

Senator Curry, Representative Gere, and distinguished members of the Committee on Housing and Economic Development,

We write in strong support of LD 1247, An Act to Restrict Municipal Ordinance Requirements Regarding Housing Developments. We both serve on the Rockland City Council, and though we do not speak for the city of Rockland in this testimony, our years of service deeply inform our perspectives.

We have both spent countless hours and many meetings gradually loosening the web of land use laws that have constricted Rockland's development for decades.¹² These laws and regulations originated in a zeitgeist that treated exclusionary zoning - that is, restricting development by excluding land uses deemed undesirable - as a normal and acceptable practice without scrutinizing the often discriminatory and sometimes explicitly racist origins of such laws.³ But aside from their historical context, the most powerful argument against these laws has always been the most practical one: The things people love about Rockland - our walkable neighborhoods, our lovely historic district, our sense of community, our industrial heritage, the richness of our history - simply wouldn't exist if such laws had been in force during Rockland's industrial heyday. Instead, though the term didn't then exist, we would now be living in generic suburban sprawl.

In other words, laws that effectively restrict the development of affordable housing (as minimum lot sizes tend to do) are not just discriminatory and exclusionary, they are also ahistorical. Such laws bear much of the blame for Maine's affordable housing crisis. The good news is that there is renewed energy among civic officials, developers, and advocates like GrowSmart Maine and Build Maine (of which Rockland is a sponsor) to try to rekindle the economic and cultural energy of dynamic, walkable, mixed-income, low-emissions neighborhoods by relaxing the rules that have led us into our present mess.

It's worth noting, too, that Maine competes for investment in housing development with other states that have made building much easier. Part of the reason for booms in places like Texas is simply that such places allow construction to happen.

You will hear that LD 1247 infringes on Maine's tradition of home rule. It does, and we celebrate it nonetheless. Housing has become a scarce common good whose protection and promotion far, far, outweigh any squeamishness about home rule. We also note that reducing minimum lot sizes magnifies personal liberty and property rights, which we also celebrate.

1

<https://www.bangordailynews.com/2024/06/10/midcoast/rockland-eliminates-minimum-lot-sizes-encourage-more-housing>

2

https://www.midcoastvillager.com/news/local/rockland-council-actions-on-housing-is-sea-change/article_b9522eb6-ab15-4835-bc87-97d994118fc5.html

3

<https://nextcity.org/urbanist-news/apartheid-by-another-name-how-zoning-regulations-perpetuate-segregation>

We urge you to vote “ought to pass”, and we encourage the Committee and the Legislature to continue down this path.

Nathan Davis
Adam Lachman