



Accessory Dwelling Unit Policy Task Force



**Report on Activities to Governor Wes Moore
and the Maryland General Assembly
November 1, 2023**

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Executive Summary

[SB 382](#), adopted during the 2023 Maryland General Assembly session, established the Accessory Dwelling Units Policy Task Force (Task Force). SB 382 designated the Maryland Department of Planning (MDP) as staff to the Task Force. MDP initiated its Task Force responsibilities in April 2023. These responsibilities have continued to the writing of this report and will extend through SB 382's sunset date of June 30, 2025. Activities include drafting a workplan, which included identifying research topics, coordinating Task Force recruitment with the Governor's Appointments Office, and the SB 382 specified member organizations, convening an MDP and Maryland Department of Housing and Community Development (DHCD) workgroup, compiling and analyzing best practice research documents, distributing a survey to local planning contacts, compiling and analyzing other state ADU legislation, compiling an inventory of Maryland jurisdiction Accessory Dwelling Unit (ADU) ordinances and preparing materials and conducting Task Force meetings.

MDP and the Task Force conducted two meetings in accordance with the Open Meetings Act. The Task Force held its inaugural meeting on September 19, 2023, in Crownsville, and its second meeting on October 31, 2023, in Windsor Mill. Both meetings were conducted in a hybrid (in-person and online) format, to which MDP invited the public in an email distributed to 29,110 addresses to attend and submit comments. The Task Force received public comments during both meetings and established an online comment form through which members of the public can submit input. As of October 29, 2023, 47 individuals submitted discrete comments using the form. In mid-September, MDP published a [Task Force webpage](#) with information about SB 382, ADUs, the Task Force roster, meeting access options, and meeting materials, including agendas and meeting recordings.

The Task Force will meet monthly, or at the direction of the Task Force Chair, during its tenure and prior to the completion of its final report, due to the Governor and General Assembly by June 1, 2024. At each meeting and as required by SB 382, the Task Force will examine and discuss best practices, survey and document a sampling of state and local ADU legislation and ordinances, address the practical issues associated with developing ADUs, receive public comment, and analyze the impacts that ADUs have on local housing markets and neighborhood livability. To meet these requirements, the Task Force will deploy a research methodology combining a best practices literature review, focus groups and interviews of ADU stakeholders, a consideration of and deliberation on public comments, and an analysis of quantitative ADU development and permitting data (as available), to the extent possible with limited staff availability (no special funds were allocated for consultant or staff support).

Purpose of Report

In accordance with 2023's [SB 382](#) and State Government Article [§2-1257](#), the Task Force submits this document to report on its activities since the June 1, 2023, effective date.

Purpose of SB 382

The Task Force's purpose is to survey and document state and local codes, laws, ordinances, and policies about locating/developing accessory dwelling units (ADUs) in single-family residential zones. The Task Force will also study best practices to streamline or standardize the local ADU application and development review process. From this analysis, the Task Force will develop legislative and policy recommendations, including best practices that holistically address ADU issues. These may include potential impacts on surrounding single-family neighborhoods, local housing markets, and neighborhood character.

The Task Force must update the Governor and General Assembly by November 1, 2023, and submit a final report by June 1, 2024. MDP serves as staff to the Task Force. Governor Moore appointed MDP Secretary Rebecca L. Flora, AICP, as Chair of the Task Force (Chair). The Act identifies MDP and the DHCD as the two state agencies to lead the study. In partnership with the DHCD, MDP developed guidance in response to HB 1045 (2019) and HB 90 (2021), which required a housing element in comprehensive plans. ADUs are one strategy among many that Maryland jurisdictions may use to increase the supply of affordable housing for current and future residents. The work of the Task Force is an extension of MDP's existing affordable and fair housing resources.

SB 382 defines ADUs as secondary dwelling units on the same lot, parcel, or tract as a primary dwelling unit that are 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;
- (iii) as a new building, detached from the primary dwelling unit and any existing accessory structure.

SB 382 defines a dwelling unit as a single unit that provides independent living facilities for at least one person.

The American Planning Association [defines and details](#) ADUs as "a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home. ADUs go by many different names throughout the U.S., including accessory apartments, in-law suites, and granny flats. ADUs can be converted portions of existing homes (i.e., internal ADUs), additions to new or existing homes (i.e., attached ADUs), or new stand-alone accessory structures or converted portions of existing stand-alone accessory structures (i.e., detached ADUs)."

DHCD's [Maryland Housing Needs Assessment & 10-Year Strategic Plan](#), published in December 2020, highlights the following gaps in Maryland's housing supply which ADU development could potentially help fill.

- Maryland currently lacks approximately 85,000 rental units for its lowest income households (extremely low-income or those earning 30 percent of area median income [AMI] or below). Statewide, there are 33 units available for every 100 extremely low-income households.
- Maryland will add an estimated 97,200 extremely and very low-income households between 2020 and 2030. Without further acceleration to create and preserve deeply affordable units, this shortage will worsen.

- Households of color experience higher rates of cost-burdens, lower levels of homeownership compared with white households, and tend to live in higher-need areas across Maryland.
- Looking ahead to 2030, if current trends hold, Maryland will need more homes that serve extremely and very low-income households; smaller, one-person households; seniors; and families with children.
- Thirteen of Maryland’s 23 counties and Baltimore City lack enough rental housing for very low-income renters (those earning 50 percent AMI or below). The following counties need units for these households (in order from largest to smallest deficits): Montgomery, Baltimore, Howard, Anne Arundel, Prince George’s, Wicomico, Charles, Talbot, Harford, Caroline, Dorchester, Somerset, and Calvert.
- In addition to cost-burdens, more than one half of the state’s housing supply is single-family, detached homes, which is not suitable to support aging-in-place over time, although many seniors would like to do so.

Task Force Members

In partnership with the Governor’s Appointments Office, the President of the Senate of Maryland, the Speaker of the Maryland House of Delegates, and the organizations listed in SB 382, MDP and the Chair established the following Task Force roster of members according to the Act’s requirements.

Task Force Slot	Assigned Representative	Organization/Company	Title
Senate Representative	Senator Mary Washington	Maryland Senate	Senator, District 43
House Representative	Delegate Vaughn Stewart	House of Delegates	Delegate, District 19
Secretary of Planning or Designee	Secretary Rebecca L. Flora, AICP (CHAIR)	Maryland Department of Planning	Secretary
Secretary of Housing & Community Development or Designee	Theo Williams	Maryland Department of Housing and Community Development	Special Assistant, Office of the Secretary
MACo Urban County Rep.	Lori Parris	Prince George's County Department of Permitting, Inspections, and Enforcement	Senior Advisor
MACo Rural County Rep.	Amy Moredock, CFM	Queen Anne's County Planning & Zoning	Director
MML Urban Municipality Rep.	Jason D. Gaston III	Town of Brentwood	Administrator
MML Rural Municipality Rep.	Councilman Dan Hoff	City of Westminster	Councilmember
Maryland Building Industry Asso. Rep.	David S. Thaler, PE, LS	D.S. Thaler & Assoc, LLC	President
Maryland Association of Realtors	Tiffany Harris, Broker	Harris Hawkins & Co	Co-Owner/Broker
Chesapeake Region Chapter of the Community Asso. Inst.	Quinn Griffith	Whiteford, Taylor, & Preston LLP	Associate

Task Force Slot	Assigned Representative	Organization/Company	Title
American Institute of Architects Maryland	Deborah Buelow, AIA, Well AP	Cedar Architecture	Principal/Founder
American Association of Retired Persons Maryland	Priscilla Kania	Kaiser Foundation Health Plan	N/A
Maryland Coalition for Interior Designers	Mandy Gitt, CID, IIDA	Simply Bespoke Studio	Principal
An individual with professional experience in the planning and development of roads and highway	Jennifer Ray, AICP	Johnson, Mirmiran, & Thompson	Associate Vice President

MDP staff and the Chair invited Isabella Shycoff (Maryland Department of Aging, Division Director, Housing Services) and Chelsea Hayman (Maryland Department of Disabilities, Director of Housing Policy and Programs) to serve on the Task Force as associate members. While the Departments of Aging and Disabilities are not named in SB 382, ADUs hold promise for affordable and quality housing serving Maryland’s aging population and residents with disabilities.

Report on Activities

MDP staff began preparing for the Task Force prior to the Act’s June 1, 2023, effective date. The timeline below outlines activities since the spring of 2023.

Steps	Tasks/Deliverables/Notes	Completion/Establishment Date
1. Task Force Workplan	This document provides a high-level approach and timeline to the work of the Task Force and assigned MDP staff.	April 21, 2023
2. MDP staff team	Joe Griffiths serving as manager with support from Susan Llareus and David Dahlstrom and secondary research support from the Local Assistance and Training division’s Regional Planners and other Planning Coordination staff.	May 5, 2023
3. MDP/DHCD Interagency staff team	Team established as Joe Griffiths, Susan Llareus, and David Dahlstrom (MDP) in partnership with Theo Williams and Justin Fair (DHCD)	July 11, 2023
4. Task Force Research Plan	This document guides MDP staff and partner research in support of the Task Force, per the requirements of SB 382, both prior to and during the Task Force’s tenure. MDP will modify this plan based on Task Force deliberations and discussion.	July 21, 2023
5. ADU research and compiled examples/best	List of best practices secondary sources. (Ongoing development)	July 21, 2023

Steps	Tasks/Deliverables/Notes	Completion/Establishment Date
practices. This research will continue throughout the Task Force's tenure.	Local Planning Contacts ADU Survey	Distributed July 31, 2023, with an August 18, 2023, due date
	Inventory of Maryland ADU ordinances and programs.	August 25, 2023
	Task Force discussion questions	August 25, 2023
	Spreadsheet of other state ADU legislation	September 15, 2023
	OneDrive shared folder for compiling staff and Task Force resources	September 21, 2023
6. Task Force Roster	Developed organization contact list for potential Task Force membership. Develop Task Force introduction and recruitment letter.	May 12, 2023
	Coordinated Task Force roster completion with Governor's Appointments Office and SB 382 organizations	September 8, 2023
7. Communications	Public invite to first hybrid meeting (9/19) of the Task Force	September 12, 2023
	ADU Policy Task Force webpage published	September 15, 2023
	ADU Policy Task Force public commenting form published	September 18, 2023
	Reminder of 9/19 public invite	September 18, 2023
	September 19 Task force meeting materials posted to webpage	September 20, 2023
	Public Invite to second hybrid meeting (10/31) of the Task Force	October 20, 2023
	Reminder of 10/31 public invite	October 27, 2023
8. Task Force Meetings	First meeting at 100 Community Place, Crownsville	September 19, 2023
	Second meeting at 7115 Ambassador Rd., Windsor Mill	October 31, 2023

ADU Policy Task Force Webpage

MDP published a [webpage](#) on September 15, 2023, which includes a description of and link to SB 382, an overview of and links to existing MDP comprehensive plan housing element resources, a description of Task Force deliverables, an overview of the Task Force process, a list of the Task Force members, information about Task Force meetings, including dates and access instructions, agendas, and meeting materials, and a [public comment form](#). MDP staff will update the webpage with new materials, reports, and information throughout the Task Force's tenure.

MARYLAND Department of Planning

ADU Policy Task Force

- Task Force Home
- SB 382 Bill Text
- Task Force Members
- Meetings
 - Schedule and Access
 - Agendas
 - Meeting Recordings and Materials
- Reports
- Housing Element Models & Guidelines
- Public Comment Form

Accessory Dwelling Unit Policy Task Force

During the 2023 session, the Maryland General Assembly passed SB 382 (sponsored by Senator Mary Washington), which was enacted into law on May 28, 2023. The bill establishes the Accessory Dwelling Unit Policy Task Force (Task Force) to study the placement of accessory dwelling units (ADU) on land zoned for single-family residential use and to survey and document a representative sampling of the variety of ordinances, laws, codes, and policies regarding accessory dwelling units at the state and local level. The Task Force will also study best practices for streamlining or standardizing the local ADU application and development review process. From this analysis, the Task Force will develop legislative and policy recommendations and study the potential impacts on surrounding single-family neighborhoods, local housing markets, and neighborhood character.

Impact on the Maryland Department of Planning (MDP)

MDP will staff this task force and the Maryland Department of Planning Secretary, or designee, will be a member of the Task Force. An activities report is due by November 1, 2023, with findings and recommendations due by June 1, 2024.

Comprehensive Plan Housing Element Resources

MDP, in partnership with the Maryland Department of Housing and Community Development (DHCD), developed guidance in response to HB 1045 (2019) and HB 90 (2021), which require a housing element in comprehensive plans that addresses affordability and fair housing, respectively. As part of those efforts, MDP collaborated with local housing authorities and affordable housing advocates who may also serve as resources for this effort.

The diagram shows three types of ADUs: 1. Detached Unit: A small green house with a purple roof next to a larger blue house with a purple roof. 2. Attached Unit: A small green house with a purple roof attached to the side of a larger blue house with a purple roof. 3. Interior Upper Level Unit: A small blue house with a purple roof attached to the side of a larger blue house with a purple roof, featuring a green roof section on the upper level.

Task Force Meetings

Starting with its inaugural meeting on September 19, 2023, the Task Force will meet for three hours monthly throughout its tenure, or at the discretion of the Chair. All meetings will be conducted in a hybrid format and provide at least ten minutes for public comment. The Task Force invites the public to attend in person or join online via Zoom. At the direction of the Chair, the Task Force may meet in different locations.

MDP staff and the Chair will organize and lead each Task Force meeting, distributing and publishing agenda packets to the Task Force members and the public prior to each meeting date. Meetings will include research presentations, Task Force discussion, and SB 382 deliverables review and preparation. The September 19 and October 31, 2023, Task Force meeting agendas are summarized below.

September 19, 2023

- Welcome and Introductions
- Purpose and SB 382 Charge
- Task Force Timeline and Process
- Background and Research
- Discussion
- Public Comment

October 31, 2023)

- Administrative Updates (Disclosures and OneDrive Shared Folder)
- Recap of Previous Meeting
- Resources and Best Practices
- Topic Prioritization
- Public Input, Research Methodology, and Discussion Public Comment

Specific topics and agendas for each future meeting are still to be determined, but potential meeting focus areas include:

November 2023: Housing Market Analysis (see more below), Focus Topic 1
(e.g., by-right versus special exception)

December 2023: Guest speaker 1, Focus Topic 2 (e.g., ADUs and affordability)

January 2024: Guest Speaker 2, Focus Topic 3 (e.g., ADU lot requirements, ADU design)

February 2024: Focus Topic 4 (neighborhood livability, parking, and community facilities)

March 2024: Draft recommendations, Focus Topic 5 (e.g., owner occupancy requirements)

April 2024: Draft recommendations

May 2024: Final Recommendations, Report to Governor and General Assembly

Research Needs and Next Steps

Housing Market Analysis: SB 382 states that the Task Force shall “make legislative or other policy recommendations, including a list of best practices for local governments in the State, that holistically address ... the impacts on local housing markets, neighborhood livability, and other policies and projects related to accessory dwelling units.” MDP does not have expertise in housing market analyses and is seeking assistance from partners to meet this Task Force requirement. MDP is collaborating with DHCD and Task Force members to determine an achievable approach. This approach will be the primary agenda item for the November Task Force meeting. On October 13, 2023, MDP staff sent an email to planning contacts who completed the Local Planning Contacts ADU Survey (listed in table above) seeking ADU permitting data. The availability of such data will inform options for completing the housing market analysis, which will be presented to and discussed by the Task Force at its November meeting.

Best Practices: MDP staff is currently conducting ADU best practices research using a compiled list of secondary sources from authoritative organizations such as the American Planning Association and AARP, formally known as the American Association of Retired Persons.

ADU Resources: MDP staff, in coordination with DHCD and Task Force members, is compiling and analyzing ADU resources, such as permitting and mapping data, model ordinances, and ADU site plans. MDP established a shared OneDrive folder in which staff and Task Force members can load meeting materials and resources.

Focus Groups, Guest Speakers, and Interviews: At the direction of the Chair and Task Force members, MDP staff will invite Task Force guest speakers and conduct focus groups and/or interviews with groups such as planning directors, ADU owners and residents, community organizations, builders, and others. Input received through these qualitative research methods will inform Task Force deliberations.

Public Comment: MDP staff and Task Force members will analyze and discuss public comment received during and in between meetings. These comments will inform Task Force deliberations.

Contact Information

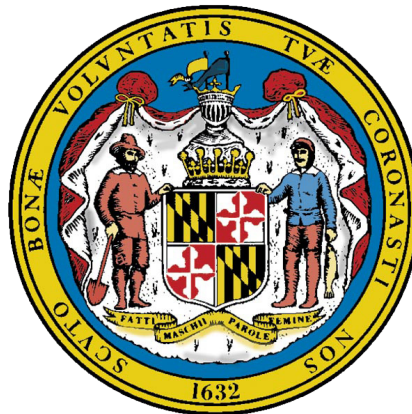
To learn more about the ADU Policy Task Force, or if you have questions, please contact Joe Griffiths, Local Assistance and Training Manager for the Maryland Department of Planning, at joseph.griffiths@maryland.gov.



Maryland

DEPARTMENT OF PLANNING

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