

SB 382 - ADUs - FAV - REALTORS.pdf

Uploaded by: Lisa May

Position: FAV



Senate Bill 382 – Accessory Dwelling Unit Promotion and Policy Task Force

Position: Support

Maryland REALTORS® strongly supports efforts to promote and expand the development of Accessory Dwelling Units (ADUs) in Maryland so that we may begin to close our 120,000-unit housing shortage.

A survey conducted last month by our organization highlights the struggle that many face in finding housing options in our state. This shortage is most pronounced among certain groups: residents of lower incomes; young people and those just getting started in their careers; and older people who are looking to downsize or have special needs.

It also revealed that a majority of moderate-income Marylanders are now feeling the housing shortage. This is due in large part to the fact that we no longer construct “missing middle” housing types: accessory apartments, duplexes and the like.

ADUs make housing more affordable and available for these same populations. They expand options for lower wage and early career workers, particularly if they are employed in high-cost areas. They also provide greater flexibility for seniors to stay in their communities by allowing family members or caregivers to live on-site, or to provide additional rental income so that they are not displaced by rising costs.

Our research revealed that once Maryland residents learn about ADUs, 76% support making it easier for homeowners to build these units on their properties.

Unfortunately, many local zoning ordinances make it difficult or very expensive to add an ADU to an existing property. In some counties, ADUs are prohibited from being constructed at all. We firmly believe that establishing a single set of rules for ADUs across the state is necessary for Maryland homeowners to make use of this housing type, no matter where they live in the state.

To close our housing gap, we will need to look beyond traditional development patterns in favor of new housing types that serve the needs of our residents, like ADUs. Maryland REALTORS® urges your support of Senate Bill 382.

**For more information contact
lisa.may@mdrealtor.org or christa.mcgee@mdrealtor.org**

MBIA Letter of Support SB 382.pdf

Uploaded by: Lori Graf

Position: FAV

February 21, 2023

The Honorable Brian J. Feldman
Senate Education, Health & Environmental Affairs Committee
Miller Senate Office Building,
2 West Wing 11 Bladen St.,
Annapolis, MD, 21401

RE: MBIA Letter of Support SB 382 Accessory Dwelling Unit Promotion and Policy Task Force

Dear Chairman Feldman:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB 382 Accessory Dwelling Unit Promotion and Policy Task Force**. MBIA **Supports** the Act in its current version.

This bill would establish an Accessory Dwelling Unit Task force to study state and local efforts to promote Accessory Dwelling Units (ADU). Maryland currently faces an estimated 120,000 housing unit shortage across the state. ADU's are an effective way to not only allow homeowners to leverage the value of their homes to the benefit of society but also meet this housing need. The Maryland Realtors Association reports that these housing types may be able to meet as much as 40,000 new units cutting our housing crisis by nearly a third with the addition and promotion of one single housing type. Addressing this crisis is going to take creative thinking and a massive community effort and this bill is a good first step to making Maryland accessible to all.

For these reasons, MBIA respectfully requests the Committee give this measure a favorable report. Thank you for your consideration.

For more information about this position, please contact Lori Graf at 410-800-7327 or lgraf@marylandbuilders.org.

cc: Members of the Senate Education, Health & Environmental Affairs Committee

SB 382 - FWA - MML.pdf

Uploaded by: Angelica Bailey

Position: FWA



Maryland Municipal League

The Association of Maryland's Cities and Towns

TESTIMONY

February 21, 2023

Committee: Environment & Transportation

Bill: SB 382 – Accessory Dwelling Unit Promotion and Policy Task Force

Position: Support with amendments

Reason for Position:

The Maryland Municipal League generally supports SB 382, which creates a task force to study Accessory Dwelling Units (ADUs) in Maryland. Maryland is experiencing a housing crisis which can only be alleviated with a comprehensive and well-researched approach, and we applaud the Sponsors' intent.

However, the requirements for the Task Force are overly proscriptive. The role of a Task Force is to be an unbiased reviewer: to examine the current situation, research potential solutions, and recommend best practices for implementing them while recognizing drawbacks and accounting for tradeoffs. The bill as drafted seems to force the Task Force's findings to support a statewide ADU mandate. This is not an unbiased approach and could be counterproductive in our collective battle against housing insecurity.

Maryland's local governments have traditionally maintained their own authority over planning and zoning decisions. Local government leaders are the most familiar with the needs of their residents, the culture of their communities, and the limits of their land and infrastructure. The needs of our rural communities can vary greatly from those of our urban communities, for example. Maryland's 157 municipalities are simply too diverse for a one-size-fits-all approach. Any study of housing solutions must consider all the dynamics at play.

For these reasons, we respectfully request 2 amendments: first, to expand the Task Force to include one MML representative from an urban area, and one MML representative from a rural area. The second would broaden the scope of the Task Force to ensure its goal is the implementation of well-researched best practices for ADUs, rather than forced statewide zoning.

1212 West Street, Annapolis, Maryland 21401

410-268-5514 | 800-492-7121 | FAX: 410-268-7004 | www.mdmunicipal.org

We appreciate the Sponsor's openness to these amendments and look forward to continuing to work together. With these amendments, the League would respectfully request that this committee provide SB 382 with a favorable report.

FOR MORE INFORMATION CONTACT:

Theresa Kuhns

Chief Executive Officer

Angelica Bailey Thupari, Esq.

Director, Advocacy & Public Affairs

Bill Jorch

Director, Public Policy

Justin Fiore

Deputy Director, Advocacy & Public Affairs

Comments on HB239_SB382, Accessory Dwelling Unit

Uploaded by: Dan Reed

Position: FWA



The Honorable Brian J. Feldman, Chair
and Members, Education, Energy, and the Environment Committee
Maryland Senate
Miller Senate Office Building
11 Bladen Street
Annapolis, Maryland 21401

February 20, 2023

Dear Chair Feldman, Vice Chair Kagan, and members of the Education, Energy, and the Environment Committee:

My name is Dan Reed and I serve as the Regional Policy Director for [Greater Greater Washington](#), a nonprofit that works to advance racial, economic, and environmental justice in land use, transportation, and housing throughout Greater Washington. We support Senate Bill 382, Accessory Dwelling Unit Promotion and Policy Task Force with amendments as a much-needed start to addressing our state's housing shortage.

Maryland is short 120,000 homes, according to Freddie Mac and the National Association of Realtors.¹ One reason is that new home construction in the state has fallen by half over the past 20 years. Fewer than 1,400 homes received building permits in December 2022, the last month for which records are available, compared to 3,200 homes in March 2005, the month with the largest number of permits in the 21st century.² Given the reality of supply and demand dynamics, the result is double-digit increases in home prices throughout the state, including Anne Arundel, Frederick, Howard, Montgomery, Prince Georges, and Baltimore counties, even as incomes have remained flat.³

This has real consequences: more traffic, more suburban sprawl, more companies who can't find employees – all of this exacerbating racial inequities. It also means more Marylanders who can't afford to live near jobs, education, friends and loved ones, medical care, or social or worship activities. This will only become worse in the coming years, as the state Department of Housing and Community

¹

<https://www.delmarvanow.com/story/news/state/2023/02/13/with-housing-in-short-supply-statewide-legislature-considers-adus/69885219007/>

² <https://fred.stlouisfed.org/series/MDBPPRIVSA>

³ Data from Bright MLS

The Washington, DC region is great >> and it can be greater.

80 M Street SE, Suite 100, Washington, DC 20003
info@ggwash.org



Development anticipates nearly 100,000 families and individuals earning less than 50% of the state's median income will move here by 2030, requiring a dramatic increase in affordably priced homes.⁴

Senate Bill 382 can help us find a solution. Accessory dwelling units are an important source of more-affordable homes, and are a way to support the many different kinds of families who live here by allowing multiple generations to live together and share costs, providing homeowners with an additional source of income, and giving people more choices to live, or stay, in their community. We are hopeful that the ADU Promotion and Policy Task Force can identify best practices and craft legislation that actually ensures housing can get built—and that the cost is actually accessible for property owners.

We request two key amendments. Currently, the bill describes part of the Task Force's scope as studying items such as policies that would "establish limits on the maximum square footage of an accessory apartment," as well as existing laws and policies concerning "the management or limitation of residential growth" and "minimum lot sizes." This language could be construed as asking the Task Force to identify ways to limit or restrict ADU construction, which could undermine attempts to create more of them. We would recommend striking the language about limits on square footage, and adding language that emphasizes the Task Force's goal to increase ADU production. Additionally, we recommend that the task force include perspectives from architects who have designed ADUs and mortgage lenders who have financed them, as well as homeowners who have built or tried to build an ADU. Hearing from these professionals and the public will ensure that any resulting legislation does not unintentionally create new barriers to building these much-needed homes.

Thank you for your consideration of our comments. I am happy to discuss any questions or concerns you have by phone at **202/256-7238** or by email at **dreed@ggwash.org**, and we look forward to working with you to achieve our state's affordable housing goals.

Sincerely,

Dan Reed
Regional Policy Director
Greater Greater Washington

⁴ <https://dhcd.maryland.gov/Documents/Other%20Publications/Report.pdf>

SB 0382 AIAMD support w-Amend.pdf

Uploaded by: Deborah Buelow

Position: FWA



20 February 2023

The Honorable Brian Feldman
Chair, Education Energy, and the Environment Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Re: Letter of Support for House Bill 0239
Accessory Dwelling Unit Promotion and Policy Task Force

Dear Chairman Feldman and members of the Education Energy and the Environment Committee:

We are writing to voice AIA Maryland's support for Senate Bill 0382 and we offer one suggested friendly amendment. AIA Maryland represents over 2,000 architects within the state of Maryland. We strongly advocate for affordable housing, diversity of housing options and sustainability.

The benefits offered by Accessory Dwelling Units (ADUs) are well-documented and have been demonstrated through the successful implementation by a wide range of cities and towns and states throughout the country. ADU legislation has already been enacted by California, Washington, New Hampshire, Oregon, Minnesota, Rhode Island and Vermont. These real-life case studies have proven ADUs successful on many levels adding to the vitality of communities where they are implemented. ADUs provide benefits for tenants, homeowners, and the community at large while requiring limited infrastructure, adding to the tax base and providing flexibility for changing lifestyles.

In regions like Seattle, their architecture community was involved in shaping the guidance as well as enabling pre-approval of 10 ADU Designs. Some of the objectives set forth for the task force include issues like establishing limits on square footage of the ADU's relative to the primary dwelling unit, minimum sizes of dwelling units and other building restrictions. The objectives may have overlooked making recommendations for instance on detached versus attached accessory dwelling units. We submit that including an architect member on the task force will help to provide a needed understanding of the balance of setting parameters that enhance communities with parameters that enable ADU's to be livable within, and compatible with the structures they connect to or are adjacent to on the same site.

We absolutely agree that enabling ADU's, providing coherent guidance to enhance existing communities and providing greater housing options in Maryland is important. We think it makes sense to aim to find opportunities to reduce sprawl and encourage development that can tie to existing utility infrastructure. We also hope you agree that we should include an architect member on the task force to help assure the recommendations are informed by bringing input informed by our AIA members who have helped implement programs elsewhere and informed by professionals who help design spaces that people want to live, work and play in.

We therefore respectfully ask your committee to provide SB 0382 with a favorable recommendation to allow ADUs to have a positive impact in all of Maryland, and we hope you will consider our friendly amendment to include an architect as a member of the Task Force.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Parts", with a long horizontal line extending to the right.

Chris Parts, AIA
Director, Past President

A handwritten signature in black ink, appearing to read "Deborah Buelow", in a cursive style.

Deborah A. Buelow, AIA
Director

SB0382-EEE_MACo_SWA.pdf

Uploaded by: Dominic Butchko

Position: FWA



Senate Bill 382

Accessory Dwelling Unit Promotion and Policy Task Force

MACo Position: **SUPPORT**
WITH AMENDMENTS

To: Education, Energy, and the Environment
Committee

Date: February 21, 2023

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **SUPPORTS SB 382 WITH AMENDMENTS**. This bill creates a taskforce to examine the promotion and development of Accessory Dwelling Units (ADUs). Amendments serve to strengthen the intent of this bill, shifting the focus of the study to ADU best practices and infrastructure needs.

Nationally and statewide, policy-makers are being confronted by a historic shortage of affordable housing. The cause of the crisis is not due to a singular instance, but instead the result of a litany of decisions in both the public and private sectors. Similar to the cause, there exists no singular solution to this crisis. Policy-makers at all levels must be nimble in their solutions, adopting an “all of the above” approach if we are to right the ship.

SB 382 brings together a significant cross section of housing stakeholders and charges them with developing a comprehensive menu of ADU best practices. Counties recognize ADUs as a legitimate tool in combating the housing crisis, but resist one-size-fits-all mandates that do not take into account highly localized considerations. This bill serves to strike a balance between overly burdensome mandates and the need for serious action. MACo praises the sponsor for graciously working with counties and other stakeholders to develop amendments and move forward toward workable solutions.

SB 382 is the first step in finally striking a balance between the need for local consideration and the wider adoption of ADUs. Accordingly, MACo urges the Committee to issue a **FAVORABLE WITH AMENDMENTS** report for SB 382.

MGA 2023 Testimony SB0382 (Accessory Dwelling Unit

Uploaded by: Michael Scepaniak

Position: FWA

Bill: Senate Bill 0382

Bill Title: Accessory Dwelling Unit Promotion and Policy Task Force

Position: **Favorable with Amendments**



Members of the Senate Education, Energy and the Environment Committee,

It's no secret that, in many areas of Maryland, affordable housing is hard to find. It's the same in most/all metropolitan areas of the U.S. This is not surprising, as the same exclusionary type of zoning is found across the country, and exclusionary zoning prevents the development of affordable housing.

What, exactly, do we mean by "affordable housing", though? It seems to us that there are two types.

The first type of "affordable housing" is unfairly kneecapped by the ugliest of our society's class-based and race-based prejudices. It is stigmatized as being only for poor people - wrongly conflated with crime, declining property values, and threats to "community character". It is the "section 8 housing" bogeyman warned of in those corners of social media lacking empathy. It requires public financing, vouchers, deed covenants, and other sorts of government interventions. It is what Baltimore County needs to build in order to come into bare-minimum compliance with a 2016 settlement it agreed to with the Department of Housing and Urban Development (HUD). [1] It is treated as a checkbox, meant for the most anonymous, most vulnerable, lowest-income members of our communities.

The second type of "affordable housing" is something very different. It's the "affordable" that, comparatively, remains free of judgment. It's the housing that is "affordable" in the same way that we want gasoline, eggs, child care, meals out, smart phones, football tickets, and kitchen cabinets to be affordable. It's the housing that 72% of young professionals, 60% of seniors, and 69% of low-income voters in Maryland say there's too little of. [2] It's the housing that allows our young adult children to live nearby and our aging parents to remain in the neighborhoods they have put their hearts into. It's the housing that the market wants to build and the market wants to buy, and yet is nowhere to be found.

The primary mechanism that is preventing the development of this second type of affordable housing is exclusionary zoning, which codifies cost-inflating development standards such as minimum lot sizes, setbacks, and parking spaces, as well as maximum building heights, lot coverage limits, and units per square feet of floor area. Furthermore, it also prevents homeowners from building and renting Accessory Dwelling Units (ADUs) on their property.

ADUs can play a significant role in providing affordable housing in stable, well-established, desirable neighborhoods, without disrupting their character. Some would have you believe that allowing for ADUs opens the door for slum landlords/developers to acquire cheap property onto which they can cram low-quality housing units, leading to community decline. It's hard to understand the facts on which these predictions are based, as ADUs are largely absent from Maryland, specifically, and the American landscape, in general. We don't believe such case studies of decline exist. What does exist, though, is Vancouver.

Over the course of the past few years, Vancouver, BC has been ranked the fifth most liveable city in the world and the third best city in the world for quality of living. [3] [4] Another little-known fact is that, in Vancouver, fully **one-third of single-family houses have legal ADUs**. [5] Starting in the late 1980s, Vancouver legalized thousands of existing, but illegal, ADUs. It then proceeded to eliminate the most counterproductive barriers preventing the development of new ADUs. The result has not been decline, but rather a thriving, world-class city - with ADUs all over.

We don't assert that Vancouver's policy changes will yield identical results here in Maryland. We have to assume that there may be differences between here and there that would need to be accounted for. But, the high-level statistics we've cited would seem to refute assertions that ADUs **necessarily** bring decline.

While we very much favor the creation of the Accessory Dwelling Unit Promotion and Policy Task Force, we would like to see additional items added to section 1(g) of the bill - to be considered and studied: [6]

- Restrictive in-place minimum lot dimensions, and lot coverage limits.
- Owner occupancy requirements for a) ADU construction and b) short-term rental of ADUs.
- Number of ADUs per property and ADU occupancy limits.
- Conditions under which ADU construction should be allowed by-right.
- A legalization and compliance process for existing unpermitted ADUs.

Those who fear the construction of affordable housing will paint these reasonable reforms with a scare-mongering brush that has been well-used against subsidized housing programs, but ADUs represent a different sort of affordable housing. Adding a diversity of housing options to our communities means they can accommodate people as they move through different life stages and their housing needs change. Addressing this type of affordable housing will then help weaken the prejudices against the other type of affordable housing, increasing its availability. ADUs serve as an approachable, flexible, grass-roots, affordable housing option that Maryland needs more of.

We hope the committee finds our points helpful and convincing and we urge its members to **vote for this bill**. Thank you for your time and attention.

[Strong Towns Baltimore](#)

Michael Scepaniak, Co-president

David House, Co-president

James Pizzurro

Charlie Smith

Kim Dulay

Henry Cook

Tristan Stefanović

Corey Simmerer

Michael Martin

Shaun Lehmann

John Locke

Chris Guinnup

Phil Scherer

Ben Lawrence

References:

[1] Christine Serlin. "Settlement to Increase Affordable Housing in Baltimore County". March 17, 2016.

https://www.housingfinance.com/policy-legislation/settlement-to-increase-affordable-housing-in-baltimore-county_o

[2] Jenyne Donaldson. "One-third of Marylanders considering leaving state for cheaper housing". February 7, 2023.

<https://www.wbalv.com/article/one-third-marylanders-considering-leaving-cheaper-housing/42790053>

[3] Elana Shepert. "Vancouver ranked #5 most liveable city in the world: report". June 23, 2022.

<https://www.vancouverisawesome.com/local-news/vancouver-news-economist-ranking-fifth-globally-5511339>

[4] DH Vancouver Staff. "Vancouver ranked 3rd best city in the world for quality of living". March 13 2019. <https://dailyhive.com/vancouver/vancouver-best-city-quality-of-living-2019>

[5] Dan Bertolet. "Why Vancouver Trounces the Rest of Cascadia in Building ADUs". February 17, 2016.

<https://www.sightline.org/2016/02/17/why-vancouver-trounces-the-rest-of-cascadia-in-building-adus/>

[6] Nolan Gray. "Three Cheers for Lexington's ADU Ordinance". August 21, 2019.

<https://www.strongtowns.org/journal/2019/8/21/three-cheers-for-lexingtons-adu-ordinance>

SB382 Fav with Amendments PresMD.pdf

Uploaded by: Nicholas Redding

Position: FWA



PRESERVATION MARYLAND

February 17, 2023

Hon. Brian J. Feldman, Chair
Education, Energy and the Environment Committee
Miller Senate Office Building, 11 Bladen St.
Annapolis, Maryland

RE: SB382 FAVORABLE WITH AMENDMENTS

Chairperson Feldman & Senator Washington,

On behalf of the staff and Board of Directors of Preservation Maryland and our thousands of statewide supporters, I thank you for the opportunity to provide testimony in **SUPPORT of SB382** – a piece of legislation that has the opportunity to support and invest in our state's history and communities.

Preservation Maryland is the statewide voice for historic preservation that works to protect the best of Maryland. Since 1931, we have worked tirelessly to protect the places, stories, and communities in Maryland that matter. (Learn more at: presmd.org)

Preservation Maryland is supportive of the bill which has the potential to positively impact historic communities and address the critical need for housing across our state. We believe ADUs have the potential to be deployed with great success in historic communities, and as a result, we respectfully suggest a simple amendment that would provide for a representative of the historic preservation community on the commission. This addition would provide an opportunity for the preservation community to provide valuable input and develop best practices for ADUs in historic communities which would accelerate their deployment.

SB382 is an innovative way of increasing the density of historic neighborhoods to allow for more preservation of historic assets and support communities across the state without sacrificing historic structures. Therefore, I respectfully urge a favorable report on SB382 with our suggested amendment.

Favorable with Amendments

Sincerely,

Nicholas A. Redding, President & CEO

SB 382 Accessory Dwelling Promotion and Policy Tas

Uploaded by: Tammy Bresnahan

Position: FWA



One Park Place | Suite 475 | Annapolis, MD 21401-3475
1-866-542-8163 | Fax: 410-837-0269
aarp.org/md | md@aarp.org | twitter: @aarpmc
facebook.com/aarpmc

SB 382 Accessory Dwelling Unit Promotion and Policy Task Force
FAVORABLE with Amendment
Senate Education, Energy, and the Environment Committee
February 21, 2023

Good afternoon Chair Feldman, Vice-Chair Kagan and members of the Senate Education, Energy, and the Environment Committee. I am Tammy Bresnahan, Senior Director of Advocacy for AARP Maryland. On behalf of our 850,000 members, we thank you for the opportunity to speak in support of **SB 382 Accessory Dwelling Unit Promotion and Policy Task Force Act with an amendment**. We thank Senator Washington for sponsoring this important piece of legislation. This topic is now being discussed throughout the country at the federal, state, county and local level. I am speaking to you today to emphasize the importance of accessory dwellings units (ADU) as a viable affordable housing option for all ages.

SB 382 creates a Task Force to study the feasibility of state legislation permitting Accessory Dwelling Units, looking at the need and what is currently in force. AARP is highly vested in this option as housing is a key component in the AARP Livability Index. We propose an Amendment to include a representative from AARP on the Task Force.

AARP supports the availability of ADUs as an affordable, accessible housing option for people of all ages. ADUs are small houses or apartments that exist on the same property lots as a single-family residence but still provide separate living and independent quarters, and because they tend to be smaller and more affordable than single-family houses, they can be a good housing option for older adults who want to downsize but still live in a neighborhood setting. AARP's 2021 Home and Community Preference Survey (**Survey**) indicates that nearly sixty percent (60%) of adults would consider living in an ADU and nearly three-fourth of those polled said they would create an ADU for a place for a caregiver to stay. The Survey also indicated that more than eighty percent (80%) of the respondents would consider building an ADU for their loved ones, relatives, and friends. Therefore, emphasizing the multi-faceted use of an ADU.

Furthermore, the pandemic exposed the vulnerability of our older adults and made us realize the importance of ADUs as they can provide a safe, comfortable alternative to housing. ADUs can fill a number of roles that you may never have needed before, like providing a place for your aging parent to live instead of a nursing home, or for an adult child who may need to return home after college, has lost a job, or for one of many life changing moments, and or can be used for additional income for someone on a fixed income.



I would like to thank the Committee for providing me an opportunity to talk about the importance of ADUs as a viable housing option and how it will provide Maryland affordable and accessible housing.

AARP Maryland is committed to working with you to effectively address Maryland's housing options for older adults. Thank you again for allowing AARP Maryland to submit testimony in support of Sb 382. We ask the Committee to issue a favorable report with our proposed amendment to add representation from AARP to the Task Force on SB 382. If you have questions or need follow up, please contact feel free to contact me at tbresnahan@aarp.org. or by calling 410-302-8451.

230220-SB0382-Acces-Dwelling-promo-task-force.pdf

Uploaded by: Christine Hunt

Position: UNF

Christine Hunt and Jay Crouthers
1014 Dockser Drive
Crownsville, MD 21032

February 20, 2023

Maryland General Assembly
Members of the Education, Energy and the Environment Committee
Annapolis, MD

RE: SB0382-Accessory Dwelling Unit Promotion and Policy Task Force

Dear Senators,

We oppose SB 382 and respectfully request that you vote against it.

It is our understanding that ADUs are for family members such as aging parents that can live close to their children and be cared for and looked after. We feel that authorizing more of these will only create a “rental” opportunity for non-family members, which does nothing to create affordable housing for those who wish to own property.

We see the creation of this Task Force as a way to further develop already overdeveloped areas, especially in the cities and densely populated counties such as Anne Arundel and Montgomery.

Please vote against this bill.

Sincerely,

Christine Hunt and Jay Crouthers