

SENATE BILL 529

L1

3lr2058

By: **Senator Ready**

Introduced and read first time: February 3, 2023

Assigned to: Finance

A BILL ENTITLED

1 AN ACT concerning

2 **Carroll County – Sober Living Houses – Authorization**

3 FOR the purpose of requiring the Carroll County planning commission to include a sober
4 living house element in the county comprehensive plan; requiring the approval of a
5 special exception prior to authorizing the establishment of a sober living house in
6 the county; and generally relating to the authorization of sober living houses in
7 Carroll County.

8 BY repealing and reenacting, without amendments,

9 Article – Land Use

10 Section 1–101(a) and (p) and 9–601

11 Annotated Code of Maryland

12 (2012 Volume and 2022 Supplement)

13 BY adding to

14 Article – Land Use

15 Section 9–605

16 Annotated Code of Maryland

17 (2012 Volume and 2022 Supplement)

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

19 That the Laws of Maryland read as follows:

20 **Article – Land Use**

21 1–101.

22 (a) In this division the following words have the meanings indicated.

23 (p) “Special exception” means a grant of a specific use that:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (1) would not be appropriate generally or without restriction; and

2 (2) shall be based on a finding that:

3 (i) the requirements of the zoning law governing the special
4 exception on the subject property are satisfied; and

5 (ii) the use on the subject property is consistent with the plan and is
6 compatible with the existing neighborhood.

7 9-601.

8 This subtitle applies to Carroll County.

9 **9-605.**

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
11 INDICATED.

12 (2) "BUILDING" MEANS ANY STRUCTURE USED OR INTENDED FOR
13 SUPPORTING OR SHELTERING ANY USE OR OCCUPANCY.

14 (3) "RESIDENTIAL ZONE" MEANS ANY AREA IN THE REGIONAL
15 DISTRICT THAT IS DESIGNATED ON A ZONING MAP AS RESIDENTIAL.

16 (4) "SOBER LIVING HOUSE" MEANS A BUILDING THAT PROVIDES
17 ALCOHOLISM AND DRUG ABUSE RECOVERY SERVICES TO A GROUP OF TWO OR MORE
18 UNRELATED INDIVIDUALS.

19 (B) NOTWITHSTANDING § 3-102 OF THIS ARTICLE, THE PLANNING
20 COMMISSION FOR THE COUNTY SHALL INCLUDE IN THE COMPREHENSIVE PLAN A
21 SOBER LIVING HOUSE ELEMENT.

22 (C) ON A SCHEDULE THAT EXTENDS AS FAR INTO THE FUTURE AS IS
23 REASONABLE, A SOBER LIVING HOUSE ELEMENT SHALL PROPOSE THE MOST
24 APPROPRIATE AND DESIRABLE PATTERNS FOR THE GENERAL LOCATION,
25 CHARACTER, AND THE CONCENTRATION OF SOBER LIVING HOUSES ADJACENT TO
26 OR IN CLOSE PROXIMITY TO A RESIDENTIAL ZONE.

27 (D) A SOBER LIVING HOUSE MAY NOT BE AUTHORIZED OR CONSTRUCTED IN
28 THE COUNTY UNTIL THE PLANNING COMMISSION HAS APPROVED THE LOCATION
29 AND CHARACTER AS CONSISTENT WITH THE COMPREHENSIVE PLAN.

30 (E) A SOBER LIVING HOUSE MAY ONLY BE AUTHORIZED IN THE COUNTY BY

1 **SPECIAL EXCEPTION.**

2 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
3 October 1, 2023.