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GrowSmart Maine Testimony in Support of LD 2003, “An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions”

March 7, 2022

Senator Daughtry, Representative Sylvester, and member of the Joint Standing Committee on Labor and Housing,

I am Nancy Smith, Executive Director of GrowSmart Maine, a statewide nonpartisan nonprofit organization that helps communities navigate change in alignment with [smart growth](#). Fundamental to this is equitable access to housing choices; particularly at risk in recent years with the extraordinary influx of people who appreciate our quality of place.

While I am very attuned to “Legislative Time,” having just under a week to prepare testimony on this 10+ page bill while weighing in on several components of the Supplemental Budget has been a challenge. There has been strong support for the recommendations that came from the Commission, but there are numerous questions and concerns in regard to the specifics outlined in this bill.

I am advising allies that with the bill especially, the Public Hearing is the beginning of the process to craft appropriate language for the outcomes we all support. You will be hearing questions and recommendations from land use planners, historic preservation professionals, conservation advocates, and community housing program leaders. I cede those particulars to their experience and expertise and encourage you in particular to review testimony from Greater Portland Landmarks and Maine Preservation, Maine Association of Planners, and Beth Della Valle, as they bring comprehensive expertise and experience to this discussion.

Our support for this bill comes from GrowSmart Maine’s support of LD 609 last session, my attendance via YouTube for much of the Commission’s meetings and thoughtful review of those recommendations. We support this bill, acknowledging that the level of detail provided here dictates a thorough review and response to concerns raised. A few points I will highlight:

- LD 2003 contains many municipal mandates, which didn't seem to be the intent of the Commission. **Success will come with a balance of requirements and resources to ensure local barriers to affordable housing are addressed while allowing for meaningful solutions that fit each community.**

- I see the issues raised here and in other bills as an affirmation that **a complete overall of the Growth Management Act** is urgently needed as proposed in LD 1240.
- I support the need to address “character of location” in section 3 so that this vague phrase cannot be used to continue discriminatory practices while still **protecting the values of unique natural areas and historic structures throughout Maine.**
- I support the need to review references to shoreland zoning, the Minimum Lot Size requirements for onsite septic disposal, and requirements for ADUs to ensure they **conform with current laws.**
- In moving forward with this bill, I encourage the Committee to consider the pushback I am hearing, that “all this work and all these dollars won’t build a single unit of affordable housing.” That’s not true! When we achieve the purpose of this bill to remove zoning and ordinance barriers to affordable housing, nonprofit, for-profit, and all levels of government efforts will create those units more readily. **This bill, with needed changes, aligns with the urgency of meeting immediate housing needs.**
- I celebrate the significant investments proposed in this bill. ***\$3M in the Supplemental Budget can be a game-changing investment in community land use planning if the scope is defined appropriately*** and once affirmed, consideration given to where within State government it is best located, either at DECD/Office of Community Development or DACF/Municipal Planning Assistance Program.

Below is a portion of my testimony in support of Part U in the Supplemental Budget, the Housing Opportunity Program. I include this because it is equally relevant here.

Housing is what got us here, and we must ensure that, at the very least, specific intersections with municipal planning to increase housing opportunities are addressed. These include:

- **Transportation**: municipalities can be encouraged to implement strategies that increase housing opportunities without adding to Maine’s over-reliance on single-occupancy vehicles, as well as time spent commuting as so many Mainers “drive til you qualify” and its impacts household budgets as well as our shared carbon footprint.
- **Affordable access to high-speed internet** has become as much of an essential utility as electricity, and this Program provides an opportunity to ensure that municipalities are considering how to minimize the costs of sprawling growth as they increase housing AND ensure broadband for all.

Finally, I want to share a conversation to reinforce this point. As I spoke last week with the Executive Director of Capital Area New Mainers Project, I learned that a recent affordable housing project here in Augusta not only did not include access to the internet, but it initially was also outside of Spectrum's service area. You can imagine the challenges this created for residents, including members of the CANMP. When refugees from Afghanistan arrived in Maine recently, they needed access to the internet within a week of their arrival so their children could settle into schools and so adults could address their own needs. In addition, most New Mainers do not drive when they first arrive here, adding to their challenges to

becoming productive members of their new communities. We must address these components of affordable living as we address affordable housing, and minor changes to Part U will allow for this and significantly improve outcomes.

GrowSmart Maine stands ready to work with the committees to ensure we are making the most of this opportunity to invest in Maine communities as we all do our part to meet the challenges in providing safe and affordable housing opportunities.

Sincerely,

A handwritten signature in cursive script that reads "Nancy E. Smith". The signature is written in black ink and is positioned below the word "Sincerely,".

Executive Director