

SB0871 Rigby Favorable.pdf

Uploaded by: Christiana Rigby

Position: FAV



Howard County Council

George Howard Building
3430 Court House Drive
Ellicott City, Maryland 21043-4392

Christiana Rigby
Councilmember

District 3

TESTIMONY IN SUPPORT OF SB0871

Accessory Dwelling Unit Authorization and Promotion Act

March 3, 2022

Dear Chair Pinsky, Vice Chair Kagan, and Members of the Education, Health, and Environmental Affairs Committee:

Thank you for the opportunity to provide written testimony to the Committee. I am writing to express my **strong support for SB0871**, legislation introduced by Senator Washington to expand housing opportunities and promote Accessory Dwelling Units in Maryland.

SB0871 would require each local legislative body in the State of Maryland to adopt legislation authorizing the construction of Accessory Dwelling Units (ADUs). ADUs are independent dwelling units that are located on existing single-family home lots. Accessory Dwelling Units are commonly inhabited by seniors, people with limited incomes, and young professionals who are seeking affordable places to live. This legislation will empower local jurisdictions and homeowners to provide these housing options in our community.

Maryland is currently in the midst of a housing crisis that has impacted communities across our state. People who want to live in our neighborhoods are prevented from doing so by rising costs, restricted housing supply, and a dearth of affordable options. In many respects, Maryland is behind the curve of adopting creative solutions to address this crisis. This legislation helps move our state forward in a positive direction by providing a pathway for accessory dwelling units statewide.

In May 2021, the Howard County Housing Opportunities Master Plan Task Force released its final plan and recommendations, which charts a roadmap for expanding housing affordability in Howard County. Among its many recommendations, the Master Plan called on the county to "increase the ability of homeowners to add accessory dwelling units to their properties." The report also highlighted that ADUs provide important housing options for diverse households of different ages and incomes.

It is typically uncommon for local legislators to ask the General Assembly to establish zoning requirements for local governments. However, as a local legislator in Howard County, I believe that State action on this issue is of the utmost importance. A statewide ADU law will

ensure greater consistency and predictability for many homeowners who are interested in constructing an accessory dwelling unit on their property. Additionally, this legislation will ensure that local jurisdictions do not put onerous and overly prescriptive conditions on the construction of accessory dwelling units. The majority of ADUs are constructed by individual homeowners who want to provide an affordable place for family members to live while building equity in their homes. The process to create ADUs should be straightforward and easily to utilize for homeowners who are interested in building them.

SB0871 will empower homeowners to help address our housing affordability crisis by providing safe, sustainable, and accessible homes for family, friends, and future neighbors. Thank you for your consideration of this legislation. I respectfully encourage a favorable report.

Sincerely,

A handwritten signature in black ink that reads "Christiana Rigby". The signature is written in a cursive style with a large, sweeping initial "C".

Christiana Rigby
Howard County Councilmember, District 3

SB 0871_GregCantori_fav.pdf

Uploaded by: Greg Cantori

Position: FAV

SB0871_GregCantori_fav

Bill Number: **SB 0871**

Greg Cantori

Owner, Little Deeds, LLC

Position: **Favorable**

8293 Shilling Road,
Pasadena, MD 21122

Dear Committee members,

Please strongly support the Accessory Dwelling Unit Authorization and Promotion Act SB 0871.

Accessory Dwelling Units (ADU's) are typically small home conversions or additions to existing homes with a private entrance that includes a kitchen, bedroom, and bath. They are most often basement or garage conversions. Sometimes they are an addition or a small detached unit in the backyard.

This ADU bill will give property owners the right they should have to convert their unused space in their basement or garage or to build a small separate unit they can rent, share with guests, use as a home office, or gracefully age in place.

My, and I'm sure your, frustration is knowing we have fallen far short of the decent and affordable housing your constituents want and need. You also know our housing crisis is much worse now. We need more housing. Much more.

Our family is in the process of building two ADUs at our daughters' homes. They are both lower-income, front-line service workers. They work hard but cannot afford their mortgages without additional rental income. Both ADUs are also fully handicapped accessible, providing critically needed housing for our elderly or disabled in single-family communities these renters are often excluded from. The current process, where ADUs are even allowed, is long, confusing, restrictive, and burdensome, requiring multiple hearings, posting signs, and a maze of approvals. This ADU bill will change that.

ADUs are a smart housing solution as they exist where homes and infrastructure are already in place, allowing local governments to increase their housing supply without spending more money on creating new roads, sewers, and power infrastructure.

For example: To build 150 apartments would take millions of dollars, require many adversarial hearings and meetings, and take many years. Deep taxpayer subsidies are required to make any development affordable. However, creating the same 150 apartments as ADUs could take less than a year with little or no subsidies.

- ADUs allow everyday homeowners to gain much-needed income from providing housing and reduce the pressure on state and local governments and developers to create new housing.
- Income from an ADU can also help a homeowner qualify to buy a home
- ADUs are smaller, more sustainable homes, reducing the impact on our local utilities, our environment, and our climate.
- ADU's help shorten commutes, increasing the odds of living near your work, school, and services.
- ADU's often provide workforce and caretaker housing. They can serve as a starter home for our younger adults
- ADU's can allow seniors to age in place gracefully in communities they know and among people they love.

We need to provide homeowners and renters more freedom in accessing their right to housing. It's a small step (as only 1 or 2% of homeowners can or will create these units), but it's a powerful new tool we can add to our housing toolbox at little or no cost to our state...

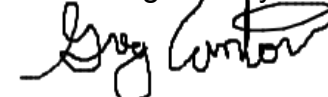
What other housing solution can say that?

Feel free to call, text, or email me anytime..... We need more housing.

410-409-9573 personal cell

greg@littledeeds.com

Thanks again for your hard work!



Greg Cantori

ADU Testimony - MD Senate and House - 3-03-22.pdf

Uploaded by: Kati George

Position: FAV

Thank you, Madame Chair, Senators, and guests

My name is Kati George and I reside at 695 Americana Dr. #25, in Annapolis, MD.

I am here today as an advocate of more affordable housing alternatives in Maryland. That is partly because I spent most of 2021 as Feasibility Chair of the Annapolis' Housing Affordability Task Force. During that time of our extensive research, I learned the specifics and causes of the housing shortage in Annapolis and throughout our region.

But more importantly, I've also owned an ADU and experienced first-hand how financially beneficial it was for me. I was a divorced Mom back in Texas with two preschoolers when I purchased a 1930's home, mainly because it had a "little house", or ADU, at the back of the lot. The documentation for a long-term rental income stream made me eligible to buy the home, at all. For five years, I rented, variously, to a new lawyer, a student couple and a part-time hairstylist. That rental income helped defray my mortgage costs. Then for the next five years, our "little house" allowed my elderly Mother to live on-site with me and her grandchildren. So yes, I personally know the advantages of having an ADU when you have limited financial resources.

SO HERE ARE 10 REASONS WHY I BELIEVE ADU'S ARE a GOOD IDEA FOR THE FUTURE OF MARYLAND!

ADU's can...

- Provide needed housing to address rental stock shortages in urban areas of Maryland.
- Allow existing homeowners to optimize the highest and best use of their own property.
- Increase the property value and resale of the primary residence for the property owner.
- Encourage multi-generational family units on one site and build a true sense of neighborhood.
- Serve as a cost-effective private guest accommodation for visiting family and friends.
- Support home ownership by allowing for a potential long-term rental income stream to help defray mortgage costs.
- Provide an on-site private workspace for remote workers in a post-COVID world.
- Give housing options to young, senior, or disabled populations.
- Do no harm to our Environment –new construction must meet existing environmental standards.
- And finally.... ADU's are a permanent, long term dwelling solution that increase housing options for those who need it most.

Thank you very much for allowing me to appear before you and for your consideration of this critical issue.

SB 871_realtors_fav.pdf

Uploaded by: Lisa May

Position: FAV



Senate Bill 871 – Accessory Dwelling Unit Authorization and Promotion Act

Position: Support

Maryland REALTORS® strongly supports efforts to promote and expand the development of Accessory Dwelling Units (ADUs) in Maryland through SB 871.

A recent survey conducted by our organization highlights the struggle that many face in finding housing options in our state. Half of respondents see housing supply as a moderate to very big problem, up substantially from 2020. This shortage is most pronounced among certain groups:

- 67% believe there is too little housing for residents of lower incomes;
- 67% believe there is too little housing for young people and those just getting started in their careers; and,
- 59% believe there is too little housing for older people who are looking to downsize or have special needs.

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. Legislation like SB 871 would level the playing field to allow this option for Maryland homeowners, no matter where they live in the state.

Maryland currently faces a shortage of over 82,000 housing units. To close that 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 House Bill SB 871.

For more information contact bill.castelli@mdrealtor.org, susan.mitchell@mdrealtor.org, lisa.may@mdrealtor.org or theresa.kuhns@mdrealtor.org

MBIA Letter of Support SB 871.pdf

Uploaded by: Lori Graf

Position: FAV

March 3, 2022

The Honorable Paul G. Pinsky
Senate Education, Health & Environmental Affairs Committee
Miller Senate Office Building,
2 West Wing 11 Bladen St.,
Annapolis, MD, 21401

RE: SB 871 Accessory Dwelling Unit Authorization and Promotion Act

Dear Chairman Pinsky:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **SB 871 Accessory Dwelling Unit Authorization and Promotion Act**. MBIA **Supports** the Act in its current version.

This bill would require local jurisdictions to adopt a law authorizing the construction of Accessory Dwelling Units on Land Zoned for Single Family Residential Use. MBIA respectfully supports this measure. Maryland currently faces a significant housing shortage and January 2022 saw an acceleration of this trend as housing stock fell 25%. Accessory Dwelling Units allow for new housing to be built at a lower cost than a traditional residential home. They are also more accessible than residential homes since they are smaller and often times rented as opposed to a large single payment as with a traditional house. This bill would allow for these buildings to be constructed on land that was already zoned for residential use, minimizing the impact and the requirement for the development of new land.

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 871 Accessory Dwelling Unit Promotion.docx.pdf

Uploaded by: Marceline White

Position: FAV



Maryland Consumer Rights Coalition

Testimony to the Senate Education, Health, & Environmental Affairs Committee
SB871 : Accessory Dwelling Unit Authorization and Promotion Act
Position: Favorable

March 3, 2022

The Honorable Paul Pinsky, Chair
Senate Education, Health, & Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, MD 21401
cc: Members, Education, Health, & Environmental Affairs Committee

Chair Pinsky and Members of the Committee:

The Maryland Consumer Rights Coalition (MCRC) is a statewide coalition of individuals and organizations that advances economic rights and financial inclusion for Maryland consumers through research, education, direct service, and advocacy. Our 8,500 supporters include consumer advocates, practitioners, and low-income and working families throughout Maryland.

We are writing today in support of SB 871. SB 871 promotes the development of accessory dwelling units (ADUs) as well as local enabling legislation. MCRC supports SB 871 because of the role that ADUs may play in addressing rising housing costs, supporting universal design, and aging in place.

Housing prices in Maryland were up 7% at the start of 2022, while housing supply remains tight, further pushing housing costs up. Rental prices have been increasing across the country and in Baltimore rents have risen [11%](#) in the past year. For Maryland homeowners and renters alike, housing is more expensive than ever. ADU's are an important part of the solution for affordable housing. ADU's can generate income for homeowners to assist them in meeting mortgage and other housing costs. ADUs are also more affordable rental units than most other options in single-family neighborhoods and the expansion of ADUs helps meet a recommendation in Maryland DHCD's Housing Needs Assessment to: "Amend zoning to allow by-right development of diverse housing types."

ADUs are also a good option to enable older adults to age in place. ADUs can be fitted to incorporate universal design which provides important accommodations for elders and disabled homeowners or tenants. For many adults in Maryland, aging in place enables older adults to remain in their communities as they age. Many older adults may move into the ADU unit while they rent out their larger home, often to family members. ADUs support families saving funds and enable them to live interdependent lives that benefit all family members.

For all these reasons, we support SB 871 and urge a favorable report.

Best,

Marceline White
Executive Director

Sen Washington Written Testimony SB871.pdf

Uploaded by: Mary Washington

Position: FAV

MARY L. WASHINGTON, PH.D
Legislative District 43
Baltimore City

Education, Health, and
Environmental Affairs Committee

Chair
Joint Committee on Ending
Homelessness

Chair
Joint Committee on Children,
Youth, and Families



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

Annapolis Office
James Senate Office Building
11 Bladen Street, Room 102
Annapolis, Maryland 21401
410-841-3145 · 301-858-3145
800-492-7122 Ext. 3145
Mary.Washington@senate.state.md.us

SUPPORT – SB 871

Accessory Dwelling Unit Authorization and Promotion Act

Education, Health, and Environmental Affairs Committee
March 3, 2022

Testimony of Senator Mary Washington

Chair Pinsky, Vice Chair Kagan, and Members of the Education, Health, and Environmental Affairs Committee:

I respectfully urge you to vote favorable on Senate Bill 871, which creates a set of standards for jurisdictions to authorize and promote Accessory Dwelling Units throughout our state and create a reporting mechanism to help quantify our collective successes and lessons learned in creating these new homes to address our critical housing shortage.

Accessory Dwelling Units (ADUs) are typically small home conversions or additions to existing homes that include a private entrance, a kitchen, bedroom, and bath. They are most often basement or garage conversions. Some ADUs are a home addition or a detached unit in the backyard. ADUs have a long history in our state and country as they were commonplace in all communities until the 1950s.

This bill is a result of the demands from homeowners, renters, senior service providers as well as city and county councils looking for assistance from the state in authorizing and encouraging ADU creation along with a consistent set of minimum standards. Without this authorization, it's a long difficult journey for any city or county - much less a homeowner - to navigate often inconsistent or even non-existent ADU rules. To address those barriers, the AARP has created a set of best practices¹, many of which are incorporated in this bill.

ADUs provide the size, type, and location of housing most in-demand today as Maryland household sizes continue to shrink, but overall housing demand continues to outstrip supply. We are not building enough homes, and we are especially lacking in the smaller unit sizes at prices that people need, want and can afford.

¹ How ADUs expand housing options for people of all ages, AARP Livable Communities publications, 2019
<https://www.aarp.org/livable-communities/housing/info-2019/accessory-dwelling-units-adus.html>

SB 871 has two parts: First, it provides minimum standards and guidelines. Second, it creates a data gathering and reporting methodology so we can make future evidence-based decisions.

ADUs are a smart housing solution as they exist where homes and infrastructure are already in place, allowing municipalities to increase their housing supply without spending more money creating new roads, sewers, or power infrastructure.

ADUs allow everyday homeowners to gain much-needed rental income from providing housing, while reducing the pressure on the government or developers to create new housing.

Income from an ADU can also help a homeowner qualify to buy or keep a home and an ADU may add over 40% to a property's value².

ADUs are smaller, more sustainable homes, reducing the impact on our local utilities, our environment, and our climate.

ADUs increase the odds of living near your work, school, and necessary services, while reducing commutes, as they co-exist within the 74% of residential land in Maryland otherwise zoned exclusively single-family.

ADUs provide workforce and caretaker housing. They can serve as a starter home for our younger adults, a home office, or a private space for guests.

Seniors can more affordably age in place close to the people they love and in the communities they know by remaining in their homes, with their caregivers living in the ADU (or vice-versa).

SB 871 will benefit both homeowners and renters in Maryland. While this bill will help ease our housing pressures, the impact won't overburden communities as ADUs typically comprise just one or two units per 100 homeowners.

By authorizing and promoting the creation of smaller living spaces that tend to be more affordable, nearer work, and school while benefiting both renters and homeowners alike, we have an extraordinary opportunity in encouraging homeowners to help us address our severe housing shortage.

I welcome your partnership in this important effort and urge you to vote favorable on SB 871.

In Partnership,

A handwritten signature in blue ink, appearing to read "Mary Washington".

Senator Mary Washington
Maryland 43rd District

² Thomaz, S. (2018). Investigating ADUs: Determinants of location and effects on property values. University of California, Irvine. https://www.economics.uci.edu/files/docs/workingpapers/JobMarketPaper_Thomaz.pdf

SB 871- Accessory Dwelling Unit Authorization and

Uploaded by: Samar Jha

Position: FAV



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

SB 871 Accessory Dwelling Unit Authorization and Promotion Act
FAVORABLE
Senate Education, Health, and Environmental Affairs Committee
March 3, 2022

Good afternoon Chair Pinsky, Vice-Chair Kagan and members of the Senate Education, Health, and Environmental Affairs Committee (**Committee**). My name is Samar Jha. I am a Senior Legislative Representative at AARP's National Government Affairs team. I am speaking to you on behalf of over 870,000 AARP Maryland members. AARP Maryland and its members support of **SB 871 Accessory Dwelling unit Authorization and promotion Act (SB 871)**. We would like to thank Senator Mary Washington for her leadership and for sponsoring this important piece of legislation, which is now being discussed throughout the country at the federal, state, 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 871 proposes to authorize the development of ADUs on land zoned for single-family residential use subject to certain requirements.

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 current on-going pandemic has exposed the vulnerability of our older adults and have 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, or 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.

According to Statista/AARP analysis of data available by United States Census Bureau (**USCB**), 2,812 older adults (aged 55+) faced evictions and 4,475 older adults (aged 55+) experienced homelessness in 2021 in the state of Maryland. Unfortunately, in 2022, over 11,000 older adults

(aged 55+) are expected to be evicted and over 6,000 older adults (aged 55+) are expected to experience homelessness in the state of Maryland. SB 871 would help in easing the housing supply and assist in lowering the eviction and homelessness rate by providing affordable housing to the residents of Maryland.

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 the residents of 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 871. We ask the Committee to issue a favorable report on SB 871. If you have questions or need follow up, please contact Tammy Bresnahan at tbresnahan@aarp.org. or by calling 410-302-8451.

SB 0871 Ltr of Support.pdf

Uploaded by: Sandi Worthman

Position: FAV

19 February 2022

The Honorable Paul Pinsky
Chair of the Education Health and Environmental Affairs Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Re: Letter of Support for SB 0871
Accessory Dwelling Unit Authorization and Promotion Act

Dear Chairman Pinsky and members of the EHEA Committee:

We are writing to voice AIA Maryland's support for Senate Bill 0871. 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, 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.

ADUs provide neighborhood stability. They can be used to house family and friends at risk of displacement, facilitate aging in place and quite simply provide affordable options for housing in vibrant communities. Income generated from ADUs can be used to help pay the mortgage of a homeowner and provide income to help offset rising housing costs. The extra space provided by ADUs can evolve to serve different functions over time and house adult children, aging parents, or caregivers. In an area zoned single-family then one's only choice, otherwise, is to live in a single-family home. This can be expensive and unaccommodating to a number of residents who may simply require less and desire the privacy that comes by separating dwelling units while still maintaining close proximity.

ADUs are inherently efficient and encourage modest living. They have a smaller carbon footprint than a single-family home to build and maintain. They take less energy to heat and cool due to their efficient sizes especially if they are attached to an existing dwelling, or modifying a structure that already exists on site. ADUs, as infill projects, are typically located near other resources which requires fewer car trips and less traffic. Additionally, infrastructure will already exist on ADU sites to serve the principal dwelling unlike in new suburban single-family communities where sewer, power, street, sidewalks, storm drains, etc. must be extended, sometimes for miles. Not all dwellings are created equal - if we want to build more environmentally friendly dwellings, then we need to make it possible to build and preferably incentivize doing so.

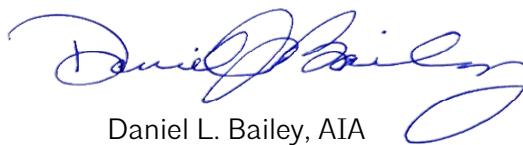
ADUs are an effective way to supplement a dire shortage in housing supply. ADUs can be built faster and less expensively than almost all other forms of housing. They are a useful tool to help alleviate our region's housing crisis without changing the neighborhood character of different areas in our state. The market rate rents will most certainly be lower than any other housing types available due to modest ADU sizes, meaning they will be the most affordable option for many. This makes certain areas of Maryland attainable to those who could not afford to live there otherwise.

We therefore respectfully ask your committee to provide SB 0871 with a favorable recommendation and allow ADUs to have a positive impact in all of Maryland.

Sincerely,

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

Chris Parts, AIA
Director, Past President

A handwritten signature in blue ink, appearing to be 'Daniel L. Bailey', with a large, stylized flourish at the end.

Daniel L. Bailey, AIA
Director, Past President

ADU_3_3_2022.pdf

Uploaded by: Susan Margulies

Position: FAV

Susan Margulies
113 Conduit Street
Annapolis, MD 21401

March 3, 2022

RE: SB0871 (Favorable)

Dear Senator Washington and Maryland Senate,

I was writing to express my most enthusiastic support for SB0871, the “Accessory Dwelling Unit Authorization and Promotion Act”. I am the Admin and one of the founding members of the Facebook group *Support Annapolis STVR* (347 members), and the importance of allowing home owners to monetize their one, singular asset through the construction (and rental!) of an ADU cannot be overstated.

I love ADUs! I’ve lived in them all my life, through graduate school and two postdocs, and I have no doubt that the decades of lower rent is why I am a homeowner today. I really believe that the extra income helps homeowners shoulder their mortgage, keep pace with their property taxes, keep their home in good repair and just generally age-in-place. And if they short-term rent their ADU between family visits, or between long-term tenants... well! They are promoting travel to Annapolis and the state Maryland, supporting the businesses downtown, and helping lower the cost of travel, all at the same time! A homeowner may rent to a family, or to a doctor/nurse on a two-week rotation at the Anne Arundel Medical Center. They may rent to a student at St. Johns College or to a Navy family during Plebe parent’s weekend. All of these activities help keep the home-owner and the local economy afloat- all of these activities have minimal impact on the neighborhood.

Thank you very much for putting SB0871 forward. I was active in the helping pass O-9-21, which legalized Accessory Dwelling Units within the City of Annapolis, and I will be there to help Anne Arundel County pass its own version of legalizing ADUs. ADUs are here and have been here for decades. Legalizing them is recognizing reality, and is long over due. Thank you!

Very best regards,

Susan Margulies

Admin and founding member of Facebook Group Support Annapolis STVR

Owner-occupied short-term rental advocate

USNA Professor in Math Department (for identification purposes only)

SB 871_UNF_MML.pdf

Uploaded by: Angelica Bailey

Position: UNF



Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

March 3, 2022

Committee: Senate Education, Health, and Environmental Affairs

Bill: _____ SB 871 – Accessory Dwelling Unit Authorization and Promotion Act

Position: Oppose

Reason for Position:

The Maryland Municipal League opposes Senate Bill 871, a preemption bill which mandates that local governments authorize the development of Accessory Dwelling Units (ADUs) on all land currently zoned for single-family residences by October of 2023. This bill also includes burdensome requirements regarding application processing, square footage, parking, and reporting.

These mandates undermine local comprehensive master plans. The process of creating a comprehensive master plan includes months of research and analysis and significant input from stakeholders on every side of the issue. It is an extensive process requiring an understanding of local zoning, community needs, and government resources. The State simply lacks the local knowledge necessary to make zoning decisions on a municipality's behalf; such decisions are best left to local governments.

Several years ago, the General Assembly approved the mandatory addition of a Housing Element to local comprehensive plans, with MML's support. This is a sufficient and appropriate way to address local housing goals in a manner consistent with smart, planned growth.

We strongly believe that proper planning at the local level is more feasible and more likely to achieve better results than a mandate that ignores citizen input and overrules local zoning authority. As such, the League respectfully requests that this committee provide SB 871 with an unfavorable report.

FOR MORE INFORMATION CONTACT:

1212 West Street, Annapolis, Maryland 21401

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

Scott A. Hancock
Angelica Bailey
Bill Jorch
Justin Fiore

Executive Director
Director, Government Relations
Director, Research and Policy Analysis
Manager, Government Relations

State of Maryland Paul Pinsky - SB 871 - Accessory

Uploaded by: Barbara Zektick

Position: UNF



March 2, 2022

Senator Paul G. Pinsky
Chair, Education, Health, and Environmental Affairs Committee
2 West
Miller Senate Office Building
Annapolis, Maryland 21401

Re: Opposition to Senate Bill 871 - Accessory Dwelling Unit Authorization and Promotion Act

Dear Chair and Members of the Committee:

The Mayor and City Council of Gaithersburg oppose Senate Bill 871 because it squarely preempts local zoning and land use authority without due justification.

This bill requires local governments to adopt local laws authorizing the development and use of accessory dwelling units on land zoned for residential use. Further, local governments are prohibited from counting the square footage or any other measurement of any accessory dwelling unit towards density, space or other reasonable limitations set to regulate capacity.

I will decline to elaborate upon the significant history and issues experienced by the City of Gaithersburg specific to regulating accessory dwelling units. Suffice it to say, it has presented a challenge.

But this is our job, responsibility and duty as a local government: to make these land use and zoning policy decisions according to our own unique geography, demographics, needs and goals. It is logistically infeasible for us to come to the Maryland General Assembly whenever we seek a change in a law that governs our built environment. It questions the integrity of a governance system where local governments hold jurisdiction over property and also receive the majority of their funding through taxes on that property. Most importantly, it takes away one of our most cherished authorities - our land use authority - with little, if any, justification whatsoever.

For the reasons stated herein, we respectfully request an unfavorable report on Senate Bill 871.

Respectfully submitted,

Jud Ashman
Mayor

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
301-258-6300 • FAX 301-948-6149 • cityhall@gaitthersburgmd.gov • gaitthersburgmd.gov

MAYOR
Jud Ashman

COUNCIL MEMBERS
Neil Harris
Lisa Henderson
Jim McNulty
Ryan Spiegel
Robert T. Wu

CITY MANAGER
Tanisha R. Briley

SB0871-EHE_MACo_OPP.pdf

Uploaded by: Dominic Butchko

Position: UNF



Senate Bill 871

Accessory Dwelling Unit Authorization and Promotion Act

MACo Position: **OPPOSE**

To: Education, Health, and Environmental
Affairs Committee

Date: March 3, 2022

From: Dominic J. Butchko

The Maryland Association of Counties **OPPOSES** SB 871 as it would force all counties to arbitrarily override local planning and zoning laws, by removing local oversight of “accessory dwelling units” in residential areas.

Generally, local land is a function of local government, being the most responsive to community needs. The State plays a role with broad “visions” to be incorporated into local plans, but the execution is properly left local. Housing affordability is a nationwide issue, with different facets in different communities. These problems frequently persist as a function of the willing supply of builders for lower- and middle-income dwellings, infrastructure limitations, and multiple other factors.

Some of Maryland’s biggest affordable housing crises are in rural jurisdictions where zoning is clearly not the driving factor. Housing costs are on the rise due to continual upgrades in construction requirements such as mandatory sprinklers, septic systems with expensive technology, and energy efficiency standards. While these initiatives may represent desirable policies, they collectively contribute to the upfront costs of housing, illustrating the policy trade-offs inherent with broad state mandates.

While MACo appreciates the intent of expanding affordable housing, HB 871 would apply a one-size-fits-all approach that will not directly address housing affordability across the state. One narrowly crafted vision, created with an eye toward a certain metropolitan area and its specific challenges, simply cannot become the skeleton key to resolve housing concerns in neighborhoods of every size and character across the state.

The establishment of local planning and zoning codes are lengthy processes that require community input and significant effort by local jurisdictions. Overriding local decision-making with a one-size-fits-all approach will only lead to inefficient outcomes that do not accurately address local needs. MACo supports rational, planned approaches to expanding affordable housing, but does not support the inflexibility of SB 871. For these reasons, MACo requests an **UNFAVORABLE** report on SB 871.

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Uploaded by: Kate Charbonneau

Position: INFO

Larry Hogan
Governor
Boyd K. Rutherford
Lt. Governor



Charles C. Deegan
Chairman
Katherine Charbonneau
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

March 2, 2022

The Honorable Paul G. Pinsky
Chair, Education, Health and Environmental Affairs Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Re: Letter of Information - Senate Bill 871 - Accessory Dwelling Unit and Authorization Act

Dear Chair Pinsky and Committee Members:

The Critical Area Commission provides the following information on SB 871. This bill would require each local government to adopt a law authorizing the development of accessory dwelling units (ADUs) on land zoned for single-family residential use.

The Critical Area statute already allows local jurisdictions to opt-in to ADU provisions within the Resource Conservation Area (RCA), the most restrictive and protected land designation within the Critical Area. Specifically, under Nat. Res. § 8-1808.1(e), local jurisdictions may allow ADUs within the RCA if they meet specific requirements that ensure the preservation of the RCA's environmental character and resource-oriented uses. The bill's mandatory requirement prevents a local jurisdiction from implementing Critical Area standards on ADUs in the RCA.

The Critical Area Commission requests the committee preserve Critical Area jurisdictions' ability to apply the existing standards in Critical Area law related to ADUs in the RCA. Without this ability, continued protection of the RCA may be at risk.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Charles C. Deegan".

Charles C. Deegan
Chairman, Critical Area Commission
Chesapeake and Atlantic Coastal Bays