



## LD 2003: SUPPORT THE MAJORITY REPORT

MEREDA supports the majority report for LD 2003 and urges you to contact your House member or Senator in support of the majority report to help building more housing for Maine!

The majority of the Labor and Housing Committee of the Legislature voted to support LD 2003, An Act to Implement the Recommendations of the Commission to Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions. As amended, the bill would provide for:

**Technical Assistance and Financial Incentives for Municipalities:** The majority report would establish the Housing Opportunity Program which would include competitive grants to municipalities and other organizations to use for the purposes of developing and implementing zoning and land use ordinances to expand opportunities for housing development. Additionally, it would set up direct technical assistance for municipalities to use to help with zoning reform.

**Density Bonuses:** The majority report would override the current allowable density in municipalities for deed-restricted affordable housing developments affordable for rent at 80% of AMI, or for sale at 120% of AMI. Specifically, in zones that currently allow for multifamily housing, the majority report would allow projects to exceed the dwelling unit density requirements of a municipality by 2.5 times and set a parking minimum for these projects at no more than 2 off-street spots per every 3 units.

**Single Family Zoning:** The majority report would allow, for any municipal zone in which housing is permitted, up to 4 dwelling units per lot if that lot does not contain an existing dwelling unit and the lot is located in a designated growth plan or, in municipalities that do not have a comprehensive plan, if the lot is served by public sewer and water. The bill would allow additional dwelling units to be built on a lot with an existing dwelling unit. Specifically, the bill would allow for up to two additional units to be built if one of the additional units is within the existing dwelling or one additional dwelling unit is an ADU, or any combination thereof. Covenants, conditions and restrictions established by contract or deed could serve to further limit the application of the law, and will continue to control for existing dwellings.

**Accessory Dwelling Units:** The majority report would require municipalities to allow ADUs on the same lot as a single-family dwelling in any zone that allows housing, subject to applicable shoreland zoning and water/wastewater requirements. This section would prohibit ADUs enabled under this law from being short term rentals.

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Find your [House Representative](#) or [Senator](#), listed in alphabetical order by town.

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# TALKING POINTS IN SUPPORT OF LD 2003

- LD 2003 would help **level the playing field for housing development** across the State by implementing certain uniform land use provisions, including allowing multi-family dwelling in all neighborhoods zoned for residential use, expanding the permissiveness of Accessory Dwelling Units (ADU's), and providing financial and technical assistance to municipalities to modernize their land use codes.
- By mandating certain land use provisions, LD 2003 would **increase uniformity across towns and regions**. When rules are uniform, projects are easier to plan and costs are contained. This will make the type of housing that is built more accessible to a broader range of individuals - from low income to high income and everything in between.
- LD 2003 doesn't just propose top-down solutions. The proposed legislation also includes a robust program to **help municipalities** do the important technical work of **updating and modernizing their land use codes**.
- LD 2003 would provide **\$3 million for municipalities** to encourage them to revise and modernize their land use codes consistent with encouraging housing development in their communities. By targeting \$3 million to municipal incentives and technical assistance, LD 2003 can help **bridge the gap** between where communities are and where they go.

MEREDA believes it's time for the legislature to act to pull all the levers it can to encourage housing construction in Maine. LD 2003 takes a first crucial step in that direction by implementing statewide policies and providing important financial and technical assistance to municipalities to implement **fair, practical, and predictable** local land use policies.

- LD 2003 takes a two-fold approach: **statewide and local**. This will ensure immediate change to ease our housing crunch while enabling the longer-term work that will ensure stability in our housing market going forward.

# MYTH VS. FACT: WHAT LD 2003 WILL REALLY DO

<b>Myth</b>	<b>Fact</b>
<p>Towns will be forced to build housing units – particularly affordable housing units.</p>	<p>Nothing in the bill requires towns to ensure that building occurs – the bill encourages development by providing incentives to offset costs and other barriers to development. Ultimately, if a developer doesn't want to build in your town, they won't.</p>
<p>This bill will eliminate single-family housing.</p>	<p>LD 2003 would allow up to four dwelling units on any lot zoned for residential use, but only allow an additional three units on lots with existing dwellings, and those units must be contained within the existing dwelling or be an ADU or a combination thereof.</p>
<p>Large multifamily housing buildings will be built on top of single-family homes in traditional single-family subdivision neighborhoods.</p>	<ul style="list-style-type: none"><li>• Traditional single-family subdivisions will not suddenly be overrun by multi-family homes built on postage-stamp sized lots. Setbacks, height restrictions, and other dimensional standards will still apply – the lot sizes in these traditional subdivisions would simply be too small to accommodate additional units under the law.</li><li>• Deeded covenants, conditions, and restrictions would control if in conflict with the proposals in LD 2003, meaning that the covenants a certain neighborhood or development has in place would still be in effect and would override the effect of this proposed law with respect to single-family subdivisions and other types of restricted residential settings.</li></ul>

Lack of adequate, affordable, or desirable housing is only a problem in Portland.

- Nearly 16,000 people moved to Maine in 2021. They didn't all move to Portland.
- According to Maine Housing, the median home price in Maine in 2021 was \$295k.
- Almost 65% of homes sold in 2021 were unattainable to the average Mainer with an income of \$63k.
- There is demand for better, more efficient housing in almost all of our communities. Developers interested in building across the state face barriers to development in rural towns as well as urban towns.

Municipalities can fix this issue by themselves

It's true that some municipalities have taken action to revise and modernize their land use codes, and have done so to great effect. By and large, these have been urban service centers with more financial means and the resources to undertake the work necessary to make the necessary changes. MEREDA applauds these communities but believes the state must act to ensure some policies are statewide, and to provide resources to towns who want to go further in incentivizing or managing growth in their towns.

Towns have total control over their local land use laws now, and this would erode local control.

Under the Maine Constitution, a town may act to regulate "matters that are local in character to the extent they are not violative of the Constitution or general state law". *Me. Const. Art. VIII, Pt. 2*. When the legislature determines that a matters is of sufficient statewide concern that it is no longer local in character, it is empowered to enact statewide policies – something it does every day. Our housing crisis is of statewide concern, and it is time for the legislature to act on policies to address it.

