



**MAINE MUNICIPAL
ASSOCIATION SINCE 1936**

60 Community Drive | Augusta, ME 04330-9486

1-800-452-8786 (in state)
(T) 207-623-8428
(F) 207-624-0129

Testimony of the Maine Municipal Association

In Opposition to

LD 1272 – An Act to Restrict Municipal Ordinance Requirements Regarding Housing Developments

April 25, 2025

Sen. Curry, Rep. Gere and distinguished members of the Housing and Economic Development Committee, my name is Rebecca Graham, and I am submitting testimony in unanimous opposition to LD 1272 at the direction of MMA's Legislative Policy Committee (LPC). Our LPC is composed of municipal officials from across Maine, elected by their peers to represent communities under the legislative senate model and representing communities with vastly different enforcement staff, resources and capacities.

As with LD 1247 the current draft will require a fiscal note as it will require the amendment of recently adopted ordinance and submitted to the Department of Economic and Community Development and significantly impacting multiple communities who thoughtfully amended their ordinances to protect their community and lack resources to manage those tasks in other ways as suggested at the public hearing.

Many communities used the existing law to create long term residential not transient rentals particularly in coastal areas where development pressures are to create luxury rentals and not to support housing of workforce who are otherwise long since priced out of housing market entirely. Communities adopted restrictions on ADU expansion to require a commitment from the owner to guarantee the resulting units to be offering either permanent or rental housing for a minimum of 90 days to prevent the continued explosive growth of transient rentals. This would upend those community informed and democratically adopted ordinances and discard voter concerns around creating a vacation rental market where families and permanent residents are the community desire. These communities do not have other means to address this without driving up staffing needs and property taxes and they deserve the ability to keep their existing requirements.

Other communities took a different approach and wanted to not restrict short term rentals but retain community by keeping the resulting units connected to a year round resident but allowing them to use the unit anyway they desired. Allowing the splitting of lots anywhere and promoting condo ownership fundamentally undermines the rural areas of a community and promotes sprawl.

Flexibility to balance public safety with proportional cost is needed especially when denser development is desired shrinking the distance between buildings to be more narrow than current fire apparatus can access. Cost should be weighed against optional internal finishes, but preempting locally adopted additional life safety should not be weighed against profit. For these reasons, officials ask you to respect home rule, the existing exemptions for sprinkler installation already in place in MUBEC, and the democratically adopted will of the voters in municipalities to accept additional ordinances around sprinkler installation.

Such development is already possible under local home rule authority and if it is feasible and desired, able to be accomplished without state intervention. This bill further erodes community building tools and democratically informed approaches to planning with no evidence that adopted ordinances are the problem. The reason cities like San Francisco are often used as an example should be the clue to how development like this has been approached across the nation, by the community, not the state.

The real problem is financing products that are actively choosing not to value these units at their worth or be part of the community solutions. The committee could use their legislative authority to direct banks to be part of the solution by incentivizing or requiring them to assess the feasibility of the project differently. Additionally supporting grant programs for low income homeowners will not only improve the real impact of ADU's but also provide sustainable income without financing burdens reinforcing community.

For all of these reasons, Officials are unanimously opposed to the bill as drafted, respectfully ask that you allow communities to maintain their existing use of the tools to protect community and instead support the real needs for ADU development that include being a better direct partner to the property owner that doesn't disregard the remaining neighborhood. Communities should have the right to decide their own future together.