



HOUSE BILL 1001 – HOUSING PROPOSED AMENDMENTS AND IDEAS

HB 1001 has numerous provisions that are of significant concern to both municipal elected officials, as well as many appointed managers and planning practitioners. Below is a summary of these concerns and the amendments Aim is seeking in the Senate.

Protect local planning and zoning authority

Concern: Cities and towns need to retain control over density, setbacks, parking, and design so housing growth aligns with local infrastructure capacity, including roads, utilities, and storm water, and reflects unique community needs. Broad state preemptions in HB 1001 undermines this local oversight.

Request: Aim is asking for the elimination of Section 19 to ensure communities can maintain vital local decision making while addressing housing development. While some subsections contain opt-out provisions, there are several portions of HB 1001 that do not. This section contains contradictory language and any sweeping reform to something as integral to a community as planning and zoning needs more discussion and debate with a diverse group of professionals around the table. Some of the most unworkable provisions in Section 19 include:

- **Density:** the bill makes multi-family units and a single-family home on one single-family lot a permitted use without input from the neighborhood or the municipality and capping the required lot size for all development.
- **Setbacks:** the bill creates maximum setback requirements that are inconsistent within the bill and are too small to follow other existing laws, rules, and practices around installing sidewalks and utility easements.
- **Parking:** the bill eliminates traffic studies and caps how many parking spaces can be required for denser housing, creating congestion problems in downtowns and street parking in neighborhoods without any local oversight or remedies
- **Change of use:** the bill makes it a permitted use to convert commercial or industrial space to multi-family housing without the need for a variance or public hearings.
- **Elevators:** the bill establishes limitations in code for allowable requirements that may conflict with locally established building codes for safety and access.

Preserve and strengthen impact fees to support housing growth

Concern: Impact fees allow communities to fund the infrastructure and amenities required for new development without shifting costs onto existing taxpayers. **Limiting impact zones and restricting fees limits municipalities' ability to responsibly accommodate growth.**

Request: **Aim is asking to remove language regarding impact fees in Section 11, 15, 17, and 18.** The most concerning language is noted below:

- Section 11 limits the use of impact fees by only allowing them to be used for building departments and capping them at the growth of inflation.
 - This section makes sense for permit and inspection fees but directly conflicts with the impact fee statute and their intended use.
- Section 18 limits the impact zone to 1 mile.
 - This will greatly limit the amount of infrastructure that can be supported by impact fees which will either delay projects due to cost concerns for local units or shift the cost to property taxpayers
- It is not always feasible to site all infrastructure within one mile of new development.
 - Arterial roads are often more than one mile away from development.
 - Wastewater treatment plants and lift stations are rarely able to be located within one mile of a subdivision.

Encourage collaboration to increase housing supply

Fact: Municipalities are already driving housing development through investment and development-friendly strategies. **Aim supports partnerships between developers and locals that proactively bring housing to market rather than one-size-fits-all preemptions.**

Requests: **There are efficiencies locals want to explore in partnership with the General Assembly and the development community.** Further, there are additional tools that would help support housing expansion across Indiana.

- Give locals flexible tax incentive tools like abatements, residential TIF, and other homebuyer and developer friendly incentives to work on housing issues locally.
- Commit to working with stakeholders and lawmakers on required timelines and eliminate unnecessary review steps without compromising local guidelines, public input, project viability, as well as understanding the permit to project completion timeline.
- Find ways to reduce regulations on stormwater that create delays and raise costs without compromising existing ratepayers and property owners.
- Consider timeline requirements for utilities and pole lines that have slowed development in certain situations.