

SENATE BILL 382

L6, N1

3lr1216
CF HB 239

By: **Senator M. Washington**

Introduced and read first time: February 1, 2023

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 1, 2023

CHAPTER _____

1 AN ACT concerning

2 **Accessory Dwelling Unit ~~Promotion and~~ Policy Task Force**

3 FOR the purpose of establishing the Accessory Dwelling Unit ~~Promotion and~~ Policy Task
4 Force to study ~~state and local government efforts to promote the creation of accessory~~
5 ~~dwelling units on land zoned for single-family residential use and review existing~~
6 ~~laws and policies associated with the development of accessory dwelling units~~
7 ~~throughout the State of Maryland~~ the placement of accessory dwelling units on land
8 zoned for single-family residential use and to survey and document a representative
9 sampling of the variety of ordinances, laws, codes, and policies regarding accessory
10 dwelling units at the State and local level; and generally relating to the Accessory
11 Dwelling Unit Promotion and Policy Task Force.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

13 That:

14 (a) (1) In this section the following words have the meanings indicated.

15 (2) "Accessory dwelling unit" means a secondary dwelling unit on the same
16 lot, parcel, or tract as a primary dwelling unit that is constructed:

17 (i) attached to, or through the conversion of, a portion of the primary
18 dwelling unit;

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (ii) attached to, or through the full or partial conversion of, an
 2 accessory structure located on the same lot, parcel, or tract as the primary dwelling unit;
 3 or

4 (iii) as a new building, detached from the primary dwelling unit and
 5 any existing accessory structure.

6 (3) "Dwelling unit" means a single unit that provides independent living
 7 facilities for at least one person.

8 (4) "Utility" means water or sewer disposal services provided by:

9 (i) a private company regulated under Division I of the Public
 10 Utilities Article;

11 (ii) the Washington Suburban Sanitary Commission regulated
 12 under Division II of the Public Utilities Article;

13 (iii) a sanitary commission regulated under Title 9, Subtitle 6 of the
 14 Environment Article; or

15 (iv) a municipal authority regulated under Title 9, Subtitle 7 of the
 16 Environment Article.

17 (b) There is an Accessory Dwelling Unit ~~Promotion and~~ Policy Task Force.

18 (c) The Task Force consists of the following members:

19 (1) one member of the Senate of Maryland, appointed by the President of
 20 the Senate;

21 (2) one member of the House of Delegates, appointed by the Speaker of the
 22 House;

23 (3) the Secretary of Planning, or the Secretary's designee; ~~and~~

24 (4) the Secretary of Housing and Community Development, or the
 25 Secretary's designee; and

26 ~~(4)~~ (5) the following members, appointed by the Governor:

27 (i) one representative of the Maryland Association of Counties;

28 (ii) one representative of the Maryland Municipal League;

29 (iii) one representative of the Maryland Building Industry
 30 Association;

1 (iv) one representative of the Maryland Association of Realtors;

2 (v) one representative of the Community Associations Institute;

3 (vi) one representative from the Chesapeake Region Chapter of the
4 Community Associations Institute;

5 (vii) one representative from the American Institute of Architects
6 Maryland;

7 (viii) one representative from the American Association of Retired
8 Persons Maryland; and

9 (ix) one representative from the Maryland Coalition for Interior
10 Designers.

11 ~~(vi) one individual with professional experience as a building~~
12 ~~inspector in the State;~~

13 ~~(vii) one individual with professional experience in community~~
14 ~~development, including the planning of residential and mixed-use residential~~
15 ~~developments in urban, suburban, and rural areas of the State; and~~

16 ~~(viii) one individual with professional experience in the planning and~~
17 ~~development of roads and highways.~~

18 (d) The Governor shall designate the chair of the Task Force.

19 (e) The Department of Planning shall provide staff for the Task Force.

20 (f) A member of the Task Force:

21 (1) may not receive compensation as a member of the Task Force; but

22 (2) is entitled to reimbursement for expenses under the Standard State
23 Travel Regulations, as provided in the State budget.

24 (g) ~~In order to help the State meet its affordable housing needs, the~~ The Task
25 Force shall:

26 (1) study ~~state and local government efforts to promote the creation of the~~
27 placement of accessory dwelling units on land zoned for single-family residential use,
28 including laws or policies ~~intended to:~~ focused primarily on owner occupied properties;

1 (2) survey and document a representative sampling of the variety of
 2 ordinances, laws, codes, and policies regarding accessory dwelling units at the State and
 3 local level; and

4 ~~(i) establish limits on the maximum square footage of an accessory~~
 5 ~~dwelling unit, relative to the square footage of the primary dwelling unit;~~

6 ~~(ii) streamline or standardize the application process for permits~~
 7 ~~necessary to build or operate an accessory dwelling unit;~~

8 ~~(iii) reduce or eliminate development impact fees, building excise~~
 9 ~~taxes, or utility connection fees for accessory dwelling units under a certain square footage;~~
 10 ~~and~~

11 ~~(iv) authorize the developer of an accessory dwelling unit to utilize~~
 12 ~~existing utility connections between the primary dwelling unit and a water or sewer main,~~
 13 ~~provided the existing connection is deemed sufficient to support the addition of the~~
 14 ~~accessory dwelling unit;~~

15 ~~(2) review existing laws and policies associated with the development of~~
 16 ~~accessory dwelling units throughout the State, including laws and policies concerning:~~

17 ~~(i) the management or limitation of residential growth in areas~~
 18 ~~zoned for single-family residential use;~~

19 ~~(ii) minimum lot sizes for the development of new dwelling units;~~

20 ~~(iii) setback requirements from the side and rear lot lines for a~~
 21 ~~dwelling unit or accessory structure;~~

22 ~~(iv) minimum square footage requirements for dwelling units;~~

23 ~~(v) the connection of accessory dwelling units to utilities; and~~

24 ~~(vi) off-street parking requirements; and~~

25 (3) make legislative or other policy recommendations, including a list of
 26 best practices for local governments in the State, that ~~promote and encourage the creation~~
 27 ~~and operation of accessory dwelling units on land zoned for single-family residential use~~
 28 includes impacts on local housing markets, neighborhood livability, and other policies and
 29 projects related to accessory dwelling units.

30 (h) (1) On or before ~~December 31~~ November 1, 2023, the Task Force shall
 31 report its activities ~~undertaken during 2023~~ to the Governor and, in accordance with §
 32 2-1257 of the State Government Article, the General Assembly.

1 (2) On or before ~~December~~ June 1, 2024, the Task Force shall report its
2 findings and recommendations to the Governor and, in accordance with § 2-1257 of the
3 State Government Article, the General Assembly.

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
5 1, 2023. It shall remain effective for a period of 2 years and 1 month and, at the end of June
6 30, 2025, this Act, with no further action required by the General Assembly, shall be
7 abrogated and of no further force and effect.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.