



Senate Bill 871

Accessory Dwelling Unit Authorization and Promotion Act

MACo Position: **OPPOSE**

To: Education, Health, and Environmental
Affairs Committee

Date: March 3, 2022

From: Dominic J. Butchko

The Maryland Association of Counties **OPPOSES** SB 871 as it would force all counties to arbitrarily override local planning and zoning laws, by removing local oversight of “accessory dwelling units” in residential areas.

Generally, local land is a function of local government, being the most responsive to community needs. The State plays a role with broad “visions” to be incorporated into local plans, but the execution is properly left local. Housing affordability is a nationwide issue, with different facets in different communities. These problems frequently persist as a function of the willing supply of builders for lower- and middle-income dwellings, infrastructure limitations, and multiple other factors.

Some of Maryland’s biggest affordable housing crises are in rural jurisdictions where zoning is clearly not the driving factor. Housing costs are on the rise due to continual upgrades in construction requirements such as mandatory sprinklers, septic systems with expensive technology, and energy efficiency standards. While these initiatives may represent desirable policies, they collectively contribute to the upfront costs of housing, illustrating the policy trade-offs inherent with broad state mandates.

While MACo appreciates the intent of expanding affordable housing, HB 871 would apply a one-size-fits-all approach that will not directly address housing affordability across the state. One narrowly crafted vision, created with an eye toward a certain metropolitan area and its specific challenges, simply cannot become the skeleton key to resolve housing concerns in neighborhoods of every size and character across the state.

The establishment of local planning and zoning codes are lengthy processes that require community input and significant effort by local jurisdictions. Overriding local decision-making with a one-size-fits-all approach will only lead to inefficient outcomes that do not accurately address local needs. MACo supports rational, planned approaches to expanding affordable housing, but does not support the inflexibility of SB 871. For these reasons, MACo requests an **UNFAVORABLE** report on SB 871.