



Testimony of the Maine Municipal Association

In Opposition to LD 1312, *An Act To Remove Barriers to Accessory Dwelling Units and Allow Accessory Dwelling Units where Single-family Houses Are Allowed*

April 26, 2021

Senator Hickman, Representative Sylvester and members of the Labor and Housing Committee, my name is Kate Dufour and I am providing testimony in opposition LD 1312 on behalf of MMA's Legislative Policy Committee.

Municipal officials strongly oppose LD 1312, because simply put it is an erosion of local control and the rights of residents to decide how best to encourage development within municipal boundaries.

As proposed in LD 1312, all local level efforts to adopt ordinances that protect each owner's property interests would no longer apply in areas of the municipality where single-family housing is authorized. Property owners, whether residents or not, would be allowed to ignore setbacks and height restrictions, thereby allowing these structures to infringe on the privacy of neighbors and restrict the views of others in the community. All the investments municipalities have made to ensure the proper management of stormwater runoff, necessary to protect natural resources, would be at risk. All traffic, noise, density, parking and other limitations, which apply in other areas of the community, would be null and void in residential neighborhoods.

The approach proposed in the bill would, in the blink of an eye, dismiss the hundreds of hours and thousands of dollars municipal officials and volunteers have put into perfecting ordinances and redrafting comprehensive plans.

Municipal officials also object to the provision of the bill which restricts municipalities from prohibiting these units from being used as short-term or vacation rentals. If the intent of the legislation is to increase access to affordable and workforce housing, then this prohibition is at odds with the underlying policy.

Finally, if enacted municipal officials will be left on their own to manage the public relations nightmare associated with the implementation of this unwelcomed state policy.

While municipal officials from urban, suburban and rural communities are well aware of the state's housing issues, the solution proposed in LD 1312 is too severe and an infringement on the development priorities of each municipality. A change of this nature has the potential to

upend the social contract that is created when ordinances are developed in a give and take manner to maintain balance among the interests of all parties. Rather than eroding local level efforts, the Legislature should find ways to incentivize communities to take a look at their policies and ordinances to determine for themselves if change is necessary.

Thank you for considering the municipal perspective on this issue.