



TESTIMONY

COMMITTEE: Senate Education, Energy, and the Environment

DATE: February 17, 2026

POSITION: Favorable with Amendments

BILL: SB 267

The Maryland Municipal League supports SB 267 as a comprehensive and solution-oriented housing bill advanced by local governments. The Build Affordably in My Backyard (BAMBY) Act reflects a deliberate effort to promote residential production, enhance affordability, and provide regulatory certainty while preserving essential local implementation tools. For several years, local governments have heard the call to bring forward constructive housing solutions. This bill does exactly that.

Strengthening Housing Production Infrastructure

SB 267 establishes clear administrative review processes for residential and mixed-use development applications, creates predictable timelines, and provides regulatory stability through the regulatory and construction certainty provisions applicable to complete applications. These provisions improve certainty for applicants while reducing administrative strain on local staff.

The bill also formalizes preapproval pathways for standardized model home designs and requires adoption of design guidelines for qualified affordable housing projects. These measures streamline permitting and reduce redundant reviews without eliminating local design authority.

Importantly, the legislation affirms existing local authority over zoning tools such as ADUs, inclusionary zoning programs, and housing expansion strategies. It does not diminish existing municipal land use authority.

Housing Production Targets Technical Amendment

MML supports the bill's concept of statewide housing production targets and the accountability framework. However, we respectfully request refinement to the methodology used to calculate municipal targets. The current formula relies solely on a municipality's proportional share of existing county housing stock based on 2023 five-year American Community Survey (ACS) data. That methodology assumes future growth will mirror historical distribution patterns. In practice, growth capacity depends on infrastructure availability, redevelopment potential, fiscal conditions, and long-range planning goals. Our amendment would allow municipalities to propose alternative, data supported targets when appropriate, preserving the statewide framework while ensuring that goals remain realistic and infrastructure informed.

Affordable Dwelling Unit Standard Technical Clarification

We also request clarification regarding the 60% Area Median Income (AMI) threshold and related design guideline requirements. Some municipalities already operate inclusionary programs with affordability bands

Municipalities are home to 25% of Maryland's population while occupying less than 5% of the State's land area.

ranging from 50-80% of AMI. Mandating additional design standards tied to a specific affordability threshold may unintentionally duplicate or conflict with existing zoning regulations, which are designed to protect public health, safety, and welfare and apply uniformly within a zoning district. Our proposed amendment ensures that affordable housing standards integrate with rather than override or duplicate established local zoning frameworks.

Regulatory and Construction Certainty Administrative Clarification

MML supports the intent of the regulatory and construction certainty provisions, which are designed to provide predictability once a complete application has been filed and approved. However, we respectfully request additional clarity regarding certain administrative aspects of implementation. Specifically, municipalities would benefit from clearer guidance regarding the definition of a complete application, the scope of standards subject to the freeze, and the interaction between final approval and subsequent permit level reviews. We are working directly with the Maryland Association of Counties (MACo) to develop clarifying language that maintains the bill's core purpose while ensuring consistent and workable implementation across jurisdictions of varying size and capacity.

SB 267 represents a significant and constructive housing framework. It promotes regulatory clarity, enhances transparency, aligns housing production with infrastructure planning, and preserves meaningful local authority. Our amendments are narrow and technical and are intended to strengthen implementation without altering the bill's core pro housing objectives. We have already been working closely with MACo on these amendment concepts and greatly appreciate our local government partners for putting forward a proactive, solutions driven approach to housing policy. For these reasons, the Maryland Municipal League respectfully requests a favorable report with amendments.

For more information relating to this piece of testimony, please contact:

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