



Maryland DEPARTMENT OF PLANNING

HEARING DATE: February 25th at 1:00 PM

BILL NO: SB891

COMMITTEE: Education, Energy, and the Environment

POSITION: Informational

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TITLE: Land Use and Real Property - Accessory Dwelling Units - Requirements and Prohibitions

BILL ANALYSIS:

The General Assembly adopted [SB 382](#) during the 2023 session, establishing the Accessory Dwelling Unit Policy Task Force (Task Force). SB 382 charged the Task Force, staffed by the Maryland Department of Planning (MDP), with: surveying and documenting state and local accessory dwelling unit (ADU) laws, ordinances, and policies; studying best practices; and making legislative or policy recommendations holistically addressing the practical issues of ADU development and the impacts on housing markets and neighborhood livability. The Task Force, composed of state and local, rural and urban, and organizational representatives from throughout Maryland, and chaired by the MDP Secretary, met monthly from September 2023 through May 2024, delivering its [final report](#) to Governor Moore and the General Assembly on May 31, 2024. During its tenure, the Task Force conducted four focus groups (1. Planning Directors; 2. ADU Owners, Residents and Aging and Accessibility Advocates; 3. HOAs and Neighborhood Associations; and 4. Housing Organizations), distributed two surveys (1. Builders and Developers; and 2. Environmental Organizations) and solicited public comment online and at each Task Force meeting. The input and deliberations generated by the Task Force resulted in a consensus-based approval of the report and its recommendations. MDP created an [ADU web page](#) for the work of the Task Force that also serves as a regularly updated resource for local jurisdictions.

SB 891 provisions can be compared to the Task Force Report's recommendations (state legislation), considerations (lessons learned through Task Force research and discussion), and best practices (for local governments).

The ADU webpage also includes the following resources informing SB 891:

- [Meeting Recordings and Materials](#)
- [Panel Discussion and Focus Groups](#) (Left Panel of ADU Homepage)
- [ADU Market Assessment](#)
- [Public Comment Report](#)
- [Environmental Organizations Survey Summary](#)
- [Builder/Developer Survey Summary](#)
- [Inventory of ADU Ordinances in Maryland](#)

Many other states have [adopted bills similar](#) to SB 891, which the Task Force reviewed as part of its work and referenced during deliberations. In addition, many Maryland jurisdictions already meet some of SB 891's proposed requirements in their existing ADU policies and ordinances (see inventory linked above), demonstrating an abundance of examples that other jurisdictions can access to craft their own ordinances if SB 891 is adopted. Local governments will need to consider if and how their current ADU code provisions comply with the requirements of SB 891 and adjust them accordingly. If SB 891 is adopted, MDP will use examples from the inventory, as well as other compiled research and resources, to develop guidance supporting Maryland's counties and municipalities.