

My name is Charles Hendricks, and I am the mayor of Laytonsville, a town of some 750 residents in northern Montgomery County that was incorporated in 1892. My town has exercised zoning authority since 1958, but that has not stymied the town's contribution to the housing stock of our area. The town has grown rapidly in recent years. Since 2010 it has increased its number of housing units from 120 to 217, a growth of 81%, or an average increase of over 5% per year over the last 16 years. Yet we are a well-planned community of distinctive neighborhoods with single-family-homes of widely varying sales prices built on lots of various sizes along with an assortment of multi-family rental units.

I do not object to the state putting pressure on local governments to facilitate the construction of more housing units, but I believe that zoning preemption should not be applied until localities are given a chance to adjust their zoning ordinances to achieve the state's housing goals. I also believe that local governments should be allowed to retain some residential neighborhoods without town houses so long as the jurisdictions meet state housing construction goals.

The Department of Housing and Community Development document "2030 Housing Production Targets for the State of Maryland" provides housing unit construction goals for each year up to 2030. I recommend that you adopt a trigger mechanism in which localities would be given until 2028 to meet the state's housing construction approval goals for them and that failure to meet those goals by the end of 2028 or any succeeding year would trigger the type of zoning preemption envisioned by this bill over a gradually increasing percentage of the local jurisdiction's area. I would suggest authorizing state preemption over 20% of the local jurisdiction in the first year of non-compliance and increasing that by 20% in each successive year in which the goals are not met. Local jurisdictions should be given control over which area is subject to the preemption, understanding that, if they do not select a developable area, successive goals will likely fail to be met and the preempted area will keep growing until it reaches 100%. I also suggest that the housing growth goals for each jurisdiction proposed by DHCD be reviewed and approved or modified by the legislature.

I agree with the proponents of this legislation that achieving an adequate stock of housing is essential, but I also believe that the state has ways to promote the building of that housing in cooperation with counties and municipalities without subverting local community planning.