

Testimony of the Citizens Coordinating Committee on Friendship Heights
regarding HB 0503 and SB 0430

The Citizens Coordinating Committee on Friendship Heights (CCCFH) is a coalition of 18 community and civic organizations in southwestern Montgomery County representing about 20,000 residents. We have been active in land use issues in the County and State for over 50 years.

CCCFH opposes the Housing for Jobs Act, HB 0503 and SB 0430. HB 0503 and SB 0430 would force local jurisdictions, which includes Montgomery County, to allow various types of multi-family housing in neighborhoods zoned for single-family detached homes if the jurisdiction has a housing-to-jobs gap that exceeds a ratio specified in the Bills' provisions. Under these Bills, if a multi-family housing project in a single-family-zoned neighborhood were the subject of a future application, the County could be required to approve it peremptorily without any consideration of long-standing provisions in its zoning code that address important concerns in its single-family neighborhoods.

These include, for example, height and density limitations that prevent construction of out-of-scale, incompatible multi-family housing structures that loom over neighboring single-family homes; on-site parking requirements that reduce the number of vehicles parked on the narrow, one through lane streets that are prevalent in CCCFH's older single-family communities; and standards focused on environmental sustainability such as stormwater management.

To address a local jurisdiction's excess housing-to-jobs gap, the Bills' provisions would override local zoning code provisions by prohibiting jurisdictions such as Montgomery County from denying multi-family housing applications on grounds that include subjective or discretionary criteria rather than strictly objective development standards. The Bills would also require the jurisdiction to present clear and convincing evidence that its rationale for denying the proposed housing project, even if based on wholly objective standards, outweighs the need for the proposed housing.

CCCFH opposes this legislation because Montgomery County has such discretionary provisions in its complex zoning code for approving multi-family housing in single-family zones. For example, multi-family housing units (e.g., duplexes and townhouses) are allowed as limited uses in single-family zones subject to various discretionary requirements for the optional method of development for both moderately-priced dwelling units (MPDUs) and for cluster

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housing. In addition, duplexes, townhouses, and apartment buildings are allowed as conditional uses in single-family zones pursuant to similar discretionary requirements.

It is important to note that this legislation would not solve Montgomery County's affordable housing shortfall. It does not require affordable units in multi-family housing developments or provide developers with incentives to build affordable units in such housing.

In an era when County resources are stretched and uncertain, the Bills would also require the County to find and devote new governmental resources to administer applications and resolve claims by developers that proposed projects satisfy the provisions of the bills.

Thank you for considering our views.

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