportunities. As Hamilton and I argue in our brief, meeting Governor Moore's goal will require large transit-oriented housing developments, small-scale infill, and greenfield growth. Each of these strategies, however, also needs policy intervention at the county or state level to legalize construction of housing with diverse styles and densities. And none of these strategies is likely to succeed at scale if legalization is encumbered with unfunded affordability mandates.

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<sup>3</sup> My wife, our four kids, and two renters appreciate having a large place to share. Our street is an exceptionally nice place to live, as I detailed in a recent book review. Salim Furth, "Is Policy Writing a Newscast or an Advertisement?," *Discourse*, January 23, 2024, <https://www.discoursemagazine.com/p/is-policy-writing-a-newscast-or-an>.