



FREDERICK COUNTY GOVERNMENT
OFFICE OF THE COUNTY EXECUTIVE

Jessica Fitzwater
County Executive

HB 538 – Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)

DATE: February 20, 2024
COMMITTEE: House Environment and Transportation 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 House Bill 538, 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.

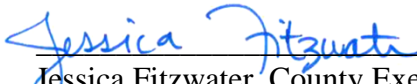
Frederick County's comprehensive plan, Livable Frederick, highlights not only a community-driven vision for the future of Frederick County, but also the many components that contribute to quality of life, including housing. A major goal of this plan is to build a varied housing stock in order to support 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 HB 538. I urge you to advance this bill with a favorable report.



Jessica Fitzwater, County Executive
Frederick County, MD