

Chapter 798

(House Bill 239)

AN ACT concerning

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

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

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

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

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

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

(ii) 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

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

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

~~(4) “Utility” means water or sewer disposal services provided by:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(iv) one representative of the Maryland Municipal League from a rural municipality;

~~(iii)~~ (v) one representative of the Maryland Building Industry Association;

~~(iv)~~ (vi) one representative of the Maryland Association of Realtors;

~~(v) one representative of the Community Associations Institute;~~

(vii) one representative from the Chesapeake Region Chapter of the Community Associations Institute;

(viii) one representative from the American Institute of Architects Maryland;

(ix) one representative from the American Association of Retired Persons Maryland;

(x) one representative from the Maryland Coalition for Interior Designers; and

~~(vi) one individual with professional experience as a building inspector in the State;~~

~~(vii) one individual with professional experience in community development, including the planning of residential and mixed-use residential developments in urban, suburban, and rural areas of the State; and~~

~~(viii)~~ (xi) one individual with professional experience in the planning and development of roads and highways.

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

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

(f) A member of the Task Force:

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

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

(g) ~~In order to help the State meet its affordable housing needs, the~~ The Task 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 encourage the creation and operation of accessory dwelling units on land zoned for single-family residential use

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

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

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

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

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 28, 2023.