

HOUSE BILL 239

L6, N1

3lr1770
CF SB 382

By: **Delegates J. Long, Addison, Charles, Foley, Grossman, Holmes, Lehman, Palakovich Carr, Smith, Stewart, Toles, and Woods**

Introduced and read first time: January 23, 2023

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 20, 2023

CHAPTER _____

1 AN ACT concerning

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

3 FOR the purpose of establishing the Accessory Dwelling Unit ~~Promotion and~~ Policy Task
4 Force to study state and local government efforts to promote the creation of accessory
5 dwelling units on land zoned for single-family residential use and review existing
6 laws and policies associated with the development of accessory dwelling units
7 throughout the State of Maryland; and generally relating to the Accessory Dwelling
8 Unit ~~Promotion and~~ Policy Task Force.

9 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
10 That:

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

12 (2) “Accessory dwelling unit” means a secondary dwelling unit on the same
13 lot, parcel, or tract as a primary dwelling unit that is constructed:

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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



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

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

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

6 ~~(i) a private company regulated under Division I of the Public~~
7 ~~Utilities Article;~~

8 ~~(ii) the Washington Suburban Sanitary Commission regulated~~
9 ~~under Division II of the Public Utilities Article;~~

10 ~~(iii) a sanitary commission regulated under Title 9, Subtitle 6 of the~~
11 ~~Environment Article; or~~

12 ~~(iv) a municipal authority regulated under Title 9, Subtitle 7 of the~~
13 ~~Environment Article.~~

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

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

16 (1) one member of the Senate of Maryland, appointed by the President of
17 the Senate;

18 (2) one member of the House of Delegates, appointed by the Speaker of the
19 House;

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

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

23 ~~(4)~~ (5) the following members, appointed by the Governor:

24 (i) one representative of the Maryland Association of Counties from
25 an urban county;

26 (ii) one representative of the Maryland Association of Counties from
27 a rural county;

28 ~~(ii)~~ (iii) one representative of the Maryland Municipal League
29 from an urban municipality;

- 1 (iv) one representative of the Maryland Municipal League from a
 2 rural municipality;
- 3 ~~(iii)~~ (v) one representative of the Maryland Building Industry
 4 Association;
- 5 ~~(iv)~~ (vi) one representative of the Maryland Association of
 6 Realtors;
- 7 ~~(v)~~ ~~one representative of the Community Associations Institute;~~
- 8 (vii) one representative from the Chesapeake Region Chapter of the
 9 Community Associations Institute;
- 10 (viii) one representative from the American Institute of Architects
 11 Maryland;
- 12 (ix) one representative from the American Association of Retired
 13 Persons Maryland;
- 14 (x) one representative from the Maryland Coalition for Interior
 15 Designers; and
- 16 ~~(vi)~~ ~~one individual with professional experience as a building~~
 17 ~~inspector in the State;~~
- 18 ~~(vii)~~ ~~one individual with professional experience in community~~
 19 ~~development, including the planning of residential and mixed-use residential~~
 20 ~~developments in urban, suburban, and rural areas of the State; and~~
- 21 ~~(viii)~~ (xi) one individual with professional experience in the
 22 planning and development of roads and highways.

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

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

25 (f) A member of the Task Force:

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

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

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

~~(1) study state and local government efforts to promote the creation of accessory dwelling units on land zoned for single-family residential use, including laws or policies intended to:~~

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

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

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

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

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

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

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

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

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

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

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

(1) survey and document a representative sampling of State and local codes, laws, ordinances, and policies regarding the development and operation of accessory dwelling units in areas zoned for single-family residential use, including those codes, laws, ordinances, and policies that address residential growth in these areas;

(2) study available best practices for streamlining or standardizing the application process for permits necessary to build or operate an accessory dwelling unit; and

(3) make legislative or other policy recommendations, including a list of best practices for local governments in the State, that holistically address: promote and

1 ~~encourage the creation and operation of accessory dwelling units on land zoned for~~
2 ~~single family residential use~~

3 (i) the practical issues associated with the development of accessory
4 dwelling units on owner-occupied land zoned for single-family residential use; and

5 (ii) the impacts on local housing markets, neighborhood livability,
6 and other policies and projects related to accessory dwelling units.

7 (h) (1) On or before ~~December 31~~ November 1, 2023, the Task Force shall
8 report its activities ~~undertaken during 2023~~ to the Governor and, in accordance with §
9 2-1257 of the State Government Article, the General Assembly.

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

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
14 1, 2023. It shall remain effective for a period of 2 years and 1 month and, at the end of June
15 30, 2025, this Act, with no further action required by the General Assembly, shall be
16 abrogated and of no further force and effect.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.