

# SENATE BILL 382

L6, N1

(3lr1216)

## ENROLLED BILL

— *Education, Energy, and the Environment/Environment and Transportation* —

Introduced by **Senator M. Washington**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### 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 the placement of accessory dwelling units on land~~  
8 ~~zoned for single family residential use and to survey and document a representative~~  
9 ~~sampling of the variety of ordinances, laws, codes, and policies regarding accessory~~  
10 ~~dwelling units at the State and local level;~~ and generally relating to the Accessory  
11 Dwelling Unit ~~Promotion and~~ Policy Task Force.

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

13 That:

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#### 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.

*Italics indicate opposite chamber/conference committee amendments.*



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1           ~~(4)~~ (5) the following members, appointed by the Governor:

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

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

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

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

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

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

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

15                  ~~(vi)~~ (vii)    one representative from the Chesapeake Region Chapter  
16 of the Community Associations Institute;

17                  ~~(vii)~~ (viii)   one representative from the American Institute of  
18 Architects Maryland;

19                  ~~(viii)~~ (ix)    one representative from the American Association of  
20 Retired Persons Maryland; and

21                  ~~(ix)~~ (x)     one representative from the Maryland Coalition for  
22 Interior Designers; and

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

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

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

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

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

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

3 (f) A member of the Task Force:

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

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

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

9 ~~(1) study state and local government efforts to promote the creation of the~~  
10 ~~placement of accessory dwelling units on land zoned for single family residential use,~~  
11 ~~including laws or policies intended to: focused primarily on owner occupied properties;~~

12 ~~(2) survey and document a representative sampling of the variety of~~  
13 ~~ordinances, laws, codes, and policies regarding accessory dwelling units at the State and~~  
14 ~~local level; and~~

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

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

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

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

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

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

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

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

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

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

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

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

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

9                   (3) make legislative or other policy recommendations, including a list of  
10 best practices for local governments in the State, that *holistically address*: ~~promote and~~  
11 ~~encourage the creation and operation of accessory dwelling units on land zoned for~~  
12 ~~single-family residential use~~ includes impacts on local housing markets, neighborhood  
13 livability, and other policies and projects related to accessory dwelling units

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

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

18                   (h) (1) On or before ~~December 31~~ November 1, 2023, the Task Force shall  
19 report its activities ~~undertaken during 2023~~ to the Governor and, in accordance with §  
20 2-1257 of the State Government Article, the General Assembly.

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

24                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
25 1, 2023. It shall remain effective for a period of 2 years and 1 month and, at the end of June  
26 30, 2025, this Act, with no further action required by the General Assembly, shall be  
27 abrogated and of no further force and effect.