



Maryland DEPARTMENT OF PLANNING

Accessory Dwelling Unit Task Force 4.16.24

Meeting Summary Notes

- 9:30 9:35 **Welcome & Overview**

Roll Call:

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

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

- Meeting Objectives (see slides) - Joe introduced five objectives of the meeting.
- Joe noted that the Task Force will be accepting public comments at the end of each meeting, but only responding to any clarifying questions.
- Members of the public are encouraged to submit comments for Task Force consideration using this [commenting](#) form

- 9:50-9:55 **Preliminary Parking And Community Facilities**

Recommendations

- Local Governments

- Zoning ordinance parking requirements should be designed to facilitate rather than limit or burden ADU development.
- APFOs should account for lower rate of school age children in ADUs.
- ADU parking requirements should consider:
 - Proximity to transit, burden of construction cost on homeowners, sufficiency of curb area for on-street parking, increase in impervious surface.
 - Variability of requirements based on lot size.
- State Government
 - Incentivize TOD responsiveness and discourage requiring more than one off-street parking space
 - State agencies should analyze and develop guidance on...
 - Maximum parking standards
 - The applicability and scale of school APFO tests to ADUs based on student generation estimates.
 - The documented parking, community facilities, and infrastructure impacts of ADU development
- Best Practices
 - Variability by zoning district or neighborhood includes..
 - No parking requirements if...
 - Proximate to transit, sufficient curb area, higher level of impervious surface or smaller lot size
- One off-street parking space if ...
 - Medium to larger lot sizes and construction of ADU removes existing space
 - Largest lot sizes for ADUs 1.5 times larger than min ADU size

9:55- 11:30AM **Research**

- ADU Financing
 - DHCD's Maryland Mortgage Program products can be used to purchase a property with an existing ADU
 - DHCD's State Revitalization Programs, this may include a local government creating a fund for homeowners to build ADUs.

- [Environmental Organizational Summary](#)
- There were 26 total responses:
 - Focus Areas include:
 - Stormwater/Watershed Management/Water Quality
 - Land Cover/Low Impact Development
 - Land, Ecological, Agricultural Preservation, Forest Preservation
 - Sustainable Redevelopment, Design, Green Infrastructure
 - Chesapeake Bay Restoration/Climate Resiliency
 - Environmental Justice/Education
 - Note: Joe went over the results of the survey and the Task Force Members discussed the outcomes
- **ADU Market Analysis- Fahmi Khairun**
 - Focus Groups and Panel Discussions, Survey Outcomes, and Literature Reviews were the three data sources in the analysis
 - Research Questions:
 - #1 : How do state and local policy, regulation, and implementation facilitate or deter ADU construction?
 - #2 : How does construction of ADUs affect the viability and appeal of local housing markets?
 - #3 : What is the impact of policy versus market demand on the proliferation of ADU development?
 - #4 : How do ADUs impact neighborhood livability in relation to the provision of public facilities, sustainability, affordability, and other related factors?

Note: This is not a deep dive into the market, simply a high-level overview

- **Public Comment Analysis**
 - There were 96 comments from 77 commenters:
 - Majority favorable
 - Address housing crisis
 - Aging in place
 - Arguments against are exaggerated
 - Housing equity
 - Significant Minority Unfavorable/Cautious

- Skepticism about affordability
- Neighborhood impacts (parking, open space, etc.)
- Environmental and infrastructure impacts
- Investor predation
- Community Context Sensitivity

- **Recommendations Prioritization**

- Draft Recommendations Document
 - [SB 382](#) assigns the following tasks and deliverables to the Task Force. All recommendations should reflect these requirements:
 - 1. Study available best practices for streamlining or standardizing the application process for permits necessary to build or operate an accessory dwelling unit.
 - 2. Make legislative or other policy recommendations, including a list of best practices for local governments in the State, that holistically address:
 - a. the practical issues associated with the development of accessory dwelling units on owner-occupied land zoned for single-family residential use;
 - b. the impacts on local housing markets, neighborhood livability, and other policies and projects related to accessory dwelling units

- **Poll Results**

- ADU Topic Categories which the Task Force Should Prioritize
 - Zoning Use
 - Zoning Standards
 - Infrastructure
 - Parking
 - Design
- ADU Topics For State Legislation or Technical Assistance and Resources
 - State Legislation
 - Zoning Standards
 - Parking Requirements
 - Zoning Use
 - Infrastructure and Facilities Requirements
 - Technical Assistance and Resources
 - Local Housing Markets
 - Design and Unit Requirements
 - Neighborhood Livability

Prioritization Exercise

- Recommendations Implementation:
 - State Legislation
 - By-right approval
 - Parking requirements,
 - Lot and design requirements
 - Infrastructure and Facilities
 - Restrictive Covenants
 - Impact Fees
 - State Technical Assistance and Resources
 - By-right approval
 - Parking requirements,
 - Lot and design requirements
 - Aging and Accessibility
 - Financial Incentives and Partnerships
 - Non-Conforming Structures
 - Government Directed Technical Assistance and Education

Note: By-right approval, parking requirements, and lot and design requirements are priorities for both

- **State Legislation Discussion**

- By-Right Approval
 - **David Thaler:** We should not restrict ADUs to just public septic. We should rephrase the wording.
 - **Jennifer Ray:** As long as people are going through the right application channels, they should not be restricted- as permitted
 - **Dan Hoff:** Would not want to see a state mandate that would prioritize ADUs over more important economic development. Any recommendation we make should be respectful for the communities
 - **Deborah Buelow:** Ensure the taskforce is pushing the needle toward ADUs. Excluding septic is problematic.
 - **Mary Washington:** By-Right approval is a bit extreme and absolute in her perspective. Believes it could breed misinformed and accidental actors mess it up for everyone.
 - **Amy Moredock (and Lori Parris):** Conditional use processes are not as favorable to the public now even though historically it was. If we don't move forward with by-right, it will not be well received. Most districts use it. There should be standards baked into the by-right permitting, this is a safe-path to create our recommendations around

- **Jay Gaston:** His perspective comes from Urban Cities. There may be predatory builders that may take advantage of not having to go before a board. Does not agree with by-right
 - **Mandy Gitt:** Agree with by-right, do not know if we need to clarify public vs non public sewer.
 - **Priscilla Kania :** People will build ADUs with permission or not. She believes in by-right, as people are much more likely to submit a permit.
 - **Dan Hoff:** Leans toward by-right, with the understanding that the state does not overshadow the individual concerns and needs of the municipalities
 - **David Thaler:** Strongly believes in by-right
 - **Quinn Griffiths:** Represents the CAI, but today is speaking on his own personal beliefs. Leans toward by-right, but would prefer the term “permits” rather than “mandates”
 - **Mary Washington:** After hearing the discussion, she does support by-right
 - **Vaughn Steward:** With guardrails, he does agree with by-right. From a legislature perspective, this is the most practical.
 - **Deborah Buelow:** Representing architects, she believes in by-right.
 - **Tiffany Harris:** Based on affordability, she does agree with by-right
 - **Charmeda McCready:** Based on practicality, she agrees with by-right
 - Jennifer Ray: Agrees with by-right. Unintentional consequences is exclusionary if we take away this.
- Parking Requirements
 - **Dan Thaler:** Should TF match what is in the housing bill, from one mile to 0.75 miles.
 - **Jennifer Ray:** Half-mile is a transit side, we should go with this distance.
 - **Amy Moredock (Lori’s input):** Rural communities do require off-street parking than can be excessive. Not all transit oriented communities can utilize transit, there is still a parking crisis.
 - **Jay Gaston:** Parking issue is paramount to the urban city perspective. The restrictions keep the streets clear
 - **Charmeda McCready:** Be mindful of the disabled and elderly. They may not be able to easily utilize public transit.
 - **Priscilla Kania:** How does one get handicapped street parking? (Answer: you have to apply, some cities it is through town council or state).
 - **Note:** The term “handicapped” is no longer acceptable. The term “accessible parking” is the accepted term
 - **David Thaler:** Shift the burden. Should not require parking for ADUs unless it is necessary

- **Jennifer Ray:** Looking to the future, Maryland does not have a strong transit network throughout the state. How do we solve existing concerns. We need systems in place that support a multi modal future.
 - **Dan Hoff:** Generally comfortable with the recommendation that is present. Parking is often used as an excuse to restrict
 - **Amy Moredock (Lori Parris):** Adequate public facilities need to be accessed at a local level, and that needs to be at the heart of the recommendation
 - **Priscilla Kania:** We need to make these issues simpler-as more people will be less likely to apply for a permit
 - **Jay Gaston:** Staunch on having the local governments mandate what the parking requirements should be
 - **Mandy Gitt:** The authority should have jurisdiction on what the requirement should be. The state should not control this. Avoid this from becoming an unnecessary barrier
 - **Jennifer Ray:** Needs to make sure our language does not allow for exclusionary practices to be bread. Ensure we are careful to not create policy that becomes an enforceable issue. In favor of doing what we can to reduce parking restrictions in high transit areas
 - **Tiffany Harris:** These issues are not one size fits all, we should leave it in the hands of the jurisdictions
 - **Deborah Buelow:** Agrees with Priscilla. Does not have an issue with the current language of the recommendation
 - **Vaughn Stewart:** Weary of all parking restrictions. Several bills have been passed with stronger language than this recommendation. Parking requirements negatively impact smaller family units.
 - **Mary Washington:** Agrees with Delegate Stewart. Thinks we should not recommend to the legislature specific language as to what the policy should be.
 - **Quinn Griffiths:** Agrees that it should be a local issue.
 - **David Thaler:** Let localities govern their specific needs. ADUs should not count against the location density.
- Lot and Design requirements
 - **David Thaler:** As to the principal structure language-it should be changed. ADUs should not count against otherwise density. A separate ADU on the lot should follow zoning setbacks and other requirements related to other accessory structure.
 - **Vaughn Stewart:** Gets worried on stepping on local control with specific language. We should be broader.
 - **Deborah Buelow:** This recommendation may be two different recommendations rather than one.

- **Quinn Griffiths:** Agrees with Delegate Stewart
- **Mary Washington:** Agrees with Delegate Stewart
- **Deborah Buelow:** Attached versus principal unit should be treated differently
- **Tiffany Harris:** Agrees with Deborah
- **Jennifer Ray:** Agrees with what was been said
- **Mandy Gitt:** Agrees with what has been said
- **Jay Gaston:** Agrees, should be given to local jurisdictions
- **Priscilla Kania:** Likes how “minimum” is not in this language
- **Amy Moredock (Lori Parris):** Brings the conversation back to uses versus structures. Does not think these two should be different in terms of use
- **Dan Hoff:** If the unit is attached to the house, it needs to follow the same rules. There can always be an application for a waiver. Does not like the idea of an ADU that is not subordinate to the principal unit.
- **Rebecca Flora:** Should stay at the local level, until it becomes a massive obstruction
- Restrictive Covenants
 - **Quinn Griffiths:** Some of these covenants are used to restrict ADU building. But sees the need for them. HOAs should have the right to self regulate
 - **Jay Gaston:** Homes are one of the most expensive investments. Local jurisdictions should regulate to ensure covenants are created in fear that ADUs will bring down property value
 - **Dan Hoff:** Restrictive covenants have a long history of being exclusionary
 - **Tiffany Harris:** Agreed these are historically exclusive
 - **Adam Snyder, JD:** There are statues that state if these covenants are too restrictive that can be stricken.
 - **Jennifer Ray:** We should move to start removing these restrictive covenants, so that we eliminate exclusionary practices
 - **Priscilla Kania:** Restrictive covenants only breed unpermitted ADUs
 - **Deborah Buelow:** Stated that restrictive covenants should be overridden. They are not helpful or beneficial
 - **Jay Gaston:** Understand why they exist
 - **Tiffany Harris:** We have to have some type of input, these should be overridden.
 - **Amy Moredock (Lori Parris):** Agree with the comments that have been made
 - **Charmeda McCready:** Defers to the group
 - **Mandy Gitt:** Defers to the group
 - **Dan Hoff:** We should not be scared to go up against the HOAs. Restrictions should be overridden
 - **Delegate Vaughn Stewart:** Agrees with Dan Hoff

- **Mary Washington:** Agrees with Vaughn Stewart. We need to override these covenants. Noted that the term Grandfathered-In should not be used
 - **David Thaler:** If we are not able to override covenants than there's no need to even have this task force
- Impact Fees
 - **Dan Hoff:** Some sort of fee may be needed, but not as high as what has been presented
 - **Vaughn Stewart:** As long as the fees are reasonable, he does not see a problem with local governments enacting them.
 - **Jay Gaston:** For impact fees
 - **Tiffany Harris:** Agrees that the idea of affordability needs to be discussed
 - **Deborah Buelow:** Believes these are unreasonable in the larger sense of the term. But understands some fees need to be produced due to the added infrastructural burden on the community
 - **The rest of the Taskforce agreed**
- Infrastructure and Facilities
 - **David Thaler:** Believes it would be absurd to add another water or sewage system for an ADU. It should be added onto the existing principal unit.
 - **Dan Hoff:** Does not want ADUs on separate water and sewer lines.
 - **Mandy Gitt:** Site specific- some ADUs may not be able to use the existing line.
 - **Amy Moredock:** A lot of this discussion is beyond local control. In terms of making such requirements, in theory this how it already works. She does not support this recommendation.
 - **Priscilla Kania:** Suggest the number of bedrooms should be subject to the schools facilities test
 - **Jay Gaston:** Does not have anything to add
 - **Jennifer Ray:** Supports the intention of it, but is weary of the unintended consequences
 - **Tiffany Harris:** No opinion on the first part, supports the second part
 - **Deborah Buelow:** Strong opinion on the first part, agrees with the wording of the recommendation.
 - **Vaughn Stewart:** Broadly supportive of the first and second part. Agrees with Priscilla's bedroom suggestion
 - **Mary Washington:** Agrees with Delegate Stewart
 - **David Thaler:** Agrees with the current language

- The Task Force reviewed and discussed the comments on the Draft Recommendations

- **1-1:15PM Public Comment**
 - Jennifer, Middletown: There is a genuine concern for water usage for a small town. Parking is also a huge concern for neighborhoods that are already overburdened. Losing impact fees would pose a burden on the community
 - Jeff Deloniker, Howard County Planning and Zoning: Agree with the discussion on the By-Right ordinance
 - Lisa Van, MD Relators: A SCOTUS decision stated that impact fees have to be close to the principal unit. This may impact any recommendation the task force makes.
 - Stacy Dahlstrom, Private Planner: Discussed the possibility of impact fee waivers

- **1:15-1:30 Summary and Final Thoughts**
 - **Jennifer Ray:** Agreed with Delegate Stewart
 - **Tiffany Harris:** Looks forward to the final draft, and liked the possibility of learning more about ADUs
 - **Vaughn Stewart:** Agrees with Senator Washington. Highlighted the effectiveness of the taskforce, as many of these do not actually get work done. Is very grateful to MDP staff and the rest of the task force for making this possible.
 - **Charmeda McCready:** Thanked the task force for the opportunity to participate
 - **Dan Hoff:** Thanked the MDP staff for the hard work they have done to make these meetings run smoothly
 - **Jay Gaston:** Not all jurisdictions are created equal. Some many need more authority than others
 - **Amanda Gitt:** Taskforce has done an excellent job thus far. Wants to ensure we do not forget to utilize the international residential instruction code
 - **Priscilla Kane:** Noted that this is her last meeting. Likes the fact that most of the task force are not positional. Admires the fact that she has gotten to learn so much. Hopes the recommendations stay high-level enough to not step on local level toes, while still providing more housing in Maryland
 - **Deborah Buelow:** Thanked the Taskforce for the effectiveness
 - **Amy Moredock:** Agrees with Priscilla. Reminded the Task Force that we are focusing on accessory dwelling
 - **David Thaler:** Has not heard any recommendations. Feels that we are simply giving out best practices

- **Quinn Griffiths:** Thanked the panelists for an amazing discussion. Cannot wait to see the final recommendations
- **Mary Washington:** Looking forward to our recommendations. Noted that this is by no means a remedy for the housing crisis.

Next Steps

- Draft Report
- Finalize ADU Market Assessment
- Continue developing a glossary of terms
- Next meeting: May 21, 9:30 am – 12:30 pm. Location: MDP Office

Adjourn:

- The Meeting was adjourned at 1:40 PM for lunch served by MDP

