

**MDOA Testimony - FAVORABLE - ADUs - HB 1466.docx.p**

Uploaded by: Carmel Roques

Position: FAV



Wes Moore | Governor

Aruna Miller | Lt. Governor

Carmel Roques | Secretary

Date: February 28, 2025

Bill Number: HB1466

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

Committee: House Environment & Transportation

**MDOA Position: FAVORABLE**

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The Department of Aging (MDOA) thanks the Chair and Committee members for the opportunity to submit this favorable testimony in support of House Bill (HB) 1466, Land Use and Real Property - Accessory Dwelling Units - Requirements and Prohibitions.

This bill sets out that it is a Maryland State policy to promote and encourage the creation of accessory dwelling units (ADUs), provided they meet certain requirements. MDOA was pleased to be included in the Accessory Dwelling Unit Policy Task Force convened by the Department of Planning. The ADU Policy Task Force Report, issued in May, 2024, made a broad array of recommendations on strategies that could expand the development of ADUs that informed this legislation.

While Maryland's housing crisis impacts Marylanders across the state, the high costs and lack of availability of housing have a disproportionate effect on older Marylanders and high-need populations. With better and more consistent policies in Maryland, MDOA agrees with the Task Force: that we can potentially reduce the high cost of these units and remove much of the confusion faced by homeowners as they attempt to construct an ADU on their property.

Pursuant to a recent Executive Order, in January 2024, MDOA launched the Longevity-Ready Maryland Initiative - the goal is for all Marylanders to lead lives that are healthy, financially secure, socially connected, purposeful - with improved access to affordable housing, healthcare,



Wes Moore | Governor

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and retirement needs. For Maryland to be longevity-ready, we must encourage the development of more housing options, including accessory dwelling units.

For these reasons, the Department of Aging respectfully urges a favorable report for HB 1466. If you have any questions, please contact Andrea Nunez, Legislative Director, at [andrea.nunez@maryland.gov](mailto:andrea.nunez@maryland.gov) or (443) 414-8183.

Sincerely,

Carmel Roques  
Secretary  
Maryland Department of Aging

# **CSG Testimony HB1466 Land Use and Real Property -**

Uploaded by: Carrie Kisicki

Position: FAV

March 4, 2025

The Honorable Delegate Marc Korman  
Chair, Environment and Transportation Committee  
Maryland House of Delegates  
House Office Building, Room 250  
Annapolis, Maryland 21401

**HB 1466, Land Use and Real Property - Accessory Dwelling Units - Requirements and Prohibitions** — Support

Carrie Kisicki, Montgomery County Advocacy Manager

Dear Chair Korman and Committee Members,

Thank you for the opportunity to testify. My name is Carrie Kisicki, and I am the Montgomery County Advocacy Manager for the Coalition for Smarter Growth. We advocate for walkable, bikeable, inclusive, and transit-oriented communities as the most sustainable and equitable way for the metro D.C. region to grow and provide opportunities for all. **CSG asks for your support of HB 1466.**

Accessory dwelling units (ADUs) offer a wide range of benefits for families and communities. They are a nimble and adaptable housing option that can support locating more affordable homes near walkable communities and transit; offer homeowners greater stability through extra income from rent; or provide a needed home for a child, parent, or caretaker.

HB 1466 outlines best practices regarding utilities, setback requirements, and parking based on lessons learned from other jurisdictions—where we have seen that the specifics of these regulations can make or break how many homes are produced, and whether or not homeowners can feasibly take advantage of the opportunity to build an ADU on their property.

Allowing ADUs statewide and providing guidelines on implementing this policy advances Maryland's housing production, climate, and equity goals. It will provide greater flexibility to create more homes in walkable, transit-accessible places and greater flexibility for Maryland families.

Thank you for your consideration.

Sincerely,



Carrie Kisicki  
Montgomery County Advocacy Manager

**IL Written Testimony - HB 1466 - Favorable.pdf**

Uploaded by: Chris Kelter

Position: FAV



**HB 1466: Land Use and Real Property - Accessory Dwelling Units –  
Requirements and Prohibitions**

**Testimony of the Maryland Independent Living Network**

**SUPPORT – Favorable**

House Environment and Transportation Committee, March 4, 2025

The Maryland Independent Living Network is a coalition of the Maryland Statewide Independent Living Council and the seven Maryland-based Centers for Independent Living (CIL). CILs are created by federal law. CILs work to enhance the civil rights and quality of services for people with disabilities. There are seven CILs located throughout Maryland, operated by and for people with disabilities. CILs provide Information and Referral, Advocacy, Peer Support, Independent Living Skills training, and Transition Services to individuals with disabilities in their communities.

The Independent Living Network submits this written testimony in **support** of HB 1466.

HB 1466 establishes that it is the policy of the State of Maryland to promote and encourage the creation of accessory dwelling units (ADUs) on land zoned for single-family residential use. The purpose of the bill is to increase housing options in order to meet the housing needs of the citizens of the State of Maryland.

ADUs are additions to or conversions of space in existing homes that have a private entrance and usually include a kitchen, bathroom and a bedroom.

There is a housing crisis in Maryland and across the country due to demand for the current stock exceeding the current supply. More housing and greater housing options are ways to address the housing crisis.

The American Planning Association has stated that ADUs “have the potential to increase housing affordability (both for homeowners and tenants), create a wider range of housing options within the community, enable seniors to stay near family as they age, and facilitate better use of the existing housing fabric in established neighborhoods.”

To the extent that ADUs increase the availability of affordable housing, the State of Maryland should coordinate expertise and ease permitting processes to ensure that the creation of ADUs is not burdensome to the homeowner. It is estimated that approximately 2% of homeowners would take advantage of creating ADUs. This is a small but quite meaningful way to address the housing crisis in Maryland.

Marylanders with disabilities and older Marylanders stand to benefit from an increase in affordable housing options through the creation of ADUs. To the extent that accessibility is considered in the construction of new ADUs and the rehabilitation of existing structures to include ADUs the increase in affordable and accessible housing options will improve the likelihood that Marylanders with disabilities and older Marylanders can live in the community of their choice.

Expansion of ADUs will have a positive impact on all Marylanders.

We appreciate the consideration of these comments.

The Maryland Independent Living Network strongly **supports** HB 1466 and requests a favorable vote.

**Contact Information:**

Chris Kelter, Executive Director  
Accessible Resources for Independence  
443-713-3914  
[ckelter@arinow.org](mailto:ckelter@arinow.org)

Danielle Bustos, MDYLF Coordinator  
Independence Now  
240-898-2189  
[dbustos@innow.org](mailto:dbustos@innow.org)



**HB1466 adu AIA MD 2025.02.28.pdf**

Uploaded by: Chris Parts

Position: FAV



28 February 2025

The Honorable Delegate Marc Korman  
Chair of the Environment and Transportation Committee  
250 Taylor House Office Building  
Annapolis, Maryland 21401

Re: Letter of Support for House Bill 1466  
Accessory Dwelling Units

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

On behalf of AIA Maryland, representing over 2,000 architects across the state, I am writing to express our strong support for House Bill 1466, which advances the development of Accessory Dwelling Units (ADUs) as a critical component of Maryland's sustainable housing future. As architects committed to responsible community planning and environmental stewardship, we recognize that ADUs present a unique opportunity to address housing affordability, reduce urban sprawl, and create resilient, energy-efficient communities.

HB 1466 supports the integration of ADUs into existing single-family residential areas in a way that prioritizes thoughtful, sustainable growth. By allowing homeowners to add secondary dwelling units within their properties, this legislation fosters gentle density that aligns with smart growth principles—maximizing land use without the need for extensive new infrastructure. ADUs can provide affordable housing solutions for families, aging populations, and individuals seeking more flexible living arrangements, all while utilizing existing utilities and public services more efficiently. This approach minimizes environmental impact while strengthening neighborhood character and economic viability.

ADUs encourage smaller, more energy-efficient living spaces that require fewer resources to build, heat, and cool compared to traditional housing. They support walkable communities by increasing housing options near existing jobs, schools, and transit, reducing reliance on automobiles and lowering carbon emissions. Moreover, well-designed ADUs can incorporate passive design strategies, high-performance building materials, and renewable energy technologies, further advancing Maryland's climate resilience and energy efficiency goals.

The bill's provisions to limit excessive impact fees, ease restrictive zoning laws, and promote equitable access to ADU construction are important to making these units a viable and scalable housing solution. Additionally, clear guidelines on setbacks, utility connections, and parking requirements will ensure ADUs are seamlessly integrated into existing communities while maintaining neighborhood aesthetics and functionality.

I encourage you to consider what some other jurisdictions have done where ADU's have been embraced, and please remember that all of these affordable housing options have been added through private investment. Seattle has added 4,232 ADU's from 2016-2023 and they are now adding just under 1,000 units per year. Los Angeles has added from 2,000 to 5,000 ADU's per year since 2017. This can be one more tool to help address our shortage of affordable housing.

AIA Maryland supports the passage of HB 1466 as a vital step toward a more sustainable, inclusive, and resilient built environment. We urge the committee to advance this important legislation and look forward to collaborating on policies that align with Maryland's housing and climate goals. in our state.

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, AIA Maryland

**HB1466\_DHCD\_SUPPORT.pdf**

Uploaded by: Chuck Cook

Position: FAV

**DATE:** March 4, 2025

**BILL NO.:** House Bill 1466

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

**COMMITTEE:** House Environment & Transportation Committee

### Letter of Support

#### **Description of Bill:**

House Bill 1466 requires local jurisdictions in Maryland to adopt, by October 1, 2026, ordinances authorizing the development of accessory dwelling units (ADUs) on land zoned for single-family residential use, subject to certain requirements, and limits restrictions local jurisdictions may impose on the development of ADUs, such as setback, dimensional and parking requirements, impact fees, and building excise taxes. The bill also prohibits deed restrictions that unreasonably limit the ability of a property owner to develop an ADU on single-family zoned property.

#### **Background and Analysis:**

Accessory dwelling units – often referred to as “granny flats” or “in-law suites” – are secondary, smaller dwelling units located on the same lot as a primary home. ADUs may be attached to the primary home or physically separate. Where they are permitted, ADUs can provide lower-cost housing options in expensive markets without requiring new large-scale development, reduce sprawl by maximizing living space in existing residential areas, and provide additional income for homeowners, either through rental of the ADU or by allowing older adults to age in place by renting out the primary residence while residing in the ADU. Smaller in size than the primary home, ADUs generally have smaller environmental footprints, and increase residential density without significant impact on neighborhood character. ADUs are potentially a valuable tool in addressing Maryland’s housing shortage.

For older Marylanders, ADUs provide a means to live independently near family at a lower cost than moving to a retirement community or assisted living facility. Overall, ADUs represent a flexible, practical solution for homeowners and renters alike.

House Bill 1466 implements many of the recommendations made by the Accessory Dwelling Unit Policy Task Force in its [final report](#) submitted in May 2024. The ADU Policy Task Force, which included members from a cross-section of state agencies, organizations and disciplines, made these recommendations after thoroughly studying and deliberating various aspects of ADU policy. Currently, only some jurisdictions in Maryland, such as Montgomery and Queen Anne’s counties, allow ADUs by right in single-family zoned areas. Expanding this right statewide will help give Maryland residents more affordable housing options, increase land use efficiency, and allow more seniors to live near family and caregivers without having to share physical living space.

#### **DHCD Position**

The Department of Housing and Community Development respectfully requests a **favorable** report on House Bill 1466.

# **GGWash Comments on HB 1466, Accessory Dwelling Uni**

Uploaded by: Dan Reed

Position: FAV



Chair Marc Korman  
and Members, Environment and Transportation Committee  
House Office Building  
6 Bladen Street  
Annapolis, Maryland 21401

March 4, 2025

Dear Chair Korman and Members of the Environment and Transportation Committee:

My name is Dan Reed and I serve as the Maryland Policy Director for [Greater Greater Washington](#), a nonprofit that works to advance sustainability and equity in housing, land use, and transportation throughout Greater Washington and beyond. **GGWash strongly supports House Bill 1466**, which could create more housing options for more budgets and set consistent rules for development.

I cannot say it enough: Maryland has a housing crisis. Estimates show the state is short as many as 150,000 homes, resulting in rising prices and significant challenges for employers as their workers can't afford to live here<sup>1</sup>. Meanwhile, we're facing a \$3 billion budget shortfall, which is expected to double by 2030<sup>2</sup>. These problems are closely related: if we can build more homes for more budgets, more people will be able to come here and stay here, meaning more job growth and more tax revenue.


There are several pieces of legislation this session attempting to solve these twin challenges, including Governor Moore's Housing for Jobs Act, which we're also proud to support. What they all have in common is an understanding that the state and local jurisdictions need to work together to produce more homes and create fair, consistent standards for housing approvals across the state.

This bill would do exactly that, by directing cities and counties to allow homeowners to build an accessory dwelling unit (ADU) on their property—smaller, independent homes that share a lot with a single-family detached home—in the basement, as an addition, or as a stand-alone building. ADUs can provide extra income for homeowners, accommodate multigenerational

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<sup>1</sup> <https://www.wbaltv.com/article/maryland-legislators-new-bills-keep-up-housing-demand/63423726>

<sup>2</sup> <https://marylandmatters.org/2025/01/03/everything-on-the-table-as-moore-lawmakers-seek-budget-solutions/>

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



families, and create new lower-cost options for people starting out or downsizing<sup>3</sup>. Several jurisdictions in Maryland already allow ADUs, including the City of Annapolis<sup>4</sup> and Montgomery County, which since legalizing them in 2013 has approved over 1100 new homes<sup>5</sup>. This legislation would bring the rest of the state in line with those jurisdictions, while also setting rules for ADU zoning to ensure that these homes aren't burdened with additional requirements that do not apply to single-family homes, creating additional barriers and increasing costs for homeowners who might want to build one on their property.

In a poll we commissioned last spring, 81% of Marylanders say housing has gotten less affordable in their community, 60% say that their local governments aren't doing enough, and 72% of Maryland voters want the state government to do something about high housing costs<sup>6</sup>. This bill is an important part of that solution, and we ask the Environment and Transportation Committee for a favorable report.

Sincerely,

Dan Reed  
Maryland Policy Director

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<sup>3</sup> <https://dhcd.maryland.gov/TurningTheKey/Documents/Presentation.pdf>

<sup>4</sup> <https://www.capitalgazette.com/2021/10/12/annapolis-city-council-legalizes-accessory-dwelling-units-police-reform-bill-withdrawn/>

<sup>5</sup> <https://gis4.montgomerycountymd.gov/ADU/>

<sup>6</sup> <https://ggwash.org/view/92877/marylanders-want-more-homes-in-more-places-to-fit-more-budgets>

# **HB1466\_M-NCPPC\_FAV Proposed Amendment**

Uploaded by: Jordan Baucum Colbert

Position: FAV





## **DRAFT PROPOSED AMENDMENTS**

**Bill:** HB 1466/ SB 0891 Land use and Real Property - Accessory Dwelling Units - Requirements and Prohibitions

**Position:** Support with Amendments

**Date:** March 4, 2025

**Contact:** Debra Borden, General Counsel

Jordan Baucum Colbert, Government Affairs Liaison

Dear Chair Marc Korman:

The Maryland-National Capital Park and Planning Commission (“M-NCPPC” or the “Commission”) has voted to support this bill with amendments. The following proposed amendments have been indicated below.

### **Amendment #1**

**4-501.**

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(A)“ACCESSORY DWELLING UNIT” MEANS A SECONDARY DWELLING UNIT ON THE SAME LOT, PARCEL, OR TRACT AS A SINGLE-FAMILY DWELLING UNIT (WHICH IS THE PRIMARY DWELLING UNIT) THAT IS SUBORDINATE TO THE PRIMARY SINGLE-FAMILY DWELLING UNIT. AN ACCESSORY DWELLING UNIT MAY BE FREE-STANDING OR ATTACHED AS AN ADDITION TO THE PRIMARY DWELLING UNIT. CONSTRUCTED: (1)ATTACHED TO OR THROUGH THE CONVERSION OF A PORTION OF THE PRIMARY DWELLING UNIT; (2)ATTACHED TO OR THROUGH THE FULL OR PARTIAL CONVERSION OF AN ACCESSORY STRUCTURE LOCATED ON THE SAME LOT, PARCEL, OR TRACT AS THE PRIMARY DWELLING UNIT; OR (3) AS A NEW BUILDING, DETACHED FROM THE PRIMARY DWELLING UNIT AND ANY EXISTING ACCESSORY STRUCTURES.

**Amendment #2**

**4-501.**

(C)(1) “DWELLING UNIT” MEANS A SINGLE UNIT PROVIDING COMPLETE, INDEPENDENT LIVING FACILITIES FOR AT LEAST ONE INDIVIDUAL, INCLUDING AT A MINIMUM PERMANENT PROVISIONS FOR SANITATION, COOKING, EATING, AND SLEEPING, AND OTHER ACTIVITIES ROUTINELY ASSOCIATED WITH DAILY LIFE.

**Amendment #3**

**4-502.**

THIS SUBTITLE APPLIES ONLY TO THE DEVELOPMENT OF ACCESSORY DWELLING UNITS ON LAND WITH A SINGLE-FAMILY DWELLING UNIT AS THE PRIMARY DWELLING UNIT. ZONED FOR SINGLE-FAMILY RESIDENTIAL USE.

**Amendment #4**

**4-503.**

(A) IT IS THE POLICY OF THE STATE TO PROMOTE AND ENCOURAGE THE CREATION OF ACCESSORY DWELLING UNITS ON LAND ZONED FOR SINGLE-FAMILY RESIDENTIAL USE IN ORDER TO MEET THE HOUSING NEEDS OF THE CITIZENS OF MARYLAND.

**Amendment #5**

**4-504.**

(A) ON OR BEFORE OCTOBER 1, 2026, EACH LEGISLATIVE BODY SHALL ADOPT A LOCAL LAW AUTHORIZING THE DEVELOPMENT OF ACCESSORY DWELLING UNITS ON LAND ZONED FOR SINGLE-FAMILY RESIDENTIAL USE IN ACCORDANCE WITH THIS SECTION.

(B) A LOCAL LAW ADOPTED UNDER THIS SECTION SHALL PROVIDE FOR CONSTRUCTION OF ACCESSORY DWELLING UNITS THAT MEET PUBLIC HEALTH, SAFETY AND WELFARE STANDARDS, INCLUDING RELEVANT BUILDING CODES AND THE PROVISION OF ADEQUATE PUBLIC FACILITIES. ~~APPLY TO ALL LAND IN THE LOCAL JURISDICTION ZONED FOR SINGLE-FAMILY RESIDENTIAL USE, PROVIDED THAT:~~

~~(1) — THE PARTY DEVELOPING THE ACCESSORY DWELLING UNIT OWNS AND HAS THE EXCLUSIVE RIGHT TO USE THE LOT, PARCEL, OR TRACT ON WHICH THE ACCESSORY DWELLING UNIT IS TO BE DEVELOPED; AND (2) THE DEVELOPMENT OF NEW DWELLING UNITS ON THE LOT, TRACT, OR PARCEL IS NOT OTHERWISE PROHIBITED DUE TO:~~

~~(I) LIMITATIONS ON AVAILABLE SAFE DRINKING WATER;~~  
~~(II) THE EXISTENCE OF PUBLIC HEALTH RISKS DUE TO LIMITATIONS ON SEWAGE DISPOSAL; OR (III) RISKS ASSOCIATED WITH FIRES, FLOODS, OR LANDSLIDES.~~

**Amendment #6  
4-504.**

(C) A LOCAL LAW ADOPTED UNDER THIS SECTION SHALL:-

~~(2) REQUIRE THAT THE TOTAL SQUARE FOOTAGE OF THE ACCESSORY DWELLING UNIT BE LESS THAN THE TOTAL SQUARE FOOTAGE OF THE PRIMARY DWELLING UNIT; (2) REQUIRE THAT THE FINAL DESIGN FOR THE ACCESSORY DWELLING UNIT SATISFY ALL RELEVANT BUILDING CODE REQUIREMENTS; (3) AUTHORIZE CONSTRUCTION OF AN ACCESSORY DWELLING UNIT BEFORE OR DURING THE CONSTRUCTION OF THE PRIMARY DWELLING UNIT, UNLESS THE CONSTRUCTION OF THE ACCESSORY DWELLING UNIT WOULD RESULT IN THE NEED FOR A VARIANCE FROM THE ZONING LAW OF THE LOCAL JURISDICTION IN ORDER TO CONSTRUCT THE PRIMARY DWELLING UNIT;~~

**Amendment #5  
4-504.**

~~(4) (1) EXCLUDE THE DEVELOPMENT OF AN ACCESSORY DWELLING UNIT FROM THE CALCULATION OF DENSITY AND THE APPLICATION OF ANY MEASURES LIMITING RESIDENTIAL GROWTH THAT PERTAIN TO THE LOT, PARCEL, OR TRACT PROPOSED FOR THE DEVELOPMENT OF THE ACCESSORY DWELLING UNIT; (2) PROVIDE FOR A WAIVER OF PARKING REQUIREMENTS FOR ACCESSORY DWELLING UNITS; ; AND (5) SET CONDITIONS FOR APPROVAL OF A ZONING USE PERMIT FOR AN ACCESSORY DWELLING UNIT UNDER § 4-505 OF THIS SUBTITLE THAT ADDRESS OBJECTIVE AND MEASURABLE REQUIREMENTS, INCLUDING:~~

- ~~(I) MASSING;~~
- ~~(II) LOCATIONS OF ENTRANCES;~~
- ~~(III) SQUARE FOOTAGE; AND~~
- ~~(IV) SUBJECT TO § 4-507 OF THIS SUBTITLE, CONNECTIONS TO A UTILITY.~~

**Amendment #6  
4.504.**

(D) A LOCAL LAW ADOPTED UNDER THIS SECTION MAY

NOT: (1) REQUIRE, AS A CONDITION TO DEVELOPING AN ACCESSORY DWELLING UNIT, THAT THE LOT, PARCEL, OR TRACT EXCEED THE MINIMUM SIZE REQUIRED FOR A PRIMARY DWELLING UNIT IN THE ZONE OR DISTRICT;

(2) ESTABLISH SETBACK REQUIREMENTS FROM THE SIDE AND REAR LOT LINES FOR AN FREE-STANDING ACCESSORY DWELLING UNIT THAT EXCEED THE SIDE AND REAR SETBACKS FOR ACCESSORY STRUCTURES IN THE ZONE ;IS CONVERTED FROM AN EXISTING ACCESSORY STRUCTURE IF:

(3) FOR AN ACCESSORY DWELLING UNIT OTHER THAN A UNIT THAT MEETS THE REQUIREMENTS OF ITEM (2) OF THIS SUBSECTION, ESTABLISH

~~SETBACK REQUIREMENTS THAT EXCEED 4 FEET FROM THE SIDE AND REAR LOT LINES EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, REQUIRE: (I) IF THE DEVELOPMENT OF THE ACCESSORY DWELLING UNIT IS LOCATED WITHIN A 0.75 MILE RADIUS OF A MASS TRANSIT FACILITY, THE CREATION OF NEW OFF-STREET PARKING AS A CONDITION TO DEVELOPING THE ACCESSORY DWELLING UNIT; AND (II) IF THE DEVELOPMENT OF THE ACCESSORY DWELLING UNIT IS LOCATED OUTSIDE A 0.75 MILE RADIUS OF A MASS TRANSIT FACILITY, THE CREATION OF MORE THAN ONE OFF-STREET PARKING SPACE;~~

**Amendment #7**

**4.504.**

~~(35) SET CONDITIONS FOR APPROVAL OF A ZONING USE PERMIT FOR AN ACCESSORY DWELLING UNIT UNDER § 4-505~~

~~OF THIS SUBTITLE BASED ON SUBJECTIVE CRITERIA, INCLUDING:~~

- ~~(I) NEIGHBORHOOD COMPATIBILITY, SUCH AS DESIGN OR AESTHETICS; OR~~
- ~~(II) ADVERSE IMPACTS.'~~

~~(C) (1) (I) SUBJECT TO SUBSECTION (D)(4) OF THIS SECTION, A LOCAL LAW ADOPTED UNDER THIS SECTION MAY ESTABLISH ADDITIONAL OFF-STREET PARKING REQUIREMENTS THAT CONSIDER:~~

- ~~1. THE COST TO CONSTRUCT OFF-STREET PARKING SPACES;~~
- ~~2. WHETHER SUFFICIENT CURB AREA EXISTS ALONG THE FRONT LINE OF THE PROPERTY TO ACCOMMODATE ON-STREET PARKING;~~
- ~~3. THE INCREASE IN IMPERVIOUS SURFACE DUE TO THE CREATION OF NEW OFF-STREET PARKING AND THE RELATION TO ANY APPLICABLE STORMWATER MANAGEMENT PLANS; AND~~
- ~~4. VARIABILITY DUE TO THE SIZE OF THE LOT, PARCEL, OR TRACT ON WHICH THE ACCESSORY DWELLING UNIT OR PRIMARY DWELLING IS LOCATED.~~

~~(H) A LOCAL LAW ADOPTED UNDER THIS PARAGRAPH SHALL PROVIDE FOR A WAIVER PROCESS FROM THE PARKING REQUIREMENTS.~~

~~(2) BEFORE ADOPTING A LOCAL LAW UNDER PARAGRAPH (1) OF THIS SUBSECTION, A LEGISLATIVE BODY SHALL COMPLETE A PARKING STUDY TO DETERMINE THE APPLICABLE NEEDS AND RESTRICTIONS IN THE JURISDICTION.~~

**Amendment #8**

**4-505.**

~~(A) A LOCAL JURISDICTION SHALL APPROVE OR DENY A COMPLETE APPLICATION FOR A ZONING USE PERMIT FOR AN ACCESSORY DWELLING UNIT WITHIN 90 DAYS AFTER RECEIPT BY THE AGENCY RESPONSIBLE FOR MAKING ZONING DECISIONS.~~

~~(B) APPROVAL OF A COMPLETE APPLICATION UNDER THIS SECTION SHALL BE PERFORMED IN A MINISTERIAL MANNER.~~

~~(C) IF AN APPLICANT REQUESTS A DELAY IN THE REVIEW OF AN~~

~~APPLICATION, THE 90 DAY REVIEW PERIOD REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE TOLLED FOR THE DURATION OF THE DELAY.~~

~~(D) THIS SECTION MAY NOT BE CONSTRUED TO ALTER THE APPELLATE OR JUDICIAL REVIEW PROCESSES FOR A ZONING USE PERMIT APPLICATION FOR AN ACCESSORY DWELLING UNIT.~~

**Amendment #9**  
**4-507.**

~~(A) (1) THIS SUBSECTION DOES NOT APPLY TO AN ACCESSORY DWELLING UNIT THAT IS DEVELOPED IN CONJUNCTION WITH A NEW OR SUBSTANTIALLY RENOVATED PRIMARY DWELLING UNIT.~~

~~(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A UTILITY MAY NOT REQUIRE THE USE OF A SEPARATE CONNECTION BETWEEN AN ACCESSORY DWELLING UNIT AND THE WATER OR SEWER MAIN IF THE EXISTING CONNECTION BETWEEN THE PRIMARY DWELLING UNIT AND THE WATER OR SEWER MAIN IS DETERMINED TO BE SUFFICIENT TO SUPPORT THE ADDITION OF THE ACCESSORY DWELLING UNIT.~~

~~(3) A LOCAL JURISDICTION MAY ESTABLISH CRITERIA UNDER WHICH A UTILITY IS AUTHORIZED TO REQUIRE THE USE OF A SEPARATE CONNECTION BETWEEN AN ACCESSORY DWELLING UNIT AND THE WATER OR SEWER MAIN.~~

~~(B) IF AN ACCESSORY DWELLING UNIT IS INTEGRATED INTO THE EXISTING CONNECTION BETWEEN THE PRIMARY DWELLING UNIT AND THE WATER OR SEWER MAIN, A UTILITY MAY NOT CHARGE A CONNECTION FEE ASSOCIATED WITH THE 16 INTEGRATION OF THE ACCESSORY DWELLING UNIT.~~

~~(C) A PERSON DEVELOPING AN ACCESSORY DWELLING UNIT MAY ELECT TO USE A METER THAT IS SHARED WITH THE PRIMARY DWELLING UNIT TO TRACK THE DELIVERY OF WATER FROM A UTILITY.~~

**Amendment #10**  
**2-123.**

~~THE TRANSFER OR SALE OF REAL PROPERTY; OR ANY OTHER INTEREST IN REAL PROPERTY. (B)(1) IF A PROPERTY OWNER HAS THE EXCLUSIVE RIGHT TO USE THE PROPERTY AND ABIDES BY ALL APPLICABLE LAWS AND REGULATIONS, A RESTRICTION ON USE REGARDING LAND USE MAY NOT IMPOSE OR ACT TO IMPOSE AN UNREASONABLE LIMITATION ON THE ABILITY OF THE PROPERTY OWNER TO DEVELOP AN ACCESSORY DWELLING UNIT **ON A PROPERTY ZONED FOR SINGLE FAMILY RESIDENTIAL USE.**~~

**HB 1466 - ADUs - FAV - REALTORS.pdf**

Uploaded by: Lisa May

Position: FAV



## **House Bill 1466 – Land Use and Real Property - Accessory Dwelling Units - Requirements and Prohibitions**

### **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 150,000-unit housing shortage.

**Maryland residents also agree. Once they learn about ADUs, 81% support making it easier for homeowners to build these units on their properties - the highest percentage of support recorded since ADU legislation was first proposed.**

ADUs make housing more affordable and available for several segments of Maryland's population who currently face difficulties in finding housing that meets their needs. 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.

Unfortunately, many local zoning ordinances make it difficult or expensive to add an ADU to an existing property. In some counties, ADUs are prohibited from being constructed at all.

ADU legislation has been previously considered by the General Assembly. It has been further studied by the Maryland ADU Task Force. And examples of ADU as a successful housing type abound in states of all sizes and demographics across the country. The time to make ADUs a reality for Maryland is now.

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 type of housing, no matter where they live in the state. Maryland REALTORS® urges your support of HB 1466.

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

**MBIA Letter of Support HB 1466.pdf**

Uploaded by: Lori Graf

Position: FAV



February 27, 2025

The Honorable Marc Korman  
Chairman, Environment and Transportation Committee  
Room 251, House Office Building  
Annapolis, Maryland 21401

**RE: HB 1466 Land Use and Real Property – Accessory Dwelling Units – Requirements and Prohibitions**

Dear Chairman Korman:

The Maryland Building Industry Association, representing 100,000 employees statewide, appreciates the opportunity to participate in the discussion surrounding **HB 1466 Land Use and Real Property – Accessory Dwelling Units – Requirements and Prohibitions**.

This bill requires the legislative body of a county or municipal corporation to adopt a local law authorizing the development of accessory dwelling units on land zoned for single-family residential use. MBIA Supports the Act in its current version. We appreciate participating on the task force that led to this bill, and are in agreement with all of its proposals. Maryland currently faces a significant housing shortage and we must add a significant number of units by 2030 to accommodate our growing population. Most of those units need to be for low-income and moderate-income individuals. Accessory Dwelling Units allow for new housing to be built at a lower cost than a traditional residential home. Accessory dwelling units have the potential to increase housing affordability, create a wider range of housing options within the community, enable seniors to stay near family as they age, and facilitate better use of the existing housing fabric in established neighborhoods.

States and cities across the country have adopted Accessory Dwelling units as one of the many tools that can help with our affordability and housing shortage crisis.

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](mailto:lgraf@marylandbuilders.org).

cc: Members of the House Environment & Transportation Committee

**HB 1466 Land UseRealProperty ADUs.FAV.AARP.pdf**

Uploaded by: PRISCILLA KANIA

Position: FAV



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**HB 1466 Land Use and Real Property - Accessory Dwelling Units –  
Requirements and Prohibitions  
House Environmental and Transportation Committee  
March 4, 2025  
FAVORABLE**

Good afternoon, Chair Korman and Members of the Environment and Transportation Committee. My name is Priscilla Kania, and I am a lead volunteer advocate with AARP Maryland, representing our nearly 850,000 members statewide. On behalf of AARP, I appreciate the opportunity to testify in strong support of **HB 1466 – Land Use & Real Property – Accessory Dwelling Units – Requirements & Prohibitions**.

This important legislation aligns with AARP’s Livable Communities initiative, which promotes housing solutions that support safe, independent, and affordable living for residents of all ages, especially older Marylanders who wish to age in place. We sincerely thank Senator Washington for her leadership in sponsoring this bill.

### **The Importance of ADUs for Older Marylanders**

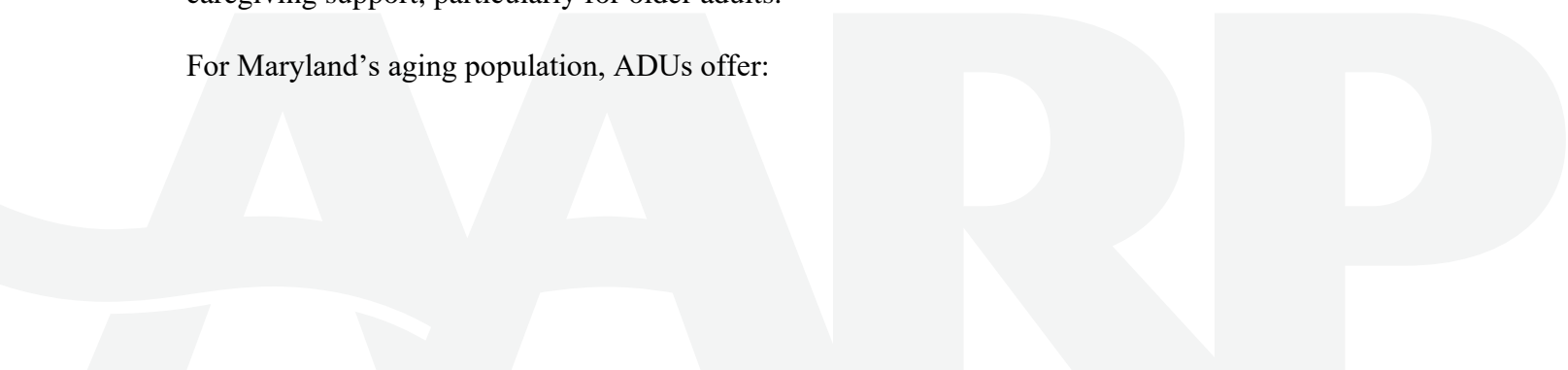
HB 1466 establishes a statewide framework that encourages and facilitates the creation of Accessory Dwelling Units (ADUs) in areas zoned for single-family housing. ADUs are an essential tool for addressing Maryland’s housing needs—particularly for older adults, caregivers, and multigenerational families.

AARP was honored to serve on the State Accessory Dwelling Unit (ADU) Task Force because ADUs are a critical component of AARP’s commitment to housing accessibility and affordability. Many of the resources presented to the Task Force were sourced from AARP’s research, which highlights the proven benefits of ADUs in promoting aging-friendly communities.

### **What Are ADUs and Why Do They Matter?**

ADUs are independent housing units that can be created by remodeling an existing home, expanding an existing structure, or constructing a detached unit—such as converting a garage or building a small cottage. These flexible housing options provide economic stability and caregiving support, particularly for older adults.

For Maryland’s aging population, ADUs offer:



- Financial security – Homeowners can generate rental income to offset property taxes, home maintenance, and healthcare costs.
- Aging in place options – Older adults who wish to downsize can move into an ADU while renting their primary residence or housing family members.
- Caregiving solutions – ADUs allow older adults to live near caregivers, children, or loved ones while maintaining their independence.

## **What Older Adults Are Saying**

AARP research consistently shows that older adults overwhelmingly want to stay in their homes and communities as they age:

- 77% of people aged 50+ want to live in their community for as long as possible.
- 76% want to continue living in their current residence.
- 59% believe they can remain in their community, whether in their existing home (46%) or another home nearby (13%).
- 67% of older adults would consider an ADU to live near family while maintaining their own space.
- 70% would consider building an ADU for a loved one in need of care.

## **ADUs Promote Affordable Housing and Equity**

Beyond individual benefits, ADUs also serve a broader public interest by:

- Expanding affordable housing opportunities without requiring additional land development or costly infrastructure.
- Supporting economic diversity in established neighborhoods, creating more equitable access to quality schools, transportation, and job opportunities.
- Addressing the housing crisis, where rising home prices and rental costs place a heavy burden on older adults and middle-income families.
- Providing a cost-effective alternative to institutional care, reducing reliance on high-cost assisted living facilities.

ADUs were once commonplace in American housing, particularly before World War II, but were largely restricted by zoning laws that prioritized large-lot, single-family developments. Over time, these restrictions exacerbated economic and racial segregation, excluding families with modest incomes from communities with better resources.

Today, shifting demographics, economic pressures, and a national housing shortage have reinforced the need to modernize zoning laws and reintroduce ADUs as a viable housing solution.

## **Why Maryland Needs HB 1466**

Aging in place is not just a personal preference—it is a public policy imperative. Maryland must take proactive steps to address the growing demand for housing that supports its aging population. HB1466 will:

- Establish statewide ADU standards to ensure clarity and consistency across jurisdictions.
- Provide older homeowners with more housing options that align with their financial and caregiving needs.
- Help local governments meet their housing and equity goals by encouraging compact, sustainable development.

## **AARP's Request**

AARP Maryland urges the Committee to issue a favorable report on HB 1466 to support Marylanders who want to age in place with dignity, stability, and independence.

For further questions, please contact Tammy Bresnahan, Senior Director of Advocacy, AARP Maryland at [tbresnahan@aarp.org](mailto:tbresnahan@aarp.org) or 410-302-8451.

**HB 1466 FAV Del Stewart.pdf**

Uploaded by: Vaughn Stewart

Position: FAV

VAUGHN STEWART  
Legislative District 19  
Montgomery County

CHIEF DEPUTY MAJORITY WHIP

Environment and Transportation  
Committee

*Subcommittees*

Housing & Real Property

Chair, Motor Vehicle and  
Transportation



The Maryland House of Delegates  
6 Bladen Street, Room 151  
Annapolis, Maryland 21401  
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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**Testimony in Support of HB 1466**  
**Land Use and Real Property - Accessory Dwelling Units - Requirements and Prohibitions**

Testimony by Delegate Vaughn Stewart

March 4, 2025 | Environment and Transportation Committee

**What the Bill Does**

This bill is based on the legislative suggestions that were provided by the Accessory Dwelling Unit Task Force which I am honored to have been a part of.

HB1466 establishes state-level standards regarding the permitting and construction of Accessory Dwelling Units (ADUs). It requires local governments to enact laws permitting ADUs by-right on any lot in which another building is already permitted by-right.

**Why the Bill is Important**

As this committee is well aware of, our state is facing a housing crisis. We were 96,000 units short five years ago. In order to afford a 2 bedroom apartment individuals in our state must make \$37 per hour or work 80 hours per week at [minimum wage](#). Thanks to the work of this committee, our state has started to address this crisis.

However, more must be done. ADUs are not a panacea, but can be part of the solution. They can be developed quickly, affordably, and do not require major changes to existing infrastructure. ADUs need to be easier to develop in all the counties and cities of our state. This law sets the basic framework for which local jurisdictions will allow ADU's to be developed while allowing them to fill in the details in a way that works for their communities.

**Why the Committee Should Vote Favorably**

HB1466 will unify the ADU zoning policies in our state and boost affordable housing development. **I urge a favorable report.**

**HB1466 OIR FWA MGA25.pdf**

Uploaded by: Leslie Frey

Position: FWA





# Montgomery County

## Office of Intergovernmental Relations

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**ROCKVILLE: 240-777-6550**

**ANNAPOLIS: 240-777-8270**

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**HB 1466**

**DATE: March 4, 2025**

**SPONSOR: Delegate Stewart**

**ASSIGNED TO: Environment and Transportation**

**CONTACT PERSON: Leslie Frey**

**(leslie.frey@montgomerycountymd.gov)**

**POSITION: FAVORABLE WITH AMENDMENTS (Montgomery County Office of Intergovernmental Relations)**

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### **Land Use and Real Property - Accessory Dwelling Units - Requirements and Prohibitions**

House Bill 1466 declares that it is the policy of the State to promote and encourage the creation of accessory dwelling units (ADUs) on land zoned for single-family residential use in order to meet the housing needs of the citizens of Maryland. To implement this policy, the bill requires local jurisdictions to adopt a local law authorizing the development of ADUs on land zoned for single-family residential use by October 1, 2026. The bill stipulates that a local law adopted under the bill shall contain requirements concerning size of the ADU, timing of construction, and conditions of approval of a zoning use permit, among others. The bill prohibits a local law from requiring: the ADU to exceed the minimum size required for a primary dwelling unit in the zone or district; establish setback requirements in certain circumstances; include the creation of off-street parking if the ADU is within .75 mile radius of a mass transit facility or if outside a .75 mile radius, the creation of more than one off-street parking space; or set conditions for approval of a zoning use permit for an ADU based on subjective criteria listed in the bill, including neighborhood compatibility. House Bill 1466 permits a local law to consider factors regarding off-street parking requirements and stipulates that a local jurisdiction shall approve or deny an application for a zoning use permit for an ADU within 90 days. The bill allows for the charging of a development impact fee or building excise tax if the ADU has a square footage or more than 750 feet and prohibits the same if the square footage is less than 750 square feet. Finally, the bill addresses utility provisions and authorizes the governing body of a homeowners association to treat an ADU as a separate lot for the purposes of voting and levying assessments.

Recognizing the imperative need to create more housing within the State, the Montgomery County Office of Intergovernmental Relations respectfully requests amendments to House Bill 1466 that address the following issues.

Currently, the bill does not define "mass transit facility" as used in Land Use-Article §4-504(D) related to requirements for off-street parking. The definition should be inclusive of Bus Rapid Transit but exclusive of MARC facilities, as MARC does not have sufficient service to support a car-free lifestyle. Second, the creation of off-street parking spaces should be contemporaneous with the development of the ADU so that requirements related to off-street parking and impervious surfaces are not negated. Third, under §4-504(E)(2), the parking study prescribed by the bill should not be directed by a legislative body but another local department with expertise in the issues and should be narrowed from covering the entire jurisdiction.

Finally, the bill does not contain a requirement that a primary dwelling unit be owner-occupied. We strongly urge the committee to amend the bill to require this in order to avoid allowing multiple rental units to be created on a single-family lot with no owner present. This is important for integrating properties with ADUs into our existing communities that are zoned for single-family use.

We respectfully request these amendments and urge the committee to issue a favorable report on House Bill 1466.

# **MGA 2025 Testimony Bill HB1466 (ADUs - Requirement**

Uploaded by: Michael Scepaniak

Position: FWA

Bill: HB1466

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



Position: **Favorable with Amendments**

Members of the House Environment and Transportation Committee,

As a group which believes that encouraging traditional, higher-density development patterns in Maryland will deliver us appealing, affordable, fiscally-sustainable communities, we support HB1466.

In 2023, the General Assembly passed legislation which established an Accessory Dwelling Unit Policy Task Force. [1] The task force was convened and published their report as directed. [2] [3] This bill is the manifestation of that task force's recommendations.

Allowing and encouraging Accessory Dwelling Units (ADUs) in Maryland will be one of the best (if not **the** best) tools for improving housing affordability in the state. It will result in a gradual, broad-based densification of the low-density suburbs that dominate our residential communities. That gradual trajectory will allow the state's municipalities to comfortably plan for any needed infrastructure investments, while being able to use the additional property taxes accrued by those ADUs to pay for those investments.

The ADUs built will be more likely to seamlessly fit into the character of existing neighborhoods, more so than large multi-family buildings with imposing massing and sudden and daunting infrastructure demands - which are so often the target of blistering community opposition.

The ADUs built will be the small, modest, affordable starter units that are the exact sort of housing we are in the greatest need of building. Homeowners struggling to afford the house they need will be able to build an ADU on their property and rent it out, allowing them to afford that house. Seniors with too much house will be able to build themselves an ADU on their existing property and move into it, thus allowing them to age in place.

With our support for this bill firmly stated, we would like to see a couple changes made.

1. While we respect the task force's decision to not make any recommendations regarding Short Term Rentals and Rental Licensing Programs, we think **it is critical that the bill explicitly prohibit a municipality from preventing a homeowner from renting an ADU on their property**. Limiting occupancy of ADUs to relatives will serve to severely limit people's ability to afford constructing them.

2. While we understand the desire to exempt historic properties, we fear that such a blanket exemption will be exploited. **We would like to see all municipalities provide a waiver process for historic properties to build ADUs. Alternatively, we would like to see the bill only exempt those historic properties which are deemed as such at the date of the bill's adoption into law.**

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 these points helpful and convincing and we urge its members to **vote in favor of HB1466, with our suggested amendments**. Thank you for your efforts and the opportunity for us to testify on this legislation.

[BaltPOP - Baltimoreans for People-Oriented Places](#)

References:

[1] Maryland General Assembly. "Accessory Dwelling Unit Policy Task Force". June 9, 2023. <https://mgaleg.maryland.gov/mgawebsite/Legislation/Details/sb0382?ys=2023RS>

[2] Maryland Department of Planning. "Accessory Dwelling Unit Policy Task Force". As of February 19, 2025. <https://planning.maryland.gov/Pages/OurWork/PBP/ADUTF/ADU.aspx>

[3] Maryland Department of Planning. "Accessory Dwelling Unit Policy Task Force Final Report". May 31, 2024. <https://planning.maryland.gov/Documents/Our-Engagement/ADUPTF/2024-ADU-PTF-report.pdf>

**HB 1466 - MML - OPP.pdf**

Uploaded by: Angelica Bailey Thupari

Position: UNF



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

## TESTIMONY

March 4, 2025

**Committee:** House Environment & Transportation

**Bill:** HB 1466 - Land Use and Real Property - Accessory Dwelling Units - Requirements and Prohibitions

**Position:** **Oppose**

**Reason for Position:**

The Maryland Municipal League (“MML”) respectfully opposes House Bill 1466, which is both consistent and inconsistent with the ADU Task Force Final Report and proposes many unreasonable mandates on local governments. MML remains a committed partner in solving the State’s housing crisis, but this proposal as drafted is an unworkable overreach for the following reasons:

Authorization and Timing

- Authorizing construction of an accessory structure before the construction of a primary dwelling unit (4-504(C)(3)) is inadvisable. Allowing an ADU to be constructed before the principal dwelling is built or permitted does not qualify the ADU as an “accessory” dwelling unit because there is no other dwelling on the site for it to be accessory to. It also makes compliance with the bill’s square footage limitations impossible, since local governments cannot determine if the ADU is smaller than the principal dwelling if the ADU can be constructed prior to the principal dwelling.
- Assigning a specific turnaround time of 90 days (4-505(A)) is not realistic. Not all applications can be reviewed and approved within this timeframe for a variety of factors outside the municipality’s control like the quality of the application, other agency reviews, etc.

Lot Requirements & Setbacks

- This section which addresses lot requirements (4-504(D)) is inconsistent with the policy recommendations from the Final ADU Task Force report. Rather, the Task Force recommended that the Maryland Department of Planning (“MDP”) provide guidance and resources on lot requirements to help Maryland jurisdictions develop ordinances in which lot requirements do not present an unreasonable barrier to ADU development. Legislation was not suggested.
- Section 1404.13 of the Maryland Building Code requires a minimum of 10’ building separation in certain cases. A 4-foot setback (4-504(D)(3)), if utilized on two adjacent lots, would prevent the application of the MD Building Code requirement that is in place for fire protection.

*The Maryland Municipal League uses its collective voice to advocate, empower and protect the interests of our 160 local governments members and elevates local leadership, delivers impactful solutions for our communities, and builds an inclusive culture for the 2 million Marylanders we serve.*



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

### Parking Requirements

- This section which addresses parking language (4-504(D)) is inconsistent with the policy recommendations from the Final ADU Task Force report. Rather, the Task Force recommended that the Maryland Department of Planning (“MDP”) provide guidance and resources on parking requirements to help Maryland jurisdictions develop ordinances in which lot requirements do not present an unreasonable barrier to ADU development. Legislation was not suggested.
- Every community is different. Some municipalities have “mass transit” facilities that are commuter rail stations like MARC Stations, which typically don’t run in the evenings or on weekends, meaning residents still need cars.
- Not being allowed to require a parking space could be contrary to the Maryland Accessibility Code, which requires all buildings and facilities to be accessible and usable by individuals with physical disabilities, including making parking available on the same terms as other residents. This provision essentially eliminates ADUs for people with accessibility challenges within the Mass Transit Facility radius.
- The bill outlines a process to adopt more stringent parking requirements, but it would require expensive parking studies and analysis requiring outside consultants and multiple studies for different areas or development types.

### Impact Fees

- The language regarding impact fees is inconsistent with the Task Force report, which recommended that guidance be provided to local governments before legislation limiting impact fees is introduced.
- Local governments’ infrastructure needs and limited resources are very real challenges, but they can be balanced with the goal of preventing impact fees from unduly hindering the affordability of ADUs. One-size-fits-all mandates are unnecessary.

The League supported the legislation that established the Task Force, had meaningful participation on the Task Force, and accepted many of the Task Force’s Report recommendations. However, this bill goes beyond the scope of those recommendations and creates barriers for municipalities to simultaneously comply with the bill and continue providing essential services to our communities. For these reasons, the League respectfully requests that the Committee provide House Bill 1466 with an unfavorable report. For more information, please contact Angelica Bailey Thupari, Director of Advocacy and Public Affairs, at [angelicab@mdmunicipal.org](mailto:angelicab@mdmunicipal.org) or (443) 756-0071. Thank you for your consideration.

*The Maryland Municipal League uses its collective voice to advocate, empower and protect the interests of our 160 local governments members and elevates local leadership, delivers impactful solutions for our communities, and builds an inclusive culture for the 2 million Marylanders we serve.*

**HB1466-ET\_MACo\_OPP.pdf**

Uploaded by: Dominic Butchko

Position: UNF





## House Bill 1466

### *Land Use and Real Property - Accessory Dwelling Units - Requirements and Prohibitions*

MACo Position: **OPPOSE**

To: Environment and Transportation Committee

Date: March 4, 2025

From: Dominic J. Butchko

The Maryland Association of Counties (MACo) **OPPOSES** HB 1466. This bill preempts county land use authority, removing local oversight of “accessory dwelling units” (ADU) in residential areas, and is highly inconsistent with the recommendations of the ADU taskforce.

Generally, local land use decisions are a function of local government. Counties, as the boots-on-the-ground implementors, are 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 to local implementors. Housing affordability is a nationwide issue, with different facets in different communities, and one which Maryland counties have been the leaders in addressing for several years.

While MACo appreciates the intent of HB 1466, as drafted, this bill would apply a one-size-fits-all approach that will not directly address housing affordability across the state. Additionally, beyond the sweeping override of local oversight, as drafted, the bill dramatically deviates from the handful of consensus points that were agreed upon during the ADU taskforce deliberations.

#### ***Highlights of County Concerns and Inconsistencies:***

- Allowing an ADU to be constructed before the principal dwelling means that the ADU is no longer the “accessory.” This authorization contradicts several other provisions within the legislation, including requirements around square footage. If enacted, this provision would delay new construction as it would create inconsistencies in the implementation of state and local policies, including proposed policies outlined within the legislation.
- Requirements establishing setbacks are inconsistent with the recommendations of the report and local processes. As drafted, this would also complicate efforts to address illegally nonconforming structures.
- Language regarding lot lines and parking requirements far exceeds the recommendations of the taskforce report. In both instances, the report states that the State should not pursue legislation in either area.

- Prohibitions on off-street parking requirements are inconsistent with the report, create potential conflicts with the Maryland Accessibility Code, and represent a one-size-fits-all approach that fails to recognize suburban and urban areas where on-street parking is already a major challenge.
- Prohibitions on design standards were not fully supported by the taskforce and could be problematic in historic districts and certain planned developments.
- “Shot clock”-style approval and denial timelines are inconsistent with the report and open the window for severe unintended consequences. These requirements lack the nuanced understanding of the review and approval process and allow developers to skirt state and local building requirements.
- Prohibitions on impact fees are inconsistent with the final report recommendation. In Maryland, counties must go through a rigorous process to justify impact fee amounts and formulas. In most jurisdictions, impact fees are not enough to fund infrastructure expansion.

As drafted, HB 1466 is both a large overreach into local land use processes and significantly inconsistent with the recommendations of the ADU taskforce. For these reasons, MACo urges the Committee to give HB 1466 an **UNFAVORABLE** report.

# **HB1466\_CAI\_UNF**

Uploaded by: Valerie Skvirsky

Position: UNF

Vicki Caine, Chair  
Igor Conev, CMCA, AMS, PCAM, CIRMS, Vice Chair  
Brenda Wakefield, CMCA, AMS, Secretary

Marie Fowler, PCAM, Treasurer  
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Barbara Leonard, Member  
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John Oliveri, Esq., Member  
Nura Rafati, Esq., Member  
Susan Saltsman, CMCA, AMS, Member  
Scott Silverman, Esq., Member  
Ellen Throop, Esq., Member  
Tricia A. Walsh, CISR, Member

Delegate Marc Korman  
Delegate Regina T. Boyce  
Environment and Transportation Committee  
250 Taylor House Office Building  
251 Taylor House Office Building  
Annapolis, Maryland 21401

**Re: HB1466 – Land Use and Real Property - Accessory Dwelling Units - Requirements  
and Prohibitions**  
**Hearing: March 4, 2025 Position: Oppose**

Dear Chair Korman, Vice Chair Boyce and Committee Members:

This letter is submitted on behalf of the Maryland Legislative Action Committee (“MD-LAC”) of the Community Associations Institute (“CAI”). CAI represents individuals and professionals who reside in or work with condominiums, homeowners associations and cooperatives throughout the State of Maryland.

MD-LAC is writing today to voice our opposition for HB 1466 which requires all local jurisdictions, on or before October 1, 2026, to adopt a law that authorizes the development of accessory dwelling units on land zoned for single-family residential use without the inclusion of subjective criteria including neighborhood compatibility and/or adverse impacts, and further prohibits a community association from enforcing existing covenants within its governing documents that prohibit or restrict the development of accessory dwelling units.

While the MC-LAC appreciates the need for increased housing within the state of Maryland, HB 1466 does not account for jurisdictions and/or individual communities that already experience issues from density, including traffic congestion, severely limited parking, and damaged roads due to overuse. As communities were developed with a specific density in mind, the potential doubling of the number of residents within a community will increase concerns pertaining to overcrowding, access to life safety services and deterioration of infrastructure and common use amenities. The bill as proposed is simply unsafe for many applicable jurisdictions.

**Maryland Legislative Action Committee**  
**Post Office Box 6636**  
**Annapolis, Maryland 21401**

In addition, this bill unfairly overrides prohibitions or restrictions on the development of accessory dwelling units within existing Declaration and Bylaws for community associations, resulting in the elimination of assurances with respect to crowding, setbacks, aesthetics, and parking that property owners may have relied upon in purchasing their lots within a specific community. While the state may wish to encourage the development of additional housing in future communities, it should not interfere in existing contractual relationships between a property owner and its community association.

Accordingly, the MD-LAC respectfully request that the Committee does not give HB 1466 a favorable report.

We are available to answer any questions which you may have. Please feel free to contact any of the individuals listed: Lisa Harris Jones, CAI MD-LAC lobbyist, at 410-366-1500 or by email at [lisa.jones@mdlobbyist.com](mailto:lisa.jones@mdlobbyist.com); Hillary Collins, Esq., member by email at [hcollins@reesbroome.com](mailto:hcollins@reesbroome.com); or Vicki Caine, Chair 215-806-9143, or [MDLacChair1@gmail.com](mailto:MDLacChair1@gmail.com).

Sincerely,

*Vicki Caine*

Vicki Caine  
Chair, CAI MD-LAC

*Hillary Collins*

Hillary Collins, Esq.  
Member, CAI MD-LAC

CAI is a national organization dedicated to fostering vibrant, competent, harmonious community associations for more than thirty years. Its members include community association volunteer leaders, professional managers, community management firms, and other professionals and companies that provide products and services to common interest associations. As part of its mission, CAI advocates for legislative and regulatory policies that support responsible governance and effective management. As part of this purpose state Legislative Action Committees represent CAI members before state legislatures and agencies on issues such as governance, assessments collection, insurance and construction defects.

# **MDP HB 1466 Written Testimony.pdf**

Uploaded by: Andrew Wilson

Position: INFO



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## Maryland DEPARTMENT OF PLANNING

**HEARING DATE:** March 4th at 1:00 PM

**BILL NO:** HB 1466

**COMMITTEE:** Environment and Transportation

**POSITION:** Informational

**FOR INFORMATION CONTACT:** Andrew Wilson (443) 721-6789

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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.

HB 1466's 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 HB 1466:

- [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 HB 1466, which the Task Force reviewed as part of its work and referenced during deliberations. In addition, many Maryland jurisdictions already meet some of HB 1466'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 HB 1466 is adopted. Local governments will need to consider if and how their current ADU code provisions comply with the requirements of HB 1466 and adjust them accordingly. If HB 1466 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.



**HB1466.DDCouncil.LOI.pdf**

Uploaded by: Rachel London

Position: INFO



## Maryland Developmental Disabilities Council

CREATING CHANGE • IMPROVING LIVES

House Environment and Transportation Committee

HB 1466: Land Use and Real Property - Accessory Dwelling Units - Requirements and  
Prohibitions

March 4, 2025

### Letter of Information

The Maryland Developmental Disabilities Council (Council) is an independent, public policy organization that creates change to make it possible for people with developmental disabilities to live the lives they want with the support they need. From this perspective, the Council advocates for policies and programs that make Maryland a place where everyone can afford to live where they want.

Maryland is in a housing crisis that affects all communities, but disproportionately amplified for people with disabilities. Individuals with disabilities are more likely to be extremely low-income renters and to experience higher rates of discrimination in housing.<sup>1</sup> Data from the Social Security Administration shows that the 4.1 million people with disabilities ages 18 to 64 who receive SSI cannot afford an apartment in *any housing market in the United States*. Data from the U.S. Department of Housing and Urban Development show 45% of all housing complaints report to HUD were disability-based.

In 2023, the Maryland General Assembly passed SB 382 (Article §2-1257) to establish the Accessory Dwelling Unit (ADUs) Policy Task Force. This task force published their final report in 2024, which found recommended ways that Maryland should move forward with support ADUs. That report noted that ADUs could support a number of specific populations disproportionately impacted by Maryland housing crisis, including the people with disabilities.

We understand the intention of this bill is to implement some of the recommendations from the task force. As this work moves forward, it will continue to require thoughtful consideration about the implementation of the recommendations, especially making ADUs accessible and affordable to people with disabilities. The best way to do this is by continuing to work with disability advocates in the community.

*While investments in housing equity are without question needed, including for people with disabilities, the Council believes that the amount, purpose, and timing of such efforts must take into consideration the needs of all Marylanders with disabilities. Funding for this bill should not be offset by limiting essential funding for other critical needs, most immediately the Developmental Disabilities Administration community services that thousands of Marylanders depend upon.*

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<sup>1</sup> <https://www.americanprogress.org/article/recognizing-addressing-housing-insecurity-disabled-renters/>