



## Maryland DEPARTMENT OF PLANNING

9/14/2023

The comments below are open-ended responses from the survey that the Maryland Department of Planning (MDP) sent to the department's Planning Contacts distribution list in late July. That list is composed of Planning Directors and those who oversee planning in a jurisdiction that does not have a planning department. MDP only sent the survey to jurisdictions with planning and zoning authority. To keep the responses anonymous, any reference to the name of a town or county has been removed.

The comments are in response to the following prompt:

*Please provide any other comments related to ADUs or the work of the Task Force that you would like MDP staff to share with the Task Force.*

In the City's discussion, this is not an affordability issue. If I build an ADU, I will want to charge as much as possible to recover my cost.

I believe one of the major issues in creating ADU's is cost. The cost to hook up to Water & Sewer. Putting an ADU in the basement or backyard requires extension / modification of utilities. The actual cost of construction and the cost of fire suppression (sprinklers or fire separation).

We have no provisions addressing ADUs

ADUs in our community are only permitted in R-3, R-4, R-5 and R-6. Being a historic community, parking is a premium and a loosening of restrictions would have to include a requirement that parking must be available on site, with design guidelines that preclude ADUs that are out of scale with the existing home and surrounding neighborhood. Market analysis and housing affordability are key factors in determining whether a municipality or jurisdiction should entertain expanding the availability of ADUs. In any case, the expansion of ADUs must not de facto increase the density of single-family residential districts without the consent of a majority of property owners who would be affected, and loosening the requirements in low density and multi-family districts should consider making ADUs a Conditional Use so that adjacent neighbors will be notified and have the opportunity to weigh in.

In our county specifically, ADU's are allowed (see page 24 of zoning code for use table) either by inherent right or by special exception in most districts, however this is subject to Critical Area Law and Health Department approval for second well and septic system on site, which many lots could not support a secondary well/septic on the site.

We recently enacted this ordinance and I have a lot of research. I would love to assist the Task Force in any way possible.

The requirement for owner to occupy the principal structure and the intersection with short-term rentals

We will be reviewing our code and the findings of the Task Force sometime in 2024.

ADU's will not solve the problem of housing affordability everywhere but can help in certain areas. Most planning agencies have an issue allowing two dwellings on one lot and lack the resources to show how this type of reform can be implemented. More information is needed on the State level so smaller jurisdictions have a resource they can point to and show that a good ADU policy is workable particularly in small towns. The Congress of the New Urbanism and the Form-Based Code Institute have a lot of good information that can be utilized by the State to get started.

While our zoning allows ADUs, we have very few.

We are currently updating the Comprehensive Plan and recognize that the zoning regulations for ADUs need to be modified during the comprehensive rezoning process.

Our city currently allows accessory apartments (more commonly known as attached or internal ADUs) as a special exception in residential zones. This has a very high bar to entry, and until recently had a \$3,000 application fee, so there are not very many (permitted) accessory apartments in the city. However, the city is very close to changing accessory apartments to a conditional use, which will make them easier to build. The city is also in the process of considering allowing detached ADUs as a conditional use. ADUs have been an ongoing conversation for many years at this point and staff hopes the ordinances will be finalized this fall. The community has generally been supportive of ADUs, although detached ADUs have received more opposition, especially from one of the city's more expensive neighborhoods. The final ordinances for attached and detached ADUs are both expected to include both owner occupancy and parking requirements.

Personally, I would like to see state legislation allowing ADUs in certain places. It would also be immensely helpful for localities to receive funds that can be used for ADU incentive programs -- whether that be to establish pattern books that make it easier to permit/approve ADUs, financial assistance for homeowners looking to build an ADU, etc. It's incredible to see what's happening in California and Portland with ADUs -- they can be a much bigger solution to the housing crisis than I would have guessed only a few years ago, and it would be great to see the state supporting that.

We are just beginning to look into ADUs and have received a few inquiries from property owners.

Really look at the affordable housing aspect as many ADU's are not considered an affordable option as has been seen in other jurisdictions.

Fire safety, EMS access, overcrowding on small lots in a municipality.

I am concerned about overcrowding, the burden to infrastructure, setbacks, and parking. I think ADUs would be more likely used for vacation rentals than affordable housing. I would rather remove Septic Bill restrictions that restrict developable lots rather than cram more dwelling units in areas that are already at maximum planned density.

It is important that a "one size fits all" approach is not the answer. The implications for the rural, suburban, and urban counties are all very different.

We need more friendly legislation and guidelines for tiny homes, yurts, eco houses, and the like!

Life safety code, Board of Appeal approval within our jurisdiction, APFO approval, permitting, tracing the use of ADU regarding VRBO short-term rentals!!!

Setbacks and compatibility standards.

What to do with ADU's long term, i.e. if proposed for family member and family member is no longer living do they continue to be rentable properties or can they be removed and converted. All the categories need to be a priority at some degree.

Have received inquiries about tiny houses, so would like info about them specifically

How does this use impact APFO requirements

ADU's should not look like duplexes but maintain the single-family home appearance.

Our city allows for conversion dwellings in certain zoning districts, which allows for the conversion of an existing SFDU built prior to 1979 to two or more apartments or dwelling units. The number of dwelling units within the SFDU is based on the size of the lot.

I am hearing more and more how expensive it is to care for aging family members and how convenient it would be to better care if the family member were able to construct or install a tiny house on their lot. Very sorry this is late.

Currently, Tiny Houses are not permitted as ADUs in our county.

For areas w/out public facilities, the State Health Dept. should be involved.

Please consider establishing a threshold below which smaller jurisdictions may be exempt.

