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HB 538 - Land Use – Affordable Housing – Zoning Density and Permitting (Housing Expansion and Affordability Act of 2024)
Hearing before the House Environment and Transportation Committee, Feb. 20, 2024
Position: SUPPORT (FAV)

Public Justice Center urges you to move favorable on HB 538. 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.

HB 538’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 HB 538.