



Maryland

DEPARTMENT OF PLANNING

Accessory Dwelling Unit Task Force 2.20.24 Meeting Summary Notes

9:30 – 9:35 **Welcome & Overview**

Roll Call:

- Senator Mary Washington -no
- Delegate Vaughn Stewart, III- no
- Secretary Rebecca L. Flora, Chair - yes
- Theo Williams - yes
- Lori Parris - yes
- Amy Moredock - yes
- James Gaston, III – yes
- Dan Hoff - yes
- David Thaler - no
- Tiffany Harris - no
- Quinn Griffith - yes
- Deborah Buelow - yes
- Priscilla Kania - yes
- Mandy Gitt - yes
- Jennifer Ray - yes
- Isabella Shycoff - yes

9:35 – 9:45 **Administrative Updates**

- Meeting Objectives (see slides) - Joe introduced five objectives of the meeting.
- Introduction of new ADU Intern, Fahmi Khairun- Joe spoke of the market conditions and how Fahmi will help the staff on this subject. Fahmi is a graduate student in the University of Maryland's Urban Studies and Planning Program.
- Panel Discussion: HOAs and Community Associations
- Draft Design and Building Code Recommendations
- Builder/Developer Survey Results
- Recent Housing Reform Legal Challenges

9:45-9:50 **Process Overview and Timeline**

- The Task Force is more than halfway to the June 1 Deadline
- The April meeting will be crucial, as consensus will be needed to move forward
- The April meeting may be longer and function as a workshop to accommodate the timeline
- The May meeting will be where the final touches are made prior to the final report is completed

- Joe asked the task force for organizations that advocate for Housing for the final focus group, a preference on geographical
- Diversity.
- Recommendations and priorities to be placed at the beginning of the document. Big Ideas first.

9:50-11:00 Introduction of the Panel HOAs and Community Associations

- Terry Thomas, Baltimore City, Coldstream Homestead Montebello Community
- Angelo Otterbein, Baltimore County, Sparks-Glencoe Community
- Larry Platt, Montgomery County, Chevy Chase
- Note: The HOA representative was unable to attend

PLEASE SEE SEPARATE PANEL DISCUSSION SUMMARY DOCUMENT FOR NOTES

11:10- 12:00 Parking and Community Facilities

- Resources and Examples
 - [AARP Model ADU Ordinance](#) (2021)
 - No additional off-street parking
 - Off-street space replaced if ADU construction removes existing spot.
 - Substitute with on-street if there is sufficient curb area.
 - [Designing Accessory Dwelling Unit Regulations](#) (2020)
 - Off-street parking is undesirable/impossible on many lots.
 - \$3,000 - \$5,000 per off-street parking space, too costly.
 - Burdensome process for homeowners
 - [California ADU Handbook \(2022\)](#)
 - Waivers are too costly
 - ADUs less than 500 square feet not subject to school impact fees
 - Additional Examples
 - [Durango, CO](#) & [Portland, OR](#)
- **MARYLAND Summarized – By-right.**
 - On-site parking is generally required.
 - Transit
 - Size of the unit might influence.
 - Maryland by-right ADU development relating to parking requirements:
 - New Market – 4 parking spaces required.
 - Gaithersburg – based on the size of the units.
 - Montgomery County – 1 mile from transit - no on-site parking required.
- **MARYLAND Summarized – Special Exception**
 - Leonardtown
 - Caroline County
 - Cambridge
 - Howard County – HOCO by Design General plan stated that future– APFO shall address ADUs
- **Other State Parking Legislation Analysis**

- Shall not exceed one parking space per ADU.
- No additional parking requirements beyond those for the single-family dwelling unit on the lot.
- No more than one parking space for lots smaller than 6,000 sq ft.
- No more than two parking spaces for lots larger than 6,000 sq ft.
- Address off-street parking replacement.
- Prohibit fees in lieu.
- Public street improvements.
- None address schools.

Question 1: *What preliminary legislative and policy recommendations, related to parking and community facilities, should the Task Force include in its final report to the Governor and General Assembly?*

Jennifer Ray: Likes the idea of ADUs like proximity to transit, especially rapid transit.

Dan Hoff: Stated that for communities, certain parking requirements may be too restrictive and have an adverse impact on the construction of ADUs. From a context standpoint he mentioned that in his community, Sunday morning parking is competitive due to church attendance, but otherwise there is not a problem to find on-street parking.

James Gaston: Stated that every jurisdiction should enforce and create their own parking codes and restrictions.

Deborah Buelow: Stated that previous parking legislation has stopped ADU construction. Parking has been used to prevent ADUs so she would like to not require parking.

Secretary Flora: We are living in a new reality due to telework. Stated that we need to move ourselves beyond the dated parking standard and restrictions. Maximum parking requirements and shared parking, and sensitive to impervious areas. The notion of unreasonable requirements which become barriers to the development of ADUs.

Priscilla Kania, AARP: Parking restrictions only serve to create a barrier.

Builder/ Developer Survey Results

- *What are the Primary Barriers to Constructing ADUs?*
 - zoning limitations (83%)
 - permitting processes (67%)
 - parking requirements (50%)
 - insufficient financing options (44%)
 - construction costs and building codes (39%)
 - local or neighborhood opposition (28%)
 - development fees (11%)
- *How do ADUs impact Neighborhood Livability?*
 - Support aging in place (100%)
 - Increase neighborhood housing values (84%)
 - Increase housing affordability (84%)

- Diversify neighborhood demographics (79%)
- Support moderate densification (74%)
- Strain the transportation network including parking availability. (5%)
- Create flexible and diverse housing choices for owners and renters (5%)

Comments from the Task Force

- Amy Moredock – some inconsistency in the responses.
- Hoff – neighborhood opposition seemed to be an issue. His perspective is that there will not be in opposition. Neighborhood livability seems to have been skewed toward positive impacts.
- Isabella – Big driver to provide housing for older people and addressing persons with limitation of mobility. She reminded the Task Force that stairs do not provide or accommodate mobility to the aging population. If the reason is to promote granny flats, if they are not accessible, they will not be truly for the aging.
- Hoff – Accessory units relating to conversion of a garage should not be limited by provisions of accessibility.
- Buelow – Design focus group, decided that accessibility is already an issue. The idea is to make ADUs more easily constructed.

Recent Housing Reform Legal Challenges

- [Alexandria, VA](#)
 - In November of 2023, and in response to loosening zoning rules for single family neighborhoods, the adoption of legislation to allow for more than one unit in a SFD zoned area, has been challenged due to no Adequate Public Facility Ordinance.
 -
- [Minneapolis, MN](#)
 - Judge blocked implementation of city's abolition of single-family zoning.
- [Montana](#)
 - Portions of [SB 528](#) (2023) put on hold, specifically those related to covenant overrides (Case Number: DV-23-1248C)

12:00-12:15: Public Comment

- **Howard County:** How Housing allocation goes into Public School Comment, what role do ADUs play into funding for schools
- **Karyn Keating, Real Estate Agent:** There was an unoccupied ADU that did not adhere to current regulations due to it being built so long ago. Wants to know how her client can make use of it.
- **Ileana Schinder:** Would like to contribute to these discussions and has experience with several issues that were pointed out.

12:15-12:30 Summary and Final Thoughts

- **Isabella Shycoff:** Agree with Secretary Flora's take on flexibility.
- **James Gaston:** thanked Larry Platt for speaking on the panel.

- **Dan Hoff:** Looking forward to the April meeting, so that we can set our recommendations in stone. As for parking, the more complicated our parking recommendations, the least likely ADUs will be implemented.
- **Jennifer Ray:** Let's be specific and intentional as we put the recommendations together and identify what an ADU is and is not. Identify what is building code vs zoning vs design. Then ask ourselves, is it enforceable? Is this something that is affordable? Parking should be flexible. Agrees that many of the current parking codes are outdated, and we have to move towards using public transit and not being so car centric. Technology is moving fast, and parking is changing. Consider multimodal options. What about resale of the property? Finally consider that people are moving out of MD due to the cost of living to the surrounding jurisdictions.
- **Amanda Gitt:** Loved the webinar that was recommended by Joe.
- **Deborah Buelow:** Reiterated what Jennifer stated. Reminded the Taskforce that we are here to discuss the zoning implications not the building code. She suggested dividing the elements into the building code and the zoning code requirements.
- **Amy Moredock:** Need to revisit our main topics. She is closely following the Governor's Housing Package. Stated that there is a lot we can control within zoning, yet it is not productive to solely assign blame to zoning ordinances for the Housing Crisis. Stay out of addressing building code requirements. Affordable housing – there are incentives that can be used to promote ADUs, making sure ADUs are permissible. Making suggestions without consideration of W&S would be a mistake.
- **Theo Williams:** Thanked the panelists on an amazing discussion. Allowing jurisdictions to require two parking spots per each ADU is a major barrier. Parking should not be required within one mile of transit. He appreciated the panelist's discussion on septic; separate connections for water and sewer should not be required on public systems. highlighted the issues to public sewer and water that ADUs can create.
- **Quinn Griffith:** Nothing further to add, thanked the panel.
- **Lori Parris:** Agreed that parking regulations can be a barrier. Believes there's a way where we can provide recommendations to parking and building codes. Looking forward to the septic issue in the March meeting. ADUs on septic could be a problem in Prince George's County.

Next Steps

- Form and conduct housing organizations focus group in March.
- Distribute environmental organizations survey and encourage completion.
- Housing market analysis
- Continue developing a glossary of terms.
- Craft preliminary legislative and policy recommendations.
- Next meeting: March 19, Location: MDP Office

Adjourn

