

March 8, 2024

The Honorable Marc Korman
Chair, Environment & Transportation Committee
House Office Building, Room 251
6 Bladen St., Annapolis, MD, 21401

RE: HB 1321 Land Use - Southern Maryland Code Counties - Subdivision Regulations - Property Dedication and Fee

Dear Chairman Korman,

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 1321 Land Use - Southern Maryland Code Counties - Subdivision Regulations - Property Dedication and Fee**. MBIA **Opposes** the Act in its current version.

HB1321 would authorize a Southern Maryland code county to provide in the county's subdivision regulations for a dedication of real property for recreation, or the payment of a fee in lieu of dedication, to be used by the county for the purchase, development, and improvement of real property for recreational facilities.

This appears to be a stepping stone for and line with Charles County Rec & Parks Department (CCRPD) requesting to require open space to be deeded (or pay a fee in lieu) to CCRPD as part of the subdivision approval process. The discussion around this topic has been very vague with the county, Planning and Growth Management staff has mentioned they are looking into the details of what this would entail, but they have not shared their thoughts with stakeholders. Additionally, parks and rec does not want additional parkland unless it is adjacent to existing parkland (or schools) so that it can be maintained without having to mobilize their equipment on trucks and trailers – with that being said a few initial concerns are:

- How does this negatively impact housing affordability?
- Who will maintain the deeded landed? Will CCRPD maintain the deeded open space or will this be an added cost to HOAs?
- What will access requirements be assuming if CCRPD owns the land, it is open and accessible to the public?
- What other types of easements and agreements will need to be processed and recorded to allow for public access?
- How will CCRPD make sure citizens are enjoying the land deeded to CCRPD and not trespassing on private property throughout the community, or will this be a burden on the HOA to control?

We appreciate the opportunity to offer feedback, but this appears to just create another fee, there for making the housing more expensive. For these reasons, MBIA respectfully urges the Committee to give this measure **a un 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.

cc: Members of the House Environment & Transportation Committee