



Growth Action Network

of Anne Arundel County, Inc.

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Testimony of Growth Action Network of Anne Arundel County Regarding HR239/SB36 —Land Use—Zoning—Limitations Favorable with amendments

Growth Action Network of Anne Arundel County (GAN) is a coalition of community and civic associations, environmental groups, green businesses, and individuals. GAN has about 55 individual members and 30 member organizations. Our member organizations have a total membership exceeding 20,000 Anne Arundel County citizens.

Although the bill needs several amendments, GAN supports development of affordable housing and recognizes there is an immense amount of legislative and citizen interest in legislation that addresses housing affordability. The GAN position on bills SB36/HB239 is support with necessary amendments.

These issues are left unresolved by the bill and need to be addressed:

1. Although the bill is being promoted as a means of increasing affordable housing, it contains no requirement that the potentially enormous number of new homes it would permit will, in fact, be affordable.
2. In its current form, the bill would dramatically increase the number of building lots in the State by overriding minimum lot size requirements in the zoning code. It is unclear, however, whether the bill would also eliminate other development regulations such as requirements for adequate schools, transportation, recreation areas, open space, stormwater management, and parking.
3. The bill has the potential to dramatically increase the amount of impervious surface in the County, with potential adverse impacts on the Chesapeake Bay and its tributaries.

We must also recognize that projects advanced by (SB36/HB239) will create significant demands on public infrastructure, environmental resources, and the quality of life for current residents of host jurisdictions. Local governments and residents would be well served by independent analysis of such impacts. Identification, quantification and planning to provide adequate facilities need to be prepared, and a means to assure the successful implementation of these plans be established. Many Maryland local jurisdictions have planning commissions/boards that should be charged with this responsibility, and every jurisdiction should confirm their capacity to do so.

We request amendments to the bill similar to these:

1. Identify and record housing developments that require any provision of the bill to enable construction.

2. Require that housing identified in (1) above be affordable to households making less than 100% of the Area Median Income (AMI).
3. Exempt those areas of the State that are
 - a. in the Critical Area,
 - b. Sensitive areas, as defined in the Land Use Article 1-101(o) which by law include wetlands, streams and their buffers; floodplains; steep slopes; key habitats; and resources intended for or in need of protection;
Or
Forests listed as a priority for retention and protection under Maryland's Forest Conservation Act
 - c. areas identified by the State or federal government as a priority for future conservation acquisitions, such as Rural Legacy Areas or the federal Southern Maryland Woodlands National Wildlife Refuge
 - d. currently are not served by public water and sewer or do not have additional capacity
4. Require that each jurisdiction establish a committee to evaluate fiscal impacts of development enabled by the bill and identify appropriate revenue sources as needed.
5. Include a 5-year sunset clause to acknowledge the broad impact of the bill and the potential for significant unforeseen consequences.

In our view these amendments would significantly strengthen the bill and minimize outstanding issues, GAN appreciates the Committee's leadership in resolving the complex issues associated with this bill.

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