



**TESTIMONY TO THE HOUSING AND ECONOMIC DEVELOPMENT COMMITTEE**

**WRITTEN TESTIMONY NEITHER FOR NOR AGAINST L.D. 2173**

**"An Act to Update the Laws Regarding Housing Developments and Accessory Dwelling Units"**

**DATE OF HEARING: February 26, 2026**

Honorable Senator Chip Curry, Honorable Representative Traci Gere, Distinguished Members of the Housing and Economic Development Committee:

The Maine Association of Regional Councils (MARC) is writing neither for nor against L.D. 2173. MARC represents Maine's Regional Planning Commissions and Councils, which are statutorily charged with building local government capacity, developing regional solutions to shared challenges, and serving as a link between municipalities and the State. Our member organizations are governed by and directly accountable to the municipalities they serve.

Regional councils across Maine are actively assisting communities with implementation of recent housing-related legislation and updating comprehensive plans. We recognize the desperate need for increasing housing supply. At the same time, we offer the following considerations for the Committee's review.

**Considerations for L.D. 2173**

First, we recommend extending the implementation timeline by a year to ensure alignment with other legislative changes that will require municipalities to update their ordinances, rulemaking processes, and to ensure that municipalities are given sufficient time to develop well-written and publicly supported ordinances.

Second, as drafted, L.D. 2173 requires municipalities to allow certain residential densities in areas served by public water and sewer, even when those areas are not designated as growth areas in a locally adopted comprehensive plan. This effectively decouples density from the growth management framework and shifts the determining factor to infrastructure presence alone.

MARC recommends removing the provision requiring density outside of designated growth areas. Maine's growth management system is built on directing higher-density development to areas identified through a public planning process and reviewed for state consistency. Requiring density in infrastructure-served areas that fall outside those boundaries may conflict with locally adopted land use strategies, fiscal planning, and environmental considerations.



If the Legislature intends to ensure that infrastructure-served areas are evaluated for growth, MARC recommends addressing this through rulemaking rather than through direct statutory density requirements.

Specifically, the legislature could direct a rulemaking process that would provide clearer standards regarding when areas served by public water and sewer must be included within designated growth areas. The rulemaking agency could define specific criteria and exemptions based on infrastructure capacity, environmental constraints, or documented planning rationale. Municipal determinations would then be reviewed through the existing comprehensive planning review process.

### **Broader Policy Considerations**

Over the past several years, municipalities have implemented substantial land use reforms intended to increase housing production. The State should allow time to evaluate the effectiveness of these changes before advancing additional zoning and density mandates. Shifting focus toward complementary strategies would allow communities to catch up, assess outcomes, and make data-driven adjustments.

Expanding workforce training in the building trades is essential. In many regions, limited contractor availability and rising construction costs are primary barriers to housing development. Investment in trades education, apprenticeship programs, and workforce recruitment will directly affect production capacity.

Infrastructure funding is equally critical. Limited infrastructure constraints where housing can realistically be built. Targeted state investment in infrastructure will have a measurable impact on housing supply. We recommend a creation of an infrastructure fund to address infrastructure gaps in designated growth areas.

Finally, municipalities need sustained support for planning and administrative capacity. Implementing housing reforms requires ordinance drafting, legal review, public engagement, and ongoing enforcement. Strengthening municipal capacity will ensure that existing laws are implemented effectively and consistently across the state. We recommend increased funding through the Housing Opportunity Program for increased technical assistance.

Sincerely,

The Maine Association of Regional Councils