MAYOR AND CITY COUNCIL

WORK SESSION
Tuesday, November 10, 2026 - 1:00 PM

AGENDA

1. CALL TO ORDER
City Hall, 301 N. Baltimore Avenue

2. NOTICE AND REPORT ON CLOSED SESSION

A. Closed Session Notice and Report - Tuesday, November 10, 2026, 11:30 AM - 1:00 PM to discuss Legal and Real Estate Matters

3. ACKNOWLEDGEMENTS AND RECOGNITIONS

A. Retirement Recognition for Vehicle Equipment Technician Wayne Bowden

4. COMMENTS FROM THE PUBLIC

A. Any person who may wish to speak on a matter scheduled for discussion on the Work Session Agenda may be heard during Comments from the Public for a period of three (3) minutes or such time as may be deemed appropriate by the Council President. Anyone wishing to be heard shall state their name, address and the Agenda item on which he or she wishes to speak.

5. NEW BUSINESS

A. Request to Approve Minutes
1. Work Session dated October 27, 2026

B. Acknowledgement of Standing Committee Draft Agendas
1. Police Commission - next meeting December 14
2. Tourism Commission - next meeting December 7
3. Transportation Committee - next meeting December 15
4. Recreation and Parks Committee - next meeting December 10
5. Green Team - November 12
6. Bicycle and Pedestrian Advisory Committee - November 18

C. Acknowledgement of Standing Committee Report
1. Board of Supervisors of Elections - October 23

D. Acknowledgement of the Department Activity Report

E. Further Discussion of State Mandated HB 1466 Accessory Housing Legislation presented by Planning and Community Development Director George Bendler

6. ADJOURN

TOWN OF
OCEAN CITY
The White Marlin Capital of the World

Agenda Item # 2.A

Council Meeting November 10, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Closed Session Notice and Report
DATE: November 2, 2026

ISSUE(S): Closed Session Notice and Report

SUMMARY: A Closed Session is scheduled Tuesday, November 10, 2026, at 11:30 AM to discuss legal and real estate matters.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable

Excellent Service through a High Performing Town Organization

ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Legal Counsel

ATTACHMENT(S):
2. Closed Session Notice 11.10.26.doc
3. Closed Session Report 11.10.26.doc

NOTICE OF CLOSED SESSION OF MAYOR & CITY COUNCIL OF OCEAN CITY

AUTHORITY: State Government General Provisions Article: § 3-305(b)

DATE AND TIME: Tuesday, November 10, 2026 11:30 AM – 1:00 PM

PLACE: City Hall

SUBJECT: Legal and Real Estate Matters

VOTE: ____ UNANIMOUS

____ OTHER: FOR:

AGAINST:

ABSTAIN:

ABSENT:

PURPOSES:

	1. To discuss: (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees or officials over whom it has jurisdiction; or (ii) any other personnel matter that affects one or more specific individuals;
	2. To protect the privacy or reputation of individuals with respect to a matter that is not related to public business
X	3. To consider the acquisition of real property for the public purpose and matters directly related thereto;
	4. Consider a matter that concerns the proposal for a business or industrial organization to locate, expand or locate in the state;
	5. Consider the investment of public funds;
	6. Consider the marketing of public securities;
X	7. Consult with counsel to obtain legal advice;
	8. Consult with staff, consultants or other individuals about pending or potential litigations;
	9. Conduct collective bargaining negotiations or consider matters that relate to the negotiations;
	10. Discuss public security if the public body determines that public discussion would constitute a risk to the public or public security, including; a) the deployment of fire and police services and staff; and b) the development and implementation of emergency plans
	11. Prepare, administer or grade a scholastic, licensing or qualifying examination;
	12. Conduct or discuss an investigative proceeding on actual or possible criminal conduct;
	13. Comply with a specific constitutional, statutory or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
	14. Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiation strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process
	15. To discuss cybersecurity, if the public body determines that public discussion would constitute a risk to: (i) security assessments or deployments relating to information resources technology; (ii) network security information or (iii) deployments or implementation of security personnel, critical infrastructure or security devices.

For each provision checked above, disclosure of the topic to be discussed and the public body's reason for discussing that topic in closed session.

Citation	**Topic**	**Reason for closed session discussion of topic**
§3-305(b)3	Real property acquisition	Protect public body's bargaining power
§3-305(b)7	Pending/potential litigation	Attorney-client privilege

REPORT OF CLOSED SESSION
OF THE MAYOR AND CITY COUNCIL OF OCEAN CITY

Prior to the Mayor and City Council Open Session held at 1:00 PM on November 10, 2026, a Closed Session was held November 10, 2026, at 11:30 AM at City Hall, 301 N. Baltimore Avenue, Ocean City, Maryland. The following is a report of the closed session.

1. A statement of the time, place, and purpose of the closed session is attached.
2. A record of the vote of each member as to closing the session is attached.
3. A citation of the authority under the law for closing the session is attached.
4. (a) Topics of Discussion: Legal and Real Estate Matters

(b) Persons present:

Mayor Matt James
City Manager Terry McGean
Deputy City Manager JR Harmon
Council President Carol Proctor
Council Secretary Jake Mitrecic
Council Members: John Gehrig, Peter Buas, Jeff Heiser, Billy Apostolou and Larry Noccolino
City Clerk Diana Chavis
City Solicitor Heather Stansbury

Action(s) taken:

Motion to close meeting:

End Time:

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Agenda Item # 3.A

Council Meeting November 10, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Lauren Davis, Government Relations Manager
RE: Retirement Recognition
DATE: November 3, 2026

ISSUE(S): Retirement Recognition for Vehicle Equipment Technician Wayne Bowden

SUMMARY: After 22 years of service with the Town of Ocean City, Wayne Bowden retired on October 31, 2026.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable

Excellent Service through a High Performing Town Organization

ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Hal Adkins, Public Works Director
Scott Wagner, Public Works Deputy Director

COORDINATED WITH: Lauren Davis, Government Relations Manager

ATTACHMENT(S): 1. Proclamation

IN APPRECIATION OF WAYNE BOWDEN
22 YEARS OF SERVICE

WHEREAS, Wayne Bowden has dedicated more than 22 years of service to the Town of Ocean City, beginning his career in June 2004; and

WHEREAS, Wayne has served in the Public Works Department at the Service Center Garage as a Vehicle Equipment Technician, contributing to the maintenance and repair of the Town's vehicles and equipment; and

WHEREAS, throughout his career, Wayne has served as a skilled diesel mechanic, maintaining and repairing a wide variety of vehicles and equipment essential to the daily operations of the Town; and

WHEREAS, Wayne's knowledge, hard work, and dedication have helped keep Ocean City's equipment operating reliably and the Town's services running smoothly; and

WHEREAS, upon his retirement, the Town of Ocean City wishes to express its sincere gratitude for Wayne's many years of exemplary service and to extend best wishes for a well-earned retirement filled with health, happiness, and continued success.

NOW, THEREFORE, I, Matt James, Mayor of the Town of Ocean City, Maryland, along with the Ocean City Council, do hereby recognize and congratulate Wayne upon his retirement and extend sincere gratitude for his twenty-two years of dedicated service.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the Town of Ocean City, Maryland to be affixed this 10th day of November, in the year of Our Lord two thousand and twenty-six.

_____
MATT JAMES
Mayor

TOWN OF
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Agenda Item # 4.A

Council Meeting November 10, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Public Comments
DATE: November 2, 2026

ISSUE(S): Comments from the Public

SUMMARY: Any person who may wish to speak on a matter scheduled for discussion on the Work Session Agenda may be heard during Comments from the Public for a period of three (3) minutes or such time as may be deemed appropriate by the Council President. Anyone wishing to be heard shall state their name, address and the Agenda item on which he or she wishes to speak.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable

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ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Not Applicable

ATTACHMENT(S): None

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Agenda Item # 5.A

Council Meeting November 10, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Mayor and City Council Minutes
DATE: November 2, 2026

ISSUE(S): Request to Approve Minutes

SUMMARY: 1. Work Session dated October 27, 2026

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Approve minutes.

Excellent Service through a High performing Town Organization

ALTERNATIVES: Advise of necessary modifications.

RESPONSIBLE STAFF: City Clerk Diana L. Chavis, MMC

COORDINATED WITH: Deputy City Clerk Jessica D. Cropper, CMC

ATTACHMENT(S): None

TOWN OF
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Agenda Item # 5.B

Council Meeting November 10, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Standing Committee Draft Agendas
DATE: November 2, 2026

ISSUE(S): Acknowledgement of Standing Committee Draft Agendas

SUMMARY:
1. Police Commission - next meeting December 14
2. Tourism Commission - next meeting December 7
3. Transportation Committee - next meeting December 15
4. Recreation and Parks Committee - next meeting December 10
5. Green Team - November 12
6. Bicycle and Pedestrian Advisory Committee - November 18

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable

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ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Not Applicable

ATTACHMENT(S):
1. 2026-11-12 Green Team Draft Agenda.pdf
2. 2026.11.18 BPAC_Meeting Agenda #94.pdf

Coastal Resource Legislative Committee (Green Team)

Agenda

November 12, 2026
11:00 - 12:00 PM
Executive Conference Room
(1St Floor at City Hall - 301 Baltimore Ave.)

1. Introductions and greeting - 5 min
2. Formal Vote - 5 min
   a. Approval of Minutes from 7/8/2026
3. Litter Free OC Campaign - 15 min
   - Community Clean Up
   - Adopt-Your-Beach Update - OC Surf Club
   - Adopt-Your-Street Update - MCBP
   - Beach Heroes OC Update - Leslie
4. 2027 Meeting Dates – Jenelle 5 min
5. Comments from Green Team Members - 10 min
6. Adjournment

Next Meeting January 13, 2027 – 11 to 12pm

Executive Conference Room, City Hall, 301 Baltimore Ave

Part of the meeting may be closed to the public in accordance with the MD Open Meetings Act.

Ocean City Bicycle and Pedestrian Advisory Committee (OC BPAC)

Meeting Agenda

DATE: Wednesday, November 18, 2026
TIME: 2:00 PM
LOCATION: 65th St. Public Works Complex, Procurement Conference Room, 214 65th St, Ocean City, MD 21842
WEBSITE: www.oceancitymd.gov/bpac and http://safe.oceancitymd.gov/
RE: OC BPAC Meeting **#94**
CONTACT: President Nathan Kutz, nkutz@oceancitymd.gov

DISCUSSION ITEMS:

94.1 Review & Approve 2026.08.19 Meeting Minutes and Action Items
Note: There was no quorum at the September meeting.
Note: The October meeting was cancelled.

94.2 SHA Pedestrian Safety Committee (Dan Wilson)

94.3 Boardwalk Bike Rack Dedication Program (Mary Wiedorfer, Joe Kurtz, Hal Adkins)

94.4 Oceanside Street End Bike Racks (Mary Wiedorfer, Joe Kurtz)

94.5 Bike Lights, Donations, Promotional Items (Nathan Kutz, Mike Steinen, Joe Marx)
Note: CRABS program to be discussed elsewhere in agenda.

94.6 Green Bike Lane Paint Markings (Hal, Joe Kurtz)

94.7 Bicycles on Sidewalks / Bicycle Access

94.8 E-Scooters/E-Devices/Micromobility Device Safety & Safety Hub

94.9 Coastal Resort Area Bicycle Safety (CRABS) Program (Zach, Mary, et. al.)

94.10 Atlantic Avenue Easement

94.11 Open Session

NEXT MEETING:

The next OC BPAC Meeting is scheduled for: December 16, 2026 at 2:00PM
The next OC BPAC Meeting location is: Town of Ocean City Public Works Complex

OPEN MEETINGS ACT:

Part of this meeting may be closed to the public in accordance with the Open Meetings Act.

TOWN OF
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Agenda Item # 5.C

Council Meeting November 10, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Standing Committee Report
DATE: October 14, 2026

ISSUE(S): Acknowledgement of Standing Committee Report

SUMMARY: 1. Board of Supervisors of Elections - October 23

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable

Excellent Service through a High Performing Town Organization

ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Not Applicable

COORDINATED WITH: Not Applicable

ATTACHMENT(S): 1. 2026-10-23 BOSE Minutes.docx

Town of Ocean City

Board of Supervisors of Elections

City Hall, 301 N. Baltimore Avenue

Executive Conference Room

October 23, 2026 – 10:30 AM

Meeting Minutes

I. Call to Order

Amy Rothermel called the meeting to order at 10:34 AM.

Persons present: Amy Rothermel, Paul Gasior, Mary Jo Breslin, Bill Harrington, Anita Chavis, Barbara Lubejko, Bobbie DaCosta, Legal Counsel Arlette Bright, City Clerk Diana Chavis.

II. Selection of a Board Chairperson and 2026 Election Administrative Process Update

Mary Adeline Bradford, who served a long and successful tenure as the chair of the Board, recently retired. Section C-501 of the Charter provides that the Board appoint one (1) of its members to serve as chair.

There was a MOTION by Anita Chavis to nominate Amy Rothermel as chair. There was no second as Ms. Rothermel declined the nomination.

Paul Gasior expressed interest in serving as chair alongside a vice chair. Neither the City Charter nor Code provides a procedure for the Board to appoint a vice chair; however, MD State Bylaws provide that the Board of Elections elect one of its members to be the chair and also elect one of its members to be vice chair to fulfill the duties of the chair if the chair is absent or unable to carry out the assigned duties. The Town is not required to follow the State Bylaws but, in the absence of guidelines for the Town's Board, Legal Counsel Arlette Bright recommended to the Board to nominate and vote on the appointment of both a chair and vice chair.

There was a MOTION by Amy Rothermel; seconded by Bill Harrington to nominate Paul Gasior to be the chair. The vote in favor was unanimous, 7-0.

There was discussion about the appointment of a vice chair followed by a MOTION by Mary Jo Breslin; seconded by Barbara Lubejko to establish a vice chair position. The vote in favor was unanimous, 7-0.

There was a MOTION by Paul Gasior; seconded by Bobbie DaCosta to nominate Amy Rothermel to be the vice chair. The vote in favor was unanimous, 7-0.

III. Administrative Update for the 2026 Municipal General Election

The Board discussed the Election Day process in general, particularly for the two newer board members who have yet to assist with an election.

The City Clerk updated the Board on the rental and delivery of ballot scanners and pollbooks, absentee ballots, and the Hall A floorplan. Equipment will be delivered November 2 after 1:30 PM. A Board member will meet the Clerk at the convention center around 2:30 PM for a walkthrough.

A Board member is needed to read municipal election results into the record at the November 5 Organizational Meeting. All board members are welcomed to attend.

IV. Adjourn

MOTION by Bill Harrington; seconded by Mary Jo Breslin to adjourn the meeting at 11:30 AM. The vote in favor was unanimous, 7-0.

TOWN OF
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Agenda Item # 5.D

Council Meeting November 10, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: Diana Chavis, City Clerk, MMC
RE: Department Activity Report
DATE: November 2, 2026

ISSUE(S): Acknowledgement of the Department Activity Report

SUMMARY: The Department Activity Report is provided monthly.

FISCAL IMPACT: Not Applicable

RECOMMENDATION: Not Applicable

Excellent Service through a High Performing Town Organization

ALTERNATIVES: Not Applicable

RESPONSIBLE STAFF: Various Departments

COORDINATED WITH: Executive Assistant Joann Landon

ATTACHMENT(S): 1. October Department Activity Report.docx

INTEROFFICE MEMORANDUM
FROM THE OFFICE OF THE
CITY MANAGER

To:	The Honorable Mayor and Members of the City Council
From:	Terry J. McGean, City Manager
Re:	Department Activity Report
Date:	October 1 – October 31, 2026

The following information is intended to keep the Mayor and Council well-informed about ongoing issues, activities, programs, and services within the Town.

Mayor's Office

Attended the following:

- Council Meetings, Work Sessions, and Commission Meetings
- Stop Offshore Wind Meetings
- Storm Update Meeting with City Manager
- Walk Maryland Day
- Maryland Municipal League Town Hall
- Coffee with Cops
- Hometown Heroes Banner Ceremony
- Teen Takeovers Discussion with Governor's Office and Local Officials
- Sunfest Opening Ceremony

Interviewed with the following:

- Bulldog – Radio Station 98.1
- Mike Bradley – Radio Station 92.7
- Bill Baker and Jessica – Radio Station 101.7

City Manager

Attended the following:

- Council Meetings, Work Sessions, Budget, and Commission Meetings
- Stop Offshore Wind Meetings
- Onboarding Meet and Greet
- AARP Livable Community Meeting with Joann Landon and Lauren Davis
- Storm Update Meeting with the Mayor
- Henry Hotel Meeting with Nancy Howard
- Amazon Fiber Optic Meeting
- MCCMA Zoom Meeting
- NWS Tidal Flooding Zoom Meeting
- Lunch with Peter Buas
- Attend Coffee with Cops
- Lunch with Billy A
- HMRA Meeting
- ICMA Conference 10.17 – 10.21
- Sunfest Ribbon Cutting
- Meeting with Scott Savage
- Interviews with various media outlets
- Employee meet-and-greet with various departments
- Meeting with City Solicitor to discuss legal matters
- Meeting with HR director on personnel matters

Working with staff on the following:

- Public Information/Communications
- 118th St. Shopping Center Discussion
- Risk Manager Hire Discussion
- Beach Patrol Captain Hire Discussion
- Ocean City Financial Update Meeting with Tom Perlozzo
- Business License Hearing – Curry Culture
- OCMD 2026 Bond Sale Zoom Meeting
- OCCC Sports Complex Study Discussion
- C3 Traffic Control Contract Meeting

Regular Session dated Tuesday, November 10, 2026

DEPUTY CITY MANAGER

Attended the following:

- Work Sessions Council Meetings
- Regular Session Council Meetings
- Department Head Meetings
- City Manager's Pre-Agenda Meetings
- Country Calling for Transportation
- Sunfest Opening
- Rec & Park Committee Meetings

Met with Staff to discuss the following:

- Eagles Landing vandalism issues
- LEOSA Certification
- Risk Manager employment issues
- Beach Patrol
- Racquet Center Pre-Construction
- Planning and Zoning, Sahara project
- Business License Hearing – Curry Culture

BUDGET MANAGER

- August Room Tax report
- Developed Police vehicle master list
- Cardiac monitor replacement discussion/analysis
- Funding for state-mandated body armor replacement
- Fire department ladder truck funding
- Airport grant reconciliation
- Funding for Convention Center Director search

GRANTS COORDINATOR

- Submitted:
  - Quarterly Reports
    - Emergency Services, Police grants
  - Reimbursement Requests
    - Emergency Services, Police grants
  - MSA Major Events grant application
    - Supports Country Calling music festival
  - US DOJ BVP grant application
    - Supports bulletproof vest purchase
  - NRPA National Girls and Women in Sports Day Microgrant application
  - FY26 Homeland Security grant
    - Resubmission to reflect increased allocation
- Met with colleagues to discuss the following:
  - Maryland Sports Commission MSA grants
  - FEMA AFG SCBA grant award and procurement processes
- Attended the following:
  - Grants Professionals meetings and trainings
  - Maryland Alcohol Manufacturing Promotion Fund (MAMPF) webinar
  - FEMA AFG Post-Award Orientation
  - Sustainable Maryland Grant Webinar
  - Grants Management Professionals Fall Forum – Compliance
  - GFOA New Rules of Federal Assistance training
  - C-UAS Funding Webinar
- Received:
  - Notice of Award - $87,603 from GOCPP for LPR replacement in North OC

INTERNAL AUDITOR

- Monthly Procurement Card Review
- Payroll Review
- Internal Audits
  - Central Square User Access – Management Review
  - Procurement Vendor Accounts – Management Review
  - Grants to Organizations – Completed
  - Rental License
- Daily Transportation Revenue Review
- IAFF Costing Model
- Unemployment Q3 Review

City Clerk

- New Passports: 10
- Public Information Requests: 28
- Senior Citizen Bus Passes: 112
- Prepaid General Bus Pass: 7
- Caine Keys Permits: 0
- Vintage License Plates: 7
- Little Salisbury/Caribbean Drive Boat Ramp: 1

- Conferred with City Manager, City Solicitor and management on agenda items
- Finalized and published Mayor and Council agendas
- Attended Mayor and Council meetings
- Completed Mayor and Council minutes
- Prepared legal advertisements
- Processing public requests for information
- Ongoing public records and filing projects
- Finalizing citywide records retention schedule with Archives
- Coordinating municipal general election with Board of Supervisors of Elections
- Administering absentee ballots

Emergency Management

Communications

- Handled 4,943 calls for service across multiple public safety divisions
- Continued initial training new dispatchers
- Started annual review of Police and Fire CAD response plans

Emergency Management

- Hosted an Area-Wide Search training class put on by TEEX
- Coordinated with other town departments to assist the C3 Production/Operational Team with their Country Calling event
- Emergency Management personnel, along with some of our OC CERT Team, handed out Emergency Preparedness information materials to the attendees during Sunfest
- Attended a Resource Request Refresher training put on by MDEM
- Completed all required monitoring, planning, and operational-related items for the Town
- All required reports and updates to the Maryland Department of Emergency Management (MDEM) and FEMA were completed for this operational period

Electronics

- Approved wireless application for 6007 Coastal Highway
- Issued PD radios for concert events
- Received multiple updated quotes for HVD data system. Working with multiple vendors on this upgrade
- Responded to 1st St water tower for gate opener issue
- Met Kelley Generator at OC1, OP, Gorman Ave for generator PM/Service checks
- Cleaned, updated, tested, and issued 35 radios for Winterfest use w/5 single unit chargers
- Set up 5 radios for MVA inspectors during car show

- Reviewed new electronics position job description
- Received email stating we were not selected for the multi-key encryption grant from Leah Dyson
- Received repaired RX multi-coupler back from Eastern

Beach Patrol

Recruiting, Testing, Training and Staffing

- Registered 5 additional candidates for Pre-Employment Physical Skills Evaluations for the 2027 season and working on different recruiting efforts. There are currently 36 registered for all future tryouts (46 pre-registered in 2025 at this same time)
- Ongoing scheduling and preparation for spring off-site Pre-employment Physical Skills Tests and interviews for 2027 employees (York PA, Annapolis, Ocean Pines, Salisbury University, Salisbury YMCA, and working on a U of Delaware site)
- Maintained and increased efforts to remain in contact with prospective employees for 2027

Beach Coverage / Safety

- Continued "extended coverage" which began on Monday, September 28th, with two work crews removing stands from the beach (so people know we are no longer on duty), cleaning, prepping and painting stands, inventorying equipment, and cleaning buildings. This lasted until October 23rd
- Staffed and deployed 6 safety patrols on weekends through Columbus Day, patrolling the beaches, enforcing ordinances, and responding to medical emergencies or water rescues when they observed distressed swimmers or when alerted by Ocean City
- Concluded extended season on Columbus Day, Monday, October 12, 2026
- Public Education Coordinator alerted the public of reduced coverage and the dangers of swimming when the Beach patrol is off duty
- Staffed Country Calling Music Festival with ATV operators and rescue swimmers

Public and Community Outreach

- Public Education Coordinator made daily posts to several forms of social media emphasizing safety and recruiting
- Staffed a beach safety information and recruiting table and display at Showell Elementary Fall Day
- Staffed a beach safety information and recruiting table and display at Harbor Day
- Safety talk with local Elementary school
- Delivered thank-you pictures to Jolly Roger Amusement Park, Malibu's Surf Shop, Hook Optics, Pizza Tugos, K-Coast & Kirby's Pub to recognize their support for our 2026 season

Other Activities

- Conducted the most comprehensive inventory in our history of all rescue buoys, umbrellas, first aid kits, binoculars, swim fins, uniform pieces, rain gear, and other supplies
- Removed, cleaned, painted, and stored 120+ lifeguard chairs at locations around OC
- Cleaned and detailed all vehicles, vessels, and ATVs
- Began rotating all vehicles, ATVs, and Personal Watercraft in for annual service
- Ongoing 2027-2028 budget preparations and evaluating building, personnel, and equipment needs
- Began close-down and winterizing procedures for three substation buildings, watercraft, and vehicles
- Began preparations to turn over ATVs and Jet Ski for auction
- Worked on getting the Fall Newsletter and mailing prepared
- Removed all signs & pull bars from stands in preparation for installation of the newly designed sign from Plak-That in the spring

Finance

- Completed the FY26 Annual Comprehensive Financial Report (ACFR)
  - Finance Director presented the ACFR at the 10/27/26 M&CC work session
- Assisted SB & Company with completing their FY26 audit fieldwork
- Finance Director attended meetings with Fire/EMS staff:

Regular Session dated Tuesday, November 10, 2026

- Cardiac monitor replacement discussion
- IAFF pre-contract discussion

- Issued the Town's General Obligation Municipal Purpose Bonds of 2026:
  - Assisted First Tryon Advisors, the Town's municipal advisors, with the preparation of the Preliminary Official Statement for the bond sale
  - Finance Director and Assistant Finance Director attended ratings calls with the three major credit rating agencies: S&P Global, Fitch Ratings, and Moody's Ratings
  - Conducted the bond sale on 10/29/26
  - Awarded the 2026 Bonds to PNC Capital Markets LLC, the low bidder, with total proceeds of $17,483,145.95 and a true interest cost of 4.21%
- Completed and submitted the Town's Uniform Financial Report for FY26 to the State of Maryland's Department of Legislative Services
- License Inspector:
  - Sent out 290 lead law compliance checklists to multifamily rental owners to comply with the lead law compliance changes that took effect October 1st
  - Conducted vending machine audits on hotel/motels and sent out 117 letters to gather information to update/correct license charges
  - Assisted the Internal Auditor with a license audit
  - Worked with the City Solicitor on minor code revisions/updates
  - Conducting a taxi medallion "audit" to reconcile licenses to accounts receivable

Procurement:

- GOV DEALS LISTING - $4,082,293.00 representing 3281 transactions
  - Month of September 2026 – $21,237.10 Items sold - 17
  - Month of October 2026 – $28,981.00 Items sold – 25
- CURRENT BID'S/PROPOSALS/QUOTES IN PROGRESS
  - B04-27 – Ocean City Municipal Airport Terminal Siding Replacement
    a. BID Award Recommendation – Monday, November 16th, 2026 at 6:00PM EST – Mayor and City Council Regular Meeting
  - B05-27 – Ocean City Convention Center Lobby Flooring Replacement
    b. Pre-BID Meeting – Tuesday, November 3rd, 2026 at 10:00AM EST
    c. Last Day for Questions – Thursday, November 19th, 2026 at 4:00PM EST
    d. Addendum Posting – Monday, November 23rd, 2026 by Close of Business
    e. BID Submission Deadline – Monday, November 30th, 2026 at 10:00AM EST
    f. BID Opening – Tuesday, December 1st, 2026 at 1:00PM EST – Mayor and City Council Work Session
  - B06-27 – Multi-Function Devices
    g. Pre-BID Meeting – Tuesday, November 10th, 2026 at 10:00AM EST
    h. Last Day for Questions – Tuesday, November 24th, 2026 at 4:00PM EST
    i. Addendum Posting – Monday, December 1st, 2026 by Close of Business
    j. BID Submission Deadline – Thursday, December 10th, 2026 at 4:00PM EST
    k. BID Opening – Friday, December 11th, 2026 at 10:00AM EST – Procurement Department
  - B0X-27 – Self-Contained Breathing Apparatus Assemblies (SCBA)
    l. Currently undergoing drafting evaluation review
  - P03-27 – Ocean City Beach Patrol Headquarters Garage Fireproofing
    m. Currently undergoing Award evaluation review
  - P04-27 – Ocean City Convention Center Guest-Client Network Services
    n. Last Day for Questions – Friday, November 13th, 2026 at 4:00PM EST
    o. Addendum Posting – Wednesday, November 18th, 2026 by Close of Business
    p. Proposal Submission Deadline – Thursday, December 3rd, 2026 at 4:00PM EST
    q. Proposal Opening – Friday, December 4th, 2026 at 1:00PM EST – Procurement Department
  - Q0X-27 – Aviation Consulting Services

r. Currently undergoing drafting evaluation review

- GAS AND DIESEL PRICING – last purchased - volatile market
  - Diesel September 2026 - $4.9707 October 2026 - $5.1960
  - Gas September 2026 - $3.473 October 2026 - $2.982
- GAS – AVERAGE DAILY PUMP
  - October 2026 – Average 502.80 Gallons
  - September 2026 – Average 563.70 Gallons
  - August 2026 – Average 577.00 Gallons
- DIESEL – AVERAGE DAILY PUMP
  - October 2026 – Average 695.30 Gallons
  - September 2026 – Average 843.30 Gallons
  - August 2026 – Average 1,045.70 Gallons

Fire

- Grant Awards: Awarded a $25,000 Maryland DNR Waterway Improvement Fund grant for fireboat lift replacement and a $1 million FEMA Assistance to Firefighters Grant for new SCBA equipment
- Bike Medic Training: Nine personnel completed IPMBA Bike Medic Training in Ocean City, with a focus on special event deployments
- Part-Time Personnel: Four part-time employees successfully completed field training
- Full-Time Personnel: Six newly hired full-time career Fire/EMS employees are scheduled to complete the academy on November 13, 2026
- Fire Commission Reorganization: Approved changes to the Fire Commission will expand representation to include two citizens with fire service or fire protection industry experience

Human Resources

- 2027 Open Enrollment began on Oct. 26, 2027, and runs through November 13th.
- Medical, pharmacy, dental & vision RFP results were shared with Council. Additionally, 2027 benefits renewal recommendations were presented and approved by Council on October 13th.

Information Technology

- Installed permanent WIFI in the parking lot of NSP to support Winterfest
- Started First Disaster Recovery test of the new Cloud Recovery Target
- Working with Engineering to ensure temporary connectivity to the Racquet Center property during construction

Planning & Community Development/Building/Geographical Information Systems

- 2026 Plan and Permit Reviews: In October, 306 building permits were issued, an increase in the 5-year monthly average of 77. The construction value for September was $43,767,522 compared to the 5-year average of $7,530,111
  - Note: $30,000,000 valuation for the Kyma Hotel Project
- New Residential and Residential Alteration Permits Issued (> $100,000):
  - 138 S Ocean Dr
  - 116 133rd ST
  - 129 Winter Harbor Dr
- Planning Commission (PC): The next PC meeting is November 3rd at 6:00 p.m. – Election of Secretary. Chairperson Joe Wilson resigned due to a residency change; by PC rules, Secretary Janet Hough will serve as interim chair till Commission election in July
- Division of Rental Housing: 1,680 rental inspections completed. 40 active violations. Staff is working with owners to resolve issues

Police

- Following an initial theft complaint, SEU, WCSO-CBI, and DCSO conducted surveillance that led to the execution of six search and seizure warrants in Cambridge, Maryland, with assistance from Cambridge Police and the Dorchester County Sheriff's Office. Investigators

recovered a stolen Polaris Ranger, utility trailer, and additional stolen property valued at more than $200,000; further warrants and charges are pending.
- Officers responded to a single-vehicle crash at 15th Street and Baltimore Avenue involving a Corvette that struck a median and overturned, ejecting the 37-year-old male driver. Despite CPR efforts by a witness and officers on scene, the driver was pronounced deceased. The female passenger sustained non-life-threatening injuries and was transported to Tidal Health. The Traffic Safety Unit is investigating.
- Evening Shift officers arrested a 21-year-old male from Dallastown, Pennsylvania, following a traffic stop for exhibition driving. A loaded 9mm handgun was recovered from the center console, and the driver was charged with the appropriate handgun offenses.
- Victim reported losing a significant amount of money after transferring funds to individuals they believed were legitimate U.S. immigration officials who could assist them in obtaining green cards. Detectives assisted with translation, and the investigation remains ongoing.

Public Works

ADMINISTRATION

- Wastewater Treatment Plant Headworks and Influent Pump Station – Phase 1 Building demolition is complete. First Phase Bench excavation nears completion prior to auger cast pile installation.
- 1st Street and 100th Street Water Tank Repair & Painting Project – USG is removing the PAX Mixing System on the 100th Street Tank prior to Construction scheduled to begin in November.
- 15th Street Sewer Force Main Flow Meter installation scheduled for January 2027.
- 44th Street Water Treatment Plant – Motor Control and Generator Replacement in procurement stage.
- Red Zone Robotics is scheduled to do the complete inspection of the Main Sanitary Sewer Pipeline beginning the week of November 2nd.
- Street Utility and Paving Projects set to begin on Atlantic Blvd.
- Roadwork on Chicago Avenue between 14th and 15th Street scheduled to begin in November.
- Design of the new Wastewater Treatment Plant Administration Office at 90%.
- Baltimore Avenue Project - Working with the designers on the 90% construction documents and MDOT representatives.

AIRPORT

- MAA Taxiway Grant Agreement executed
- Taxiway A Package 2 Construction Underway
- Army Corps. Permit for Sequenced Approach Lighting received
- Police Crash Reconstruction Training successfully completed Mid-October, Taxiway H

CONSTRUCTION

- Worth will be moving back in the week of Oct. 12th to start sidewalk replacements on Atlantic Blvd.
- Working on fixing water leak areas with hot mix per cut sheets.
- Water crew is working on several work orders, installing new water services, repairing/replacing small meters, and working on repairing water leaks.
- Carpenters are working on repairing lifeguard stands, working on several work orders daily.
- Electricians have been working on several different work orders throughout the Town.
- Water crew will start flushing fire hydrants starting Sunday night 11/1/26.

ENGINEERING

- Ongoing discussion regarding timing. Will advise as soon as we have start date.
- City Hall Painting – in process of identifying contractor.
- Convention Center Escalators – final replacement parts from OTIS have been delivered – will be closing out the contract.

- Convention Center Main Lobby Flooring – RFP is out with deadline November 30th.
- Convention Center Kitchen Renovations – coordinating with Sodexo on design process with Becker Morgan as A&E design consultant.
- Eagles Landing Golf Course Flood Remediation, Construction Phase: Project pre-con with county inspectors occurred on 9/29. Project received SWM and SEC re-approvals. Waiting for Contractor to begin physical construction.
- OC Racquet Center Project – Bid awarded to Infinity Construction and demolition of existing building is complete.
- Northside Park Shoreline Restoration – MCC approved award to Environmental Construction Company, LLC – awaiting executed contract documents.
- Fire HQ – Bulkhead removal is complete – awaiting invoice from Contractor. Shed roof repairs have PO issued to Tecta America and awaiting project start.
- Fire Boat Lift Replacement – Project awarded to Brittingham Construction and Landscaping – awaiting executed NTP.
- Ocean Bowl Skate Park – concrete repairs and sealing – project awarded to Arment Concrete – start date scheduled as first week of November.
- Ocean City Life-Saving Station Museum Boardwalk Expansion project – Design is underway. PWENG is supporting design consultant GMB with survey of adjacent storefronts - ongoing.
- Ocean City Beach Patrol HQ – Garage fireproofing RFP is out with deadline October 22nd. Negotiating price with low bidder as bids came in over project budget.
- 5th Street Post Office project - Site work is underway.
- Service Center Renovations – project is 80% complete with metal wall panels. Roofing to start in November.
- Transfer Station Renovations – received 100% plans from GMB on 9/29 and currently under review.
- DPW South - Mold Remediation in sprinkler room is complete.
- Canal dredging – Letters sent out to residential slip owners for Canal 27. Prepping residential slip letters for 33, 34A, and 32. Purchase Orders released to DBF for post-dredge surveys and Brittingham Construction & Landscaping for dredging and disposal. Send the second set of letters with the Dredge Release Form for the requested private slip dredging by the end of October.
- Bulkhead Repairs – Old Landing Road repairs to kick off; nearly complete by Sweitzer Marine – expected completion by Friday, October 30th.

MAINTENANCE

- Installing sand fence on beach in preparation for winter.
- Installing jersey barriers along inlet parking lot eastern edge and boardwalk tram lane
- Starting coastal highway and downtown Christmas setup
- All full-time staff are now back working out of 65th Street

SERVICE CENTER

- Body repairs on buses will be starting soon
- 2 staff members signed up for the Wor-Wic welding program
- One staff member will be retiring on 10/31/26
- Performing DOT inspections on transportation buses
- DOT inspections on construction vehicles
- Beach patrol ATV yearly inspections have started
- Staff has been working on ASE certifications
- Closing job orders

SOLID WASTE

- The majority of Seasonal Employees have been laid off
- Trash Collection is on the winter schedule (no weekend pick-ups; residential pick-up once a week)

- Several Trucks are out of Service waiting on Parts
- Working FY28 Budget

TRANSPORTATION/PARKING

- Setup and initial testing of Token Transit (app-based fare purchases) is underway
- Still on track to receive four new 60ft articulated buses in February
- Bus and Bus Facilities Grant – three additional 40ft buses – still waiting for the award decision
- Planning Spring In-Service Training and Recruiting event calendar

WASTEWATER

- Ocean Outfall was inspected this week following the storms. No damage.
- Construction work continues; access to the plant through the front gate has been shut down. Bypass pumping is running, and demolition of the old Influent Pump station has begun.
- Inspection of the sewer main on Coastal Highway will begin November 2. Repairs to the main will be scheduled once complete.
- Bryan Chandler was selected to fill the Chief Plant Operator position. In the process of filling the vacant positions caused by their promotions.

WATER

- EPA inspections this week. Entire water system. (SDWA)
- Work starting at 100th St. tank. PAX System removal.
- 136th St. Chlorine Scrubber fiberglass repairs finished.
- Fall Hydrant Flushing next week. Oct. 1 – 5

Recreation & Parks

ADMINISTRATION

- Submitted CIP, personnel, IT, and vehicle requests for FY28; started internal budget meetings
- OC Racquet Center demolition began the week of October 26th, with construction of the new building and courts to follow
- Met with Deputy City Manager and OCPD regarding ongoing vandalism at Eagle's Landing
- Worked with Grants Manager on numerous grants related to the Racquet Center and Northside Park Shoreline Stabilization projects
- Worked on Emergency Action Plans for recreation facilities; set up a walk-through with Public Works for November
- Held our Annual Recreation and Parks Cookout (inside due to weather) October 15th with 65 staff in attendance
- NSP Lobby Floor and Community Room Roof projects are due to start in November
- Submitted the OC Rec and Parks app for an e-government MML award
- Continued to pursue the Coca-Cola contract extension with no response from our Coke representatives to date
- Facility Rentals included:
  - One adult slow-pitch softball tournament with 15 teams (condensed to one day due to rain)
  - One youth and adult karate and jiu-jitsu competition day with over 200 competitors
  - Six condo/HOA meetings; one gym birthday party rental; and nine dates of Atlantic Havoc AAU basketball practice

RECREATION PROGRAMS & SENIORS

- Annual October special events were well-attended and had great weather:
  - Family Bonfire on the Beach
  - Ocean Bowl Halloween Bowl Bash
  - Halloween Spook-Out
- Seniors enjoyed a Country Line Dance Luncheon on October 9th; upcoming Senior programs include the Bus Trip to NYC on November 18th

- Ocean Bowl Skate Park concrete repairs and sealant project was awarded; the park will be closed for the project in early November
- Received a $3,000 grant from Worcester County Health Department for nutrition programming in the Afterschool Activities sessions, Cooking Club, and Cooking Camp
- Submitted emergency services camps for an MML Achievement Award

PARKS

- Attended Mayor and Council work session; Beautification Committee meeting; MRPA Operations University; Skate Park concrete repairs and sealing quote opening; Racquet Center Improvements pre-construction meeting; TOC Safety meeting
- Primary focus has been Winterfest setup; staff has made good progress:
- Completed unloading, testing, and repairing a large number of displays, as well as erecting them on location in various areas of NSP; displays are complete on the West Lagoon Field and Soccer Field
- The 50' tree has been set up
- Transported floats from Keyser Yard to NSP; installed pole trees on the floats; anchored floats in the lagoon; and began erecting displays around the lagoon and behind the Recreation Center
- Provided support for Adult Softball League; Youth Flag Football League; Family Beach Bonfire; Halloween Spook-Out; Sunfest; and one private softball tournament
- Removed summer annuals and planted fall annuals in areas throughout Town
- Projects:
    - Issued purchase orders for the following projects:
        - Skate Park concrete repairs and sealing (fall 2026)
        - Northside Park 2–5-year-old playground replacement (spring 2027)
        - Annual refurbishing of the three Racquet Center sub-irrigation clay surface tennis courts (spring 2027)
    - Continued to collaborate with Recreation & Parks Director, Environmental Programs, Engineering, and Procurement to advance the following projects to be completed in spring 2027:
        - Northside Park Living Shoreline Project (spring 2027)
        - Northside Park Pathway Paving & Drainage Project (spring 2027)

GOLF OPERATIONS

- Met with Fire Department representative to develop a procedure to transport injured golfers off the course to an ambulance if necessary
- Met with sales reps and placed orders for spring merchandise for resale in the Pro Shop
- Set rates for 12-hole play during Flood Remediation Project
- Met with Recreation & Parks Director to discuss the golf budget for FY28

GOLF MAINTENANCE

- Maintenance continues in fall mode with a large focus on leaf and debris cleanup
- Currently aerating, overseeding, and topdressing tees
- Experienced more tidal flooding throughout the last two weeks of October; course remained open, but turf sustained further damage on top of the damage from the September Nor'easter
- Working on RFP for offseason course improvement projects
- Making final preparations for upcoming Flood Remediation project; scheduled to begin November 2nd
- Staff continues to work hard; course is in excellent condition

Risk Management

- 11.5.26 Conference with Insurance Carrier (LGiT) in Annapolis
- Investigating/documenting trips and falls during Sunfest
- Secured excess Cyber Coverage - a condition to Grant funding.

Tourism & Business Development

- Pedicab operator declined for Winterfest – Moved to Surrey inclusion

Regular Session dated Tuesday, November 10, 2026

- Convention center food and beverage improvements continue
- Terrazzo bid due for lobby
- Activations at Terps – November 13th confirmed
- Working on FY 28 Budgets
- Hired headhunter for cc director
- Approved BVK media plan for presentation for '27 – creative for photo shoot
- Hired Opinionworks for Perception Study
- Soliciting proposals for Strategic Plan
- Updating Sports Complex Operator P&L numbers
- Working on Orioles renewal contract
- Boardwalk Rock tickets on sale
- Working with Air Show for '28 move – TBD
- Winterfest set up underway
- Bikefest discussions to be scheduled with Promoter

Museum

Programs, Events & Outreach

- Where History Comes Alive Through Magic & Storytelling: October 23. Attendance: 6
- Locals Week, free admission for locals at both museums, October 19–25. Attendance: 207
- Presented at the 2026 Maryland Outdoor Recreation Summit
- Attended Harbor Days on the docks: audiences reached: 286
- Bus Groups/group tours: 3
- 5k Walk/Run preparation:(Scheduled for November 7th)
  - Funds Raised to Date: $15,750
  - Registered Participants: 61

Grants

- Received a $10,000 full grant award; used for Museum Society contents insurance. MHT operations grant.

Collections: Artifacts Donated

- Postcard of Capt. Bob's Seafood Restaurant
- Booklets:
  - Plat Guide and Manual: Ocean Beach of Assateague Island, Maryland
  - Beachers: The Ponies of Assateague Island by Reginald V. Truitt
  - Dynamics of Maryland Barrier Islands: Fenwick (Ocean City) and Assateague
  - Management of Wild Horses by Fertility Control: The Assateague Experience
  - A Department of the Interior National Seashore Proposal: Assateague Island
- Digital photographs of Ida May Davis of Pittsville, MD, and her husband, Edward Russell Casson of Easton, MD, taken on the beach in Ocean City on August 1, 1919.
- Pleasure Rama Pamphlet - An explanatory fundraising pamphlet from 1955-57 that discusses a proposed 800-foot pier development on the Boardwalk that included 2 hotels and event space.
- Bank of Ocean City, Selbyville Branch – Proposed Architectural Plans and Site Image

Meetings

- Ocean City Museum Society executive board meeting (October 6)

Building Maintenance & Exhibit installations

- None for the month of October

Professional development

- Curator attended the United States Life Saving Service Heritage Association conference in North Carolina (October 1- 3)

Special Events

TOWN OF
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The White Marlin Capital of the World

Agenda Item # 5.E

Council Meeting November 10, 2026

TO: The Honorable Mayor, Council President and Members of Council
THRU: Terence J. McGean, PE, City Manager
FROM: George Bendler, Planning and Community Development Director
RE: Discussion of State Mandated HB 1466 Accessory Housing Legislation
DATE: November 2, 2026

ISSUE(S):

Maryland House Bill 1466 (HB 1466), effective October 1, 2025, requires municipalities to authorize Accessory Dwelling Units (ADUs) on lots containing single-family detached dwellings and to adopt local regulations consistent with State law by October 1, 2026. The proposed ordinance was developed solely to comply with the State mandate and is not a locally initiated policy.

At its July 14, 2026 work session, the Mayor and Council reviewed the requirements of HB 1466 and recommended that the Planning Commission hold a public hearing to consider an ordinance necessary to comply with the legislation.

The Planning Commission held a public hearing on October 6, 2026. Following the hearing, the Planning Commission recommended that the proposed ordinance be forwarded to the Mayor and Council with the following additional provision:

a. An ADU shall not be used or offered as a short-term rental housing unit. The Town shall not issue a short-term rental license for an ADU.

SUMMARY:

The proposed amendment defines an ADU as an attached or detached secondary dwelling on the same lot as a primary single-family detached dwelling, no greater than 75% of the size of, and subordinate in use to, the primary dwelling (Sec. 110-2).

The amendment adds ADUs as permitted accessory uses in the R-1, DM, DMX, M, DR and I-1 districts, subject to new Sec. 110-888. The Town's pyramidal zoning would also permit ADUs in R-2A, R-2, R-3A, R-3, BM-1, LC-1, SC-1 and BMUD. Height provisions are also proposed for R-1 and MH districts. R-1 Maximum building height Shall be a maximum of 25 feet and shall be subordinate in height to the primary single-family detached dwelling. MH Maximum building height: 15 feet. a. Accessory dwelling unit: Shall be subordinate in height to the primary single-family detached dwelling.

New Sec. 110-888 would establish the following standards: one ADU per lot; required permits and a sealed survey for detached ADUs; code-compliant separate kitchen and bathroom facilities; common ownership with the primary dwelling; restrictions on subdivision, certain conversions and locations; inclusion in lot-coverage calculations; architectural compatibility; ADUs shall not be located in areas defined as habitable attics; and side/rear setbacks matching accessory-structure setbacks of 5 feet.

The proposed ordinance excludes ADUs from density calculations. Parking provisions require verification of the primary dwelling's existing bedroom count and parking compliance; no additional parking is required where the primary dwelling complies. The draft also specifies additional parking for ADUs on properties with a lawful existing parking nonconformity.

lf an ADUs will be rented it would require a separate rental license, while the property would be limited to one rental license.

Per the Planning Commission recommendation: a. An ADU shall not be used or offered as a short-term rental housing unit. The Town shall not issue a short-term rental license for an ADU.

FISCAL IMPACT: Minimal direct fiscal impact. Staff and legal resources will be required to prepare ordinance amendments.

RECOMMENDATION: Approve recommendations and forward associated ordinance for first reading November 16.



More Livable Community for Residents

ALTERNATIVES: Direct staff to revise specific provisions and forward associated ordinance with changes for first reading November 16.

RESPONSIBLE STAFF: Planning and Community Development Director George Bendler
Zoning Administrator Kirsten Primm

COORDINATED WITH: City Solicitor
Deputy City Manager

ATTACHMENT(S):
1. ADU Zoning Amendment PPT_10 6 26.pptx
2. #26-14100001 Chapter 110 Zoning_Accessory Dwelling Unit (ADU)_PC Recommendation to MCC_10 7 2026 - Signed.pdf
3. 26-1007 Draft Ordinance - ADU Amendment PC changes-clean copy 10 7 26.pdf
4. 26-10-06 Town of OC.pdf
5. hb1466T.pdf

6. 3_ADU FAQ for Local Governments (HB 1466).pdf
7 . 4_2024 Accessory Dwelling Unit Policy Task Force Final Report.pdf

Maryland's New Accessory Dwelling Unit (ADU) Requirements

Summary of HB 1466

Effective October 1, 2025

TOWN OF
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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

What are we required to do?

- Municipalities are required to adopt a local law authorizing the development of ADUs on land with an existing single-family detached dwelling unit by October 1, 2026
- Local ordinances must:
  - Exclude ADUs from density calculations
  - Exclude ADUs from residential growth limitations on the property
  - Not establish setback requirements that exceed the existing accessory structure setback requirements for side and rear lot lines.

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Why was HB 1466 adopted?

- Increase housing supply
- Expand housing affordability
- Encourage "missing middle" housing
- Support multigenerational living
- Provide more housing options while preserving single-family neighborhoods

**General Assembly adopted the bill on the recommendation of the ADU Policy Task Force, which was created by the General Assembly and included representatives from the House, Senate, state agencies, MACo, MML, and industry professionals. (The final bill did, however, differ substantively from the Task Force's recommendations.)*

TOWN OF
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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Proposed Accessory Dwelling Unit ("ADU") Zoning Ordinance Amendment

Public Hearing: October 6, 2026

**Note: All new/proposed language will be highlighted in yellow in this presentation and is underlined in the draft ordinance*

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

Definition (110-2)

Dwelling unit, accessory ("ADU") means an attached or detached secondary dwelling unit that is on the same lot, parcel, or tract as a primary single-family detached dwelling unit and not greater than 75% of the size of and subordinate in use to the primary single-family detached dwelling unit.

TOWN OF
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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

R-1 District

DIVISION 2. - R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

- Sec. 110-275. - Permitted accessory uses.

  The following accessory uses shall be permitted in the R-1 single-family residential district subject to the provisions of article V, division 2, of this chapter:

  (7) Accessory dwelling unit subject to the provisions of section 110-888.

DIVISION 2. - R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

- Sec. 110-276. - Bulk regulations.

  Bulk regulations are as follows except as otherwise provided in article V, division 2, of this chapter:

  (7) Maximum building height

  c. Accessory dwelling unit: Shall be a maximum of 25 feet and shall be subordinate in height to the primary single-family detached dwelling.

**Note: The Town's pyramidal zoning will also permit ADUs in R-2A, R-2, R-3A, R-3, BM-1, LC-1, SC-1, and BMUD Districts*

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MH and DM Districts

DIVISION 7. – MH Mobile Home Residential district

- Sec. 110-426. - Bulk regulations for mobile home subdivisions.

  Bulk regulations for MH mobile home subdivisions are as follows except as otherwise provided in article V, division 2, of this chapter:

  (7) Maximum building height: 15 feet.

  a. Accessory dwelling unit: Shall be subordinate in height to the primary single-family detached dwelling.

DIVISION 9. – DM DOWNTOWN MARINE district

- Sec. 110-485. - Permitted accessory uses.

  The following accessory uses shall be permitted in the DM downtown marine district subject to the provisions of article V, division 2, of this chapter:

  (1) Accessory dwelling unit subject to the provisions of section 110-888.

TOWN OF OCEAN CITY
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DMX and M Districts

DIVISION 15. – DMX Downtown mixed use DISTRICT

- Sec. 110-665. - Permitted accessory uses.

  The following accessory uses shall be permitted in the DMX downtown mixed use district subject to the provisions of article V, division 2, of this chapter:

  (1) Accessory dwelling unit subject to the provisions of section 110-888.

DIVISION 16. – M MANUFACTURING DISTRICT

- Sec. 110-695. - Permitted accessory uses.

  The following accessory uses shall be permitted in the M manufacturing district subject to the provisions of article V, division 2, of this chapter:

  (1) Accessory dwelling unit subject to the provisions of section 110-888.

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DR and I-1 Districts

DIVISION 24. – DR DOWNTOWN RESIDENTIAL DISTRICT

- Sec. 110-845. - Permitted accessory uses.

  The following accessory uses shall be permitted in the DR downtown residential district subject to the provisions of article V, division 2, of this chapter:

  (1) Accessory dwelling unit subject to the provisions of section 110-888.

DIVISION 25. – I-1 INLET DISTRICT

- Sec. 110-861.4. - Permitted accessory uses.

  The following accessory uses shall be permitted in the I-1 inlet district subject to the provisions of article V, division 2, of this chapter:

  (1) Accessory dwelling unit subject to the provisions of section 110-888.

TOWN OF OCEAN CITY
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ADU Standards (110-888.a)

- One (1) ADU may be permitted per lot, parcel, or tract.
- All necessary approvals in the Code, including but not limited to a building permit, shall be required prior to construction of an ADU.
    - An application for a detached ADU shall require and include a sealed survey, prepared by a professional engineer or land surveyor, licensed in the state.
- The ADU shall comply with all applicable Town ordinances.
- If an ADU will be rented, it shall have a separate rental license. A property may only have one (1) rental license.
    - An ADU shall not be used or offered as a short-term rental housing unit. The Town shall not issue a short term rental license for an ADU.
- An ADU shall have code-compliant kitchen and bathroom facilities separate from those of the primary dwelling.

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

**Note: Language highlighted in blue was a change requested by the Planning Commission during the Public Hearing process*

ADU Standards (110-888.a) - *Continued*

- An ADU shall remain under the same ownership as the primary dwelling and cannot be subdivided from the primary dwelling or conveyed separately.
- An accessory structure shall not be permitted to be converted to an ADU if the only access to the structure by car is from an alley.
- An accessory dwelling unit shall be counted towards the maximum lot coverage on a lot.
- An ADU shall ensure aesthetic continuity by maintaining similar architectural styles and elements as the primary dwelling.
- In residential zoning districts, the primary dwelling and ADU shall not be constructed so as to change the type of dwelling of the primary single-family detached dwelling.

ADU Location (110-888.b)

- An accessory dwelling unit shall not be located on the same lot as or include any commercial uses, two-family dwellings, townhouses, multiple-family dwellings, mobile homes, mobile home sites, manufactured homes, travel trailers, housing mounted on self-propelled or drawn vehicles, tents, or other forms of temporary or portable housing.
- An ADU shall not be located in areas defined as habitable attics or attics.

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ADU Height (110-888.c)

- An ADU shall not exceed 25 feet in height unless the height is specified in or limited by another section of the Code.

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ADU Setbacks (110-888.d)

- The rear and side lot line setback requirements for accessory dwelling units are the same as other accessory structures for the zoning district in which the lot, parcel, or tract is located.

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ADU Density and Limits on Residential Growth (110-888.e)

- An accessory dwelling unit is exempt from the calculation of density for the lot, parcel, or tract upon which it is located.

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ADU Parking (110-888.f)

- Prior to the issuance of a permit for an ADU, the number of existing bedrooms within the primary single-family detached dwelling shall be verified for compliance with the applicable off-street parking requirements.
- If the primary single-family detached dwelling complies with the off-street parking requirements, an ADU built on the property does not require additional parking.
- Subject to subsection (f)(1)and (2) above and notwithstanding any other provision of this chapter, an ADU may be established on a property having a lawfully existing nonconformity as to parking requirements, provided that additional off-street parking shall be provided at a rate of one (1) parking space for each bedroom within the ADU so as to not increase the degree of nonconformity.

Next Steps

- 1st reading: November 16th
- 2nd reading & vote: December 7th

TOWN OF
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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

TOWN OF
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The White Marlin Capital of the World

MAYOR
Richard W. Meehan

CITY COUNCIL

Matthew M. James
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Secretary

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Jeff Heiser
Jacob H. Mitrecic
Carol Proctor

CITY MANAGER
Terence J. McGean, PE

CITY CLERK
Diana L. Chavis, MMC

October 20, 2026

The Honorable Mayor Rick Meehan and Members of the City Council
P O Box 158
Ocean City MD 21843

Re: Planning and Zoning Commission Favorable Recommendation to Amend Chapter 110, Entitled Zoning, of the Code of The Town of Ocean City, Maryland, Article I, entitled In General, Section 110-2, entitled Definitions, Article IV, entitled Districts, Division 2, entitled R-1 Single-family Residential District, Section 110-275, entitled Permitted accessory uses, and Section 110-276, entitled Bulk Regulations; Division 7, entitled MH Mobile Home Residential District, Section 110-426, entitled Bulk regulations for Mobile Home Subdivisions; Division 9, entitled DM Downtown Marine District, Section 110-485, entitled Permitted accessory uses; Division 15, entitled DMX Downtown Mixed Use District, Section 110-665, entitled Permitted accessory uses; Division 16, entitled M Manufacturing District, Section 110-695, entitled Permitted accessory uses; Division 24, entitled DR Downtown Residential District, Section 110-845, entitled Permitted accessory uses; Division 25, entitled I-1 Inlet District, Section 110-861.4, entitled Permitted accessory uses; and adding Article V, entitled Supplemental Regulations, Division 1, entitled Generally, Section 110-888, entitled Accessory Dwelling Units ("ADUs").
(PZ FILE #26-14100001)

Dear Mayor and Council Members:

On Tuesday, September 15, 2026, Kirsten "KP" Primm, Zoning Administrator, and George Bendler, AICP, Planning and Community Development Director, presented to the Planning and Zoning Commission the proposed code amendment to Chapter 110, to address accessory dwelling units (ADUs). Subsequently, the Planning and Zoning Commission conducted a public hearing on Tuesday, October 6, 2026, to consider the above referenced amendment. The Commission considered all testimony and exhibits and voted of those present, (4-1), Commissioners Palmer Gillis and Kevin Rohe absent, and Chair Joe Wilson against, to send the Mayor and City Council a favorable recommendation to approve the draft ordinance on accessory dwelling units with an amendment.

Zoning staff has coordinated with the City Clerk to place this favorable recommendation on the agenda for the work session on Tuesday, November 10, 2026 at 1:00 PM or the next available work session. The draft ordinance will also be available for your review and action.

Thank you in advance for your consideration.

Sincerely,

Janet Hough, Planning Commission Chair

Attachment: Updated Draft Ordinance

cc: Terry McGean, City Manager
Elton "Jr" Harmon, Deputy City Manager
Heather Stansbury, City Solicitor
All Planning Commission Members
Maureen Howarth, Esq. attorney for Commission
George M. Bendler, Director, Department of Planning and Community Development
Chase Phillips, Sr. Zoning Analyst

PZ File #26-14100001

First Reading _____

Second Reading _____

ORDINANCE 2026 -

AN ORDINANCE TO, AMEND CHAPTER 110, ENTITLED ZONING, ARTICLE I, ENTITLED IN GENERAL, SECTION 110-2, ENTITLED DEFINITIONS, ARTICLE IV, ENTITLED DISTRICTS, DIVISION 2, ENTITLED R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, SECTION 110-275, ENTITLED PERMITTED ACCESSORY USES, AND SECTION 110-276, ENTITLED BULK REGULATIONS; DIVISION 7, ENTITLED MH MOBILE HOME RESIDENTIAL DISTRICT, SECTION 110-426, ENTITLED BULK REGULATIONS FOR MOBILE HOME SUBDIVISIONS; DIVISION 9, ENTITLED DM DOWNTOWN MARINE DISTRICT, SECTION 110-485, ENTITLED PERMITTED ACCESSORY USES; DIVISION 15, ENTITLED DMX DOWNTOWN MIXED USE DISTRICT, SECTION 110-665, ENTITLED PERMITTED ACCESSORY UNITS; DIVISION 16, ENTITLED M MANUFACTURING DISTRICT, SECTION 110-695, ENTITLED PERMITTED ACCESSORY USES; DIVISION 24, ENTITLED DR DOWNTOWN RESIDENTIAL DISTRICT, SECTION 110-845, ENTITLED PERMITTED ACCESSORY USES; DIVISION 25, ENTITLED I-1 INLET DISTRICT, SECTION 110-861.4, ENTITLED PERMITTED ACCESSORY USES; AND ADDING ARTICLE V, ENTITLED SUPPLEMENTAL REGULATIONS, DIVISION 1, ENTITLED GENERALLY, SECTION 110-888, ENTITLED ACCESSORY DWELLING UNITS ("ADUs") OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND

WHEREAS, it is the policy of the State of Maryland to promote and encourage the creation of accessory dwelling units ("ADUs") on land with a single-family detached dwelling unit as the primary dwelling unit in order to meet the housing needs of the citizens of Maryland; and

WHEREAS, state law requires that legislative bodies with planning and zoning authority adopt a local ordinance authorizing development of ADUs by October 1, 2026; and

WHEREAS, the Mayor and City Council desire to update the Town Code to address accessory dwelling units and standards for the same.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE MAYOR AND CITY COUNCIL OF OCEAN CITY, THAT CHAPTER 110, ENTITLED ZONING, OF THE CODE OF THE TOWN OF OCEAN CITY, MARYLAND BE, AND IT IS HEREBY AMENDED BY AMENDING SECTIONS 110-2, 110-275, 110-276, 110-426, 110-485, 110-665, 110-695, 110-845, 110-861.4, AND ADDING SECTION 110-888, AS FOLLOWS:

…

CHAPTER 110 – ZONING

ARTICLE I. – IN GENERAL

…

Sec. 110-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

…

Dwelling unit, accessory ("ADU") means an attached or detached secondary dwelling unit that is on the same lot, parcel, or tract as a primary single-family detached dwelling unit and not greater than 75% of the size of and subordinate in use to the primary single-family detached dwelling unit.

…

ARTICLE IV. – DISTRICTS

…

DIVISION 2. - R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

…

Sec. 110-275. - Permitted accessory uses.

The following accessory uses shall be permitted in the R-1 single-family residential district subject to the provisions of article V, division 2, of this chapter:

(1) Private boat docks and boathouses subject to all other applicable governmental regulations.

(2) Private parking garages, customary residential outbuildings, and other accessory uses normally associated with residential use, such as, but not limited to, domestic storage, swimming pools, game courts, home barbecue grills, and temporary canvas cabanas not used for sleeping or containing cooking facilities.

(3) Home occupation in accordance with section 110-908.

(4) Storage of a boat, boat trailer, or recreational vehicle, but none of these may be used for human occupancy.

(5) Accessory off-street parking spaces, which may only include one commercial vehicle of not more than one ton's capacity and used by the occupant of the dwelling to which the space is accessory.

(6) Temporary buildings, the use of which is incidental to construction operations or sale of lots during development being conducted on the same or adjoining tract or subdivision, and which shall be removed upon completion or abandonment of such

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construction or upon the expiration of a period of five years from the time of erection of such temporary buildings, whichever is sooner.

(7) Accessory dwelling unit subject to the provisions of section 110-888.

(Code 1999, § 110-275; Ord. No. 1993-1, § 105-6.5, 1-19-1993)

Sec. 110-276. - Bulk regulations.

Bulk regulations are as follows except as otherwise provided in article V, division 2, of this chapter:

…

(7) Maximum building height

a. Principal building: Shall be no more than 35 feet, and shall be no more than three stories.

b. Accessory building: Shall be no more than 20 feet, and shall be no more than 1½ stories.

c. Accessory dwelling unit: Shall be a maximum of 25 feet and shall be subordinate in height to the primary single-family detached dwelling.

(Code 1999, § 110-276; Ord. No. 1993-1, § 105-6.6, 1-19-1993)

…

DIVISION 7. – MH MOBILE HOME RESIDENTIAL DISTRICT

…

Sec. 110-426. - Bulk regulations for mobile home subdivisions.

Bulk regulations for MH mobile home subdivisions are as follows except as otherwise provided in article V, division 2, of this chapter:

…

(7) Maximum building height: 15 feet.

a. Accessory dwelling unit: Shall be subordinate in height to the primary single-family detached dwelling.

(Code 1999, § 110-426; Ord. No. 1993-1, § 105-11.6, 1-19-1993)

…

DIVISION 9. – DM DOWNTOWN MARINE DISTRICT

…

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Sec. 110-485. - Permitted accessory uses.

The following accessory uses shall be permitted in the DM downtown marine district subject to the provisions of article V, division 2, of this chapter:

(1) Accessory dwelling unit subject to the provisions of section 110-888.

(2~~1~~) Customary accessory structures incidental to permitted uses.

(3~~2~~) Entertainment; indoor and outdoor.

(4~~3~~) Essential services.

(5~~4~~) Family day care.

(6~~5~~) Home occupation in accordance with section 110-908.

(7~~9~~) Outdoor display of merchandise which is clearly incidental to on-premises use for properties located in the downtown overlay zone district in accordance with section 110-885.

(8~~6~~) Public telephones in accordance with section 110-905(k)(4).

(9~~7~~) Temporary construction buildings and structures.

(10~~8~~) Vending machines. Vending machines are permitted subject to the following regulations:

a. A premises may have the greater of two vending machines, or one vending machine per 75 linear feet of street frontage along each street, with the machines fronting said street. Vending machines shall be placed binding upon and touching a building and may not block any doorway, window, architectural detail, or corner visibility. Groupings of three or more vending machines may be permitted provided they are located within an enclosure meeting the downtown design standards. There shall be no restriction on the number of vending machines that are not visible from a public way.

b. Vending machines shall not be placed closer than three feet from any public right-of-way except where the existing building will not permit this setback. One existing vending machine per premises located in this setback area before June 1, 2003, shall be permitted. Vending machines shall be placed binding upon and touching a building and may not encroach into the public right-of-way.

c. These restrictions shall not apply to that portion of any property, which fronts upon the east and west sides of Atlantic Avenue (the boardwalk), except machines shall be placed binding upon and touching a building. Vending machines on east-west side streets of properties that also front the boardwalk shall be regulated by subsection 110-885.

(Code 1999, § 110-485; Ord. No. 2002-28, 11-18-2002; Ord. No. 2004-6, 5-3-2004; Ord. No. 2009-29, 1-4-2010; Ord. No. 2014-20, 6-16-2014)

…

DIVISION 15. – DMX DOWNTOWN MIXED USE DISTRICT

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…

Sec. 110-665. - Permitted accessory uses.

The following accessory uses shall be permitted in the DMX downtown mixed use district subject to the provisions of article V, division 2, of this chapter:

(1) Accessory dwelling unit subject to the provisions of section 110-888.

(2~~1~~) Catering services.

(3~~2~~) Customary accessory structures, incidental to permitted uses.

(4~~3~~) Entertainment: indoor and outdoor.

(5~~4~~) Essential services.

(6~~5~~) Family day care.

~~(6) Reserved.~~

(7) Nightclubs in hotels and motels with more than 50 units.

(8~~11~~) Outdoor display of merchandise which is clearly incidental to on-premises use for properties located in the downtown overlay and upper downtown overlay zone districts in accordance with section 110-885.

(9~~8~~) Public telephones in accordance with section 110-905(k)(4).

(10~~9~~) Temporary construction buildings.

(11~~0~~) Vending machines. Vending machines are permitted subject to the following regulations:

a. A premises may have the greater of two vending machines, or one vending machine per 75 linear feet of street frontage along each street, with the machines fronting said street. Vending machines shall be placed binding upon and touching a building and may not block any doorway, window, architectural detail, or corner visibility. Groupings of three or more vending machines may be permitted provided they are located within an enclosure meeting the downtown design standards. There shall be no restriction on the number of vending machines that are not visible from a public way.

b. Vending machines shall not be placed closer than three feet from any public right-of-way except where the existing building will not permit this setback. One existing vending machine per premises located in this setback area before June 1, 2003, shall be permitted. Vending machines shall be placed binding upon and touching a building and may not encroach into the public right-of-way.

c. These restrictions shall not apply to that portion of any property which fronts upon the east and west sides of Atlantic Avenue (the boardwalk), except machines shall be placed binding upon and touching a building. Vending machines on east-west side streets of properties that also front the boardwalk shall be regulated by subsection (10)a of this section.

(Code 1999, § 110-665; Ord. No. 2002-28, 11-18-2002; Ord. No. 2004-6, 5-3-2004; Ord. No. 2009-29, 1-4-2010; Ord. No. 2014-20, 6-16-2014)

…

DIVISION 16. – M MANUFACTURING DISTRICT

…

Sec. 110-695. - Permitted accessory uses.

The following accessory uses shall be permitted in the M manufacturing district subject to the provisions of article V, division 2, of this chapter:

(1) Accessory dwelling unit subject to the provisions of section 110-888.

(2~~1~~) Customary accessory structures, incidental to permitted uses.

(3~~2~~) Essential services.

(4~~3~~) Family day care.

(5~~4~~) Home occupation in accordance with section 110-908.

(6~~8~~) Outdoor display of merchandise which is clearly incidental to on-premises use for properties located in the downtown overlay and upper downtown overlay zone districts in accordance with section 110-885.

(7~~5~~) Public telephones in accordance with section 110-905(k)(4).

(8~~6~~) Temporary construction buildings and structures.

(9~~7~~) Vending machines. Vending machines are permitted subject to the following regulations:

a. A premises may have the greater of two vending machines, or one vending machine per 75 linear feet of street frontage along each street, with the machines fronting said street. Vending machines shall be placed binding upon and touching a building and may not block any doorway, window, architectural detail, or corner visibility. Groupings of three or more vending machines may be permitted provided they are located within an enclosure meeting the downtown design standards. There shall be no restriction on the number of vending machines that are not visible from a public way.

b. Vending machines shall not be placed closer than three feet from any public right-of-way except where the existing building will not permit this setback. One existing vending machine per premises located in this setback area before June 1, 2003, shall be permitted. Vending machines shall be placed binding upon and touching a building and may not encroach into the public right-of-way.

c. These restrictions shall not apply to that portion of any property which fronts upon the east and west sides of Atlantic Avenue (the boardwalk), except machines shall be placed binding upon and touching a building. Vending machines on east-west side streets of properties that also front the boardwalk shall be regulated by subsection (7)a of this section.

(Code 1999, § 110-695; Ord. No. 2002-28, 11-18-2002; Ord. No. 2004-6, 5-3-2004; Ord. No. 2009-29, 1-4-2010; Ord. No. 2014-20, 6-16-2014)

…

DIVISION 24. – DR DOWNTOWN RESIDENTIAL DISTRICT

…

Sec. 110-845. - Permitted accessory uses.

The following accessory uses shall be permitted in the DR downtown residential district subject to the provisions of article V, division 2, of this chapter:

(1) Accessory dwelling unit subject to the provisions of section 110-888.

(2~~1~~) Customary accessory structures, incidental to permitted uses.

(3~~2~~) Essential services.

(4~~3~~) Family day care.

(5~~4~~) Home occupation, in accordance with section 110-908.

(6~~5~~) Temporary construction buildings and structures.

(Code 1999, § 110-845; Ord. No. 2002-28, 11-18-2002)

DIVISION 25. – I-1 INLET DISTRICT

…

Sec. 110-861.4. - Permitted accessory uses.

The following accessory uses shall be permitted in the I-1 inlet district subject to the provisions of article V, division 2, of this chapter:

(1) Accessory dwelling unit subject to the provisions of section 110-888.

(2~~1~~) Catering services.

(3~~2~~) Customary accessory structures incidental to permitted uses.

(4~~11~~) Employee housing on site.

(5~~3~~) Entertainment: indoor and outdoor.

(6~~4~~) Essential services.

(7~~5~~) Family day care.

(8~~6~~) Home occupation in accordance with section 110-908.

(9~~10~~) Outdoor display of merchandise which is clearly incidental to on-premises use for properties located in the downtown overlay and upper downtown overlay zone districts in accordance with section 110-885.

(10~~7~~) Public telephones in accordance with section 110-905(k)(4).

(11~~8~~) Temporary construction buildings and structures.

(12~~9~~) Vending machines. Vending machines are permitted subject to the following regulations:

a. A premises may have the greater of two vending machines, or one vending machine per 75 linear feet of street frontage along each street, with the machines fronting said street. Vending machines shall be placed binding upon and touching a building and may not block any doorway, window, architectural detail, or corner visibility. Groupings of three or more vending machines may be permitted provided they are located within an enclosure meeting the downtown design standards. There shall be no restriction on the number of vending machines that are not visible from a public way.

b. Vending machines shall not be placed closer than three feet from any public right-of-way except where the existing building will not permit this setback. One existing vending machine per premises located in this setback area before June 1, 2003, shall be permitted. Vending machines shall be placed binding upon and touching a building and may not encroach into the public right-of-way.

c. These restrictions shall not apply to that portion of any property which fronts upon the east and west sides of Atlantic Avenue (the boardwalk), except machines shall be placed binding upon and touching a building. Vending machines on east-west side streets of properties that also front the boardwalk shall be regulated by subsection 110-605(14)a of this section.

(Code 1999, § 110-861.4; Ord. No. 2002-28, 11-18-2002; Ord. No. 2004-6, 5-3-2004; Ord. No. 2009-29, 1-4-2010; Ord. No. 2014-20, 6-16-2014)

…

ARTICLE V. - SUPPLEMENTAL REGULATIONS

DIVISION 1. – GENERALLY

…

Sec. 110-888. - Accessory dwelling units ("ADUs").

(a) Standards

(1) One (1) ADU may be permitted per lot, parcel, or tract.

(2) All necessary approvals in the Code, including but not limited to a building permit, shall be required prior to construction of an ADU.

a. An application for a detached ADU shall require and include a sealed survey, prepared by a professional engineer or land surveyor, licensed in the state.

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(3) The ADU shall comply with all applicable Town ordinances.

(4) If an ADU will be rented, it shall have a separate rental license. A property may only have one (1) rental license.

a. An ADU shall not be used or offered as a short term rental housing unit. The Town shall not issue a short term rental license for an ADU.

(5) An ADU shall have code-compliant kitchen and bathroom facilities separate from those of the primary dwelling.

(6) An ADU shall remain under the same ownership as the primary dwelling and cannot be subdivided from the primary dwelling or conveyed separately.

(7) An accessory structure shall not be permitted to be converted to an ADU if the only access to the structure by car is from an alley.

(8) An accessory dwelling unit shall be counted towards the maximum lot coverage on a lot.

(9) An ADU shall ensure aesthetic continuity by maintaining similar architectural styles and elements as the primary dwelling.

(10) In residential zoning districts, the primary dwelling and ADU shall not be constructed so as to change the type of dwelling of the primary single-family detached dwelling.

(b) Location.

(1) An accessory dwelling unit shall not be located on the same lot as or include any commercial uses, two-family dwellings, townhouses, multiple-family dwellings, mobile homes, mobile home sites, manufactured homes, travel trailers, housing mounted on self-propelled or drawn vehicles, tents, or other forms of temporary or portable housing.

(2) An ADU shall not be located in areas defined as habitable attics or attics.

(c) Height.

(1) An ADU shall not exceed 25 feet in height unless the height is specified in or limited by another section of the Code.

(d) Setbacks.

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(1) The rear and side lot line setback requirements for accessory dwelling units are the same as other accessory structures for the zoning district in which the lot, parcel, or tract is located.

(e) Density and limits on residential growth.

(1) An accessory dwelling unit is exempt from the calculation of density for the lot, parcel, or tract upon which it is located.

(f) Parking.

(1) Prior to the issuance of a permit for an ADU, the number of existing bedrooms within the primary single-family detached dwelling shall be verified for compliance with the applicable off-street parking requirements.

(2) If the primary single-family detached dwelling complies with the off-street parking requirements, an ADU built on the property does not require additional parking.

(3) Subject to subsection (f)(1)and (2) above and notwithstanding any other provision of this chapter, an ADU may be established on a property having a lawfully existing nonconformity as to parking requirements, provided that additional off-street parking shall be provided at a rate of one (1) parking space for each bedroom within the ADU so as to not increase the degree of nonconformity.

Secs. 110-8889—110-900. – Reserved.

…

INTRODUCED at a meeting of the City Council of Ocean City, Maryland held on _____, 2026.

ADOPTED AND PASSED, by the required vote of the elected membership of the City Council and approved by the Mayor at its meeting held on _____, 2026.

ATTEST:

_____ _____

DIANA L. CHAVIS, Clerk RICHARD W. MEEHAN, Mayor

Approved as to form:

_____

MATTHEW M. JAMES, President

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HEATHER STANSBURY
Ayres, Jenkins, Gordy & Almand, P.A.
Office of City Solicitor

WILLIAM C. SAVAGE, III, Secretary

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Public Hearing held before * Members present:
The Town of Ocean City * Joe Wilson, Chair
Planning and Zoning * Gordon Kretser
Commission, held on the * Pam Robertson
5th day of October, 2026, * Janet Hough
Ocean City, Maryland * Tony Butta
----------/

REPORTER'S OFFICIAL TRANSCRIPT OF PROCEEDINGS

IN RE: Public Hearing
Proposed Amendment to Chapter 110 of
the Ocean City Code

APPEARANCES:

On behalf of the Commission:

TAYLOR DONLEY, ESQUIRE

Present: George Bendler, Director

Kirsten Primm, Zoning Administrator

Court Reporter:
Valerie M. Dawson, RMR
443-783-3113

P R O C E E D I N G S

MR. WILSON: All right. So, next up on the agenda is a public hearing. Before we begin the public hearing, I am required to ask the public if anyone objects to any of the Commissioners that are sitting up here from participating in the public hearing.

AUDIENCE MEMBER: No.

MR. WILSON: Seeing none, we will go ahead and get the public hearing started.

MR. BENDLER: Do you want to swear us in?

MS. DONLEY: Do you solemnly swear or affirm to tell the truth, the whole truth, and nothing but the truth in front of the Planning Commission?

MS. PRIMM: Yes.

MS. DONLEY: Your full name and address, where you work.

MS. PRIMM: Kirsten Primm, 301 N. Baltimore Ave, Ocean City, Maryland.

MS. DONLEY: And Mr. Bendler.

MR. BENDLER: I do. George Bendler, 301 Baltimore Avenue, Ocean City, Maryland.

MS. DONLEY: Thank you.

MR. WILSON: Very good.

You may begin.

MS. PRIMM: Before the Planning Commission is a proposed zoning ordinance amendment to Chapter 110 entitled Zoning, of the Code of the Town of Ocean City, Maryland, amending Sections 110-2, 110-275, 110-276, 110-426, 110-485, 110-665, 110-695, 110-845, 110-861.4, and adding 110-888 to include and designate accessory dwelling units known as ADUs as a permitted use on any lot with an existing single-family detached dwelling unit and establish standards for the same.

As per the requirements of the Code of the Town of Ocean City, Section 110-142 requires that text amendments to the code first be reviewed by the Planning Commission in a public hearing, and then the Planning Commission provides a recommendation to the Mayor and City Council on the proposed text amendment.

Upon receipt of the Planning Commission's report and recommendation, the Mayor and Council shall render a decision on the request based on the record established during this public hearing.

Section 110-144 entitled Public Hearings and Notice Requirements, in addition to the Maryland Land Use Article, Section 4-209, the Planning Commission is designated as the hearing examiner for the purpose of holding public hearings as required by the State.

And then Section 110-161.2, this is the newspaper advertising, all proceedings under the terms of this chapter requiring a public hearing shall be advertised in one newspaper of general circulation in Ocean City, once each week for two successive weeks.

So I will go over that later in the presentation.

So, first, I'm going to do an overview of the Maryland House Bill 14-66. This is just a summary of what was already provided to you. Maryland House Bill 14-66 became effective October 1st, 2025, and requires municipalities to authorize accessory dwelling units, or ADUs, on lots with single-family detached dwellings and adopt compliant local regulations by October 1st of this year.

The ordinance is being developed solely to satisfy these State mandates and not as a locally initiated policy.

So, House Bill 14-66 was adopted to increase housing supply, expand housing affordability, encourage missing middle housing, support multigenerational living, and provide more housing options while preserving single-family neighborhoods.

And just a note, I have it here at the bottom of the presentation, General Assembly adopted the bill on the recommendation of the ADU's Policy Task Force. This was created by the General Assembly and included representatives from the House, Senate, and State agencies, MACo, MML, and industry professionals.

The final bill did, however, differ substantively from the Task Force's recommendations.

So, what are we required to do? Municipalities per House Bill 14-66 are required to adopt a local law authorizing the development of ADUs on land with existing single-family detached dwelling units by October 1st this year, as I said.

The local ordinances must exclude ADUs from density calculations, exclude ADUs from residential growth limitation on the property, and not establish setback

requirements that exceed the existing accessory structure setback requirements for rear and side lot lines.

The Town also cannot require additional off-street parking without first conducting a parking study. And, obviously, if parking requirements are imposed at a later date, a waiver process is required. And I can touch on that later on.

ADUs also will need to still abide by any impervious surfaces and stormwater management and Critical Area needs. So, that will still be required, they will not be waived from those requirements.

So, on August 18th, 2026, Staff provided the Planning Commission with an overview of Maryland House Bill 14-66, including the State's ADU requirements, key policy choices, and direction for preparing the ordinance amendments. At the September 15th, 2026, Planning Commission meeting, Staff presented the draft ADU ordinance highlighting the proposed updates.

So, these updates, in the actual ordinance that is an exhibit in your packet, all of the changes are shown with underlining or crossing out, I don't believe there's

anything crossed out, but the underlining is what's new in this presentation. It will be shown in yellow, just because it's easier to see on the screen as yellow.

So, this is new. This is the dwelling unit accessory, or ADU definition. It means an attached or detached secondary dwelling unit that is on the same lot, parcel, or tract as the primary single-family detached dwelling unit and not greater than 75 percent of the size of and subordinate in use of the primary single-family detached dwelling unit.

This is very standard, and we believe it meets the State's requirements.

In the R-1 district we do permit ADUs as a permitted accessory use. And we also note here in Section 110-276, that accessory dwelling units shall be a maximum of 25 feet and shall be subordinate in height to the primary single-family detached dwelling. So that applies for maximum building height in the R-1 district.

Also, just to note, at the bottom of this slide the Town's pyramidal zoning will also permit ADUs in R-2A, R-2, R-3A, R3, BM-1, LC-1, SD-1, and BMUD Districts.

So, that's how it works, usually it's added in the base, the first district, and then it will say, you know, and other accessory dwelling units permitted in R-1 or 2, all of that.

In the MH and DM Districts, 110-426, Mobile Home Residential District, we did add that the accessory dwelling unit shall be subordinate in height to the primary single-family detached dwelling because the maximum building height in the MH District is already 15 feet.

And then in Section 110-485 for the Downtown Marine District, the accessory dwelling unit is permitted as an accessory use.

For DMX, 110-665, accessory dwelling units have been added as permitted accessory uses, and same for the Manufacturing District, in 110-695.

In the Downtown Residential District, it's been added as a permitted accessory use. And same for the I-1 Inlet District.

And then the new section, which is the ADU standards, this is 110-888.a, and this starts on... in the actual ordinance in your packet, this starts at the bottom

of page 8. So, this goes over standards, location, height, setbacks, density, and limits on residential growth and parking.

So, the first one is just standards. One ADU may be permitted per lot, parcel, or tract. All necessary approvals in the code, including building permits, you know, all of that will be required before constructing an ADU. Like I mentioned earlier, Critical Area still applies here as well. An application for a detached ADU will require a sealed survey prepared by a professional engineer or land surveyor licensed by the State.

The ADU shall comply with all applicable Town ordinances. That's a given. If an ADU will be rented it shall have a separate rental license. A property may only have one rental license. So, that was important to include.

An ADU shall have code compliant kitchen and bathroom facilities separate from those of the primary dwelling.

So, this is continued, same section of standards. An ADU shall remain under the same ownership as the primary dwelling and cannot be subdivided from the primary dwelling

or conveyed separately. An accessory structure shall not be permitted to be converted to an ADU if the only access to the structure by car is from an alley.

An accessory dwelling unit shall be counted towards the maximum lot coverage on a lot.

ADUs do have to ensure aesthetic continuity by maintaining similar architectural styles of the primary dwelling.

And then in residential districts the primary dwelling and ADU shall not be constructed so as to change the type of dwelling of the primary single-family detached dwelling.

The next section is location. It cannot be, ADUs, we're proposing shall not be on the same lot as any commercial uses, two family dwellings, townhouses, multiple family dwellings, mobile homes, mobile home sites, manufactured homes, travel trailers, housing mounted on self-propelled or drawn trailers, tents, or other forms of temporary or portable housing. And they shall not be located in areas defined as habitable attics or attics in general.

For height, an ADU shall not exceed 25 feet in height unless the height is specified in or limited by another section of the code.

So, that's why in other sections that we included here, like the Mobile Home Residential District, we did explicitly call out what height it is permitted to be.

The setbacks, the rear and side lot line setback requirements for accessory dwelling units are the same as other accessory structures for the same zoning district. This is a requirement of the State, so this was easy to include.

And the same with this one, this is required by the State, an ADU is exempt from the calculation of density for the lot, parcel, or tract.

And then parking, prior to the issuance of a permit for an ADU, the number of existing bedrooms within the primary single-family detached dwelling shall be verified for compliance with the applicable off-street parking requirements.

If the primary single-family detached dwelling complies with the off-street parking requirements, an ADU

built on the property does not require additional parking.

And then, also, an ADU may be established on a property having a lawfully existing non-conformity as to parking requirements provided that additional off-street parking shall be provided at a rate of one parking space for each bedroom within the ADU so as to not increase the degree of non-conformity.

So, we will obviously talk about this in question and answer, but next steps after this public hearing is closed and the Planning Commission makes their recommendation, the draft will be introduced to the Mayor and City Council at a future work session, followed by the first reading, second reading, and official vote.

I have -- if you can change it to the document camera, please, Eric.

The public hearing tonight has been properly advertised on September 22nd and 29th, 2026, in the Ocean City Today Dispatch. The exhibit list for the proposed Zoning Ordinance amendment includes the proposed zoning ordinance update, it includes the ADU Zoning Ordinance summary Staff report dated October 6th, 2026, tonight's

Power Point presentation, the legal advertisement as advertised September 22nd and September 29th, the ADU FAQ for local governments for House Bill 14-66, and the Accessory Dwelling Unit Policy Task Force final report from May of 2024.

At this time I would like to enter Exhibit 6. This is the Planning Commission member Palmer Gillis' comments provided to Staff and Planning Commission members dated October 6th, 2026.

So, if you would take one and pass it down.

Do you want me to read this?

MR. WILSON: No, it's an exhibit just like anything else, that's fine.

MS. PRIMM: And then Exhibit 7 is an e-mail from Joan Floyd, a resident of 1104 North Philadelphia Avenue. It's an e-mail with ADU comments provided to Staff on October 6th, 2026.

So, pending any comments or objections from the public hearing, the Planning Commission may consider action on the Zoning Ordinance amendment at tonight's meeting.

MR. WILSON: Does anybody have any questions for

KP?

Any questions first?

No? Okay.

Seeing no questions for you, I will ask if there are any members of the public that would like to speak for or against the proposed code amendments?

AUDIENCE MEMBER: No.

MR. WILSON: No? Okay.

If there's no input, then we will go ahead and close the public hearing and go ahead and have some discussion. I will entertain a motion to close the public hearing.

Gordon, one.

Tony, two.

Any discussion?

(No response.)

MR. WILSON: All those in favor?

(All Commissioners raised their hands.)

MR. WILSON: We'll close the public hearing. I'll now open it up for discussion amongst the Commission members.

Who would like to start?

MR. BUTTA: So, realistically, I mean, we have no choice in this matter. And when I say no choice in this matter, I mean, we're being tasked to do this by the State.

MR. WILSON: Correct.

MR. BUTTA: So, we're just trying to figure out how to make this work in a resort town.

MR. WILSON: Exactly.

MR. KRETSER: So, I guess I'll start.

So, in House Bill 14-66 it explicitly says that the town or government or HOA could restrict an ADU from being a short-term rental. It's one of two things it calls out. The other one is historic properties. We have the ability to do that explicitly.

So, I think I would question, if an ADU were to be rented it shall have a separate rental license, a property may only have one rental license, I just feel as though adding some language to that, just saying, sure, it can be a rental, and, you know, having it as a long-term rental makes sense because this bill is primarily to increase the available housing for, well, for everyone.

But particularly in our town, seasonal workers. It's in our comprehensive plan to try to create and have more access to employee housing. So, I think that those two fit pretty well.

So, if you're going to have an ADU, you can have a rental license. You can have a long-term rental license but not a short-term rental license. It's counterintuitive, I mean, a vacation home is not going to help the available houses, how does it describe it exactly? To promote and encourage the creation of accessory dwelling units on land with a single-family detached dwelling unit as its primary dwelling in order to meet the housing needs of the citizens of Maryland.

So, creating a short-term rental via an ADU does not seem to fit that bill.

I would suggest keeping the language the way it is and just adding, an ADU shall not be used or offered as a short-term rental housing unit as defined in the Town code. And the Town shall issue, shall not issue a short-term rental housing unit license for an ADU. An ADU may be rented only as a long-term rental housing unit.

MR. WILSON: Does anybody want to discuss that particular point?

MS. HOUGH: Does the State say anything about that? They specifically --

MR. KRETSER: Specifically, yes.

MS. HOUGH: They specifically allow short-term?

MR. KRETSER: No, they specifically say that we can limit, the only thing that we can limit is short-term rental licenses for the ADU, or if an ADU were to be built on a historic property we could limit that.

MS. HOUGH: Okay.

MR. KRETSER: So, considering they're offering that in plain sight and we're not entertaining that, I think it should be addressed.

MR. BUTTA: I think it makes sense to piggy-back that as well. Because they kind of left the door open for that. So, I mean, this is for long-term rentals, it's for student housing, it's for worker housing. So, I mean, I think, you know, weekend rentals wouldn't make sense here.

MS. ROBERTSON: Completely agree, but, unfortunately, it was a hard fight for every other kind of

short-term rentals, so I really don't think it's a, it's wonderful, you know, it went to referendum to not have short-term rentals on regular properties, I doubt that it would stand up to the scrutiny of getting passed in an ordinance, to tell you the truth.

I completely agree with it, but I don't, I don't think it's going to...

MR. WILSON: I would agree with Pam on that, I think the Town --

MS. ROBERTSON: The politics are not...

MR. WILSON: -- the Town went through a pretty hard fought battle on short-term rentals, and I think that, I think that's going to muddy the water on what we're trying to accomplish here, personally.

That's my, you know, my two cents.

MS. HOUGH: I feel that the State has left the door open on that, that it's worth a try.

MR. KRETSER: It's more than just leaving the door open. It's saying, look, we --

MS. HOUGH: Right, that's what --

MR. KRETSER: -- we're not interested in creating

short-term rental properties through these ADUs. We're interested in increasing the housing supply. And that's why the State is, in my opinion, the way it's worded, and I don't know if someone wants to pull that bill actually up, but the whole section was crossed out and red-lined and then, there it is, you know, unreasonable limitations do not include not allowing short-term rentals, is essentially what it says.

And this is a bill, I mean, this isn't something, as Tony said, we can't avoid it, we can't say no, we don't want ADUs.

MS. HOUGH: I think we would have a strong position because ADUs are a totally separate entity, and if we start out with it and start out saying that we are not allowing short-term, I think we would have a pretty good chance at that simply being the rule.

MR. BUTTA: Because, I mean, no one is putting an ADU up and now we're going to tell them they can't do it, we're telling them you can't do it before you put it up.

MR. WILSON: Correct.

MR. KRETSER: It should be history... it's a down

arrow next to history. If you'll scroll down. On the left it says history. And then scroll down, down, down, there you go.

MR. BENDLER: It's page 10.

MR. KRETSER: Yeah. A little further down.

There you go.

Except as provided in paragraph 2 (2), so if you go to 2 (2), does not include a limitation on the short-term rental of an accessory dwelling unit.

It can also be precedent for other municipalities passing the same language, that have already done it and adopted it, so. I think it makes a lot of sense.

MR. WILSON: I'll just say that I struggle with it, because there are people that could go out and build an ADU with the intent of using it for a family member, you know, maybe a parent, and then one day when that parent passes now we've restricted their use to --

MR. KRETSER: You've restricted their use to use it as a short-term rental --

MR. WILSON: Correct.

MR. KRETSER: -- not having more available

housing.

MR. WILSON: In a resort town.

MR. KRETSER: Right.

MR. WILSON: That relies heavily on tourism.

MR. KRETSER: But that doesn't increase the housing --

MR. WILSON: I understand. Listen, I'm not saying that I'm right or wrong, but I just disagree with it, and I just want to make sure I let everybody know where I stand.

MR. BUTTA: I mean, the reason for this is to increase housing, not to increase investments, right? So, I mean, this is an in-law suite, it's an elderly person, it's a college kid that comes home from school, it could be for our work force. I mean, I don't think that that, you know, limited to a, not a short-term rental, I think that's a good thing. Even a seasonal rental would be good in that situation, I mean, like a three-month rental or something like that, or whatever that number is, I agree with Gordon, I mean, I just think that's --

MR. KRETSER: That's what we have in our comprehensive plan that we just passed in March. You know,

it speaks of increasing the available amount of housing units for seasonal workers, for our seasonal work force. I mean...

MS. HOUGH: And maintaining the integrity of single-family.

MR. KRETSER: Bingo. So, it addresses both things with one, one amendment.

MR. WILSON: Any other comments?

MS. ROBERTSON: I have a question. The ADUs, from what I understand, with pyramidal zoning it essentially can be almost anywhere, does it have to be only an existing single-family house there? Is that how I read it, is that correct?

MR. BENDLER: We can't talk about how the Staff is, because the hearing is closed so Staff can't make comment.

MS. ROBERTSON: Okay.

MR. BENDLER: If you want to open it up for comment you can. It's up to...

MR. WILSON: Yeah, that's fine with me.

MS. ROBERTSON: I have those questions.

MS. PRIMM: So that is --

MR. WILSON: Are we allowed to go ahead and reopen the public hearing so we can get comment from Staff?

MS. HOUGH: As long as everyone that was here is still here?

MS. DONLEY: Sure.

MR. WILSON: We'll go ahead and reopen the public hearing.

MS. PRIMM: That is correct, that it needs to be on, if there's already a single-family house in existence. So, it's like any type of accessory use, you can't have the accessory use on the lot without the principal use. So it is implied, yes.

MS. ROBERTSON: And could, as a result then that dwelling be demolished and essentially another new single-family house be built and an ADU 75 percent of that to maximize the lot almost de facto creating a, somewhat of a modified duplex on the property?

MR. BENDLER: Our code requires that the primary structure be built first, and then they could build an ADU once that single-family home is established.

MS. ROBERTSON: Okay. So it could be, an existing house could be demolished, and then you could put up a new house, all with the plans of having the ADU there --

MR. BENDLER: If that was your intent, yes, but we wouldn't allow you to build the ADU first, you'd have to build the single-family use.

I do want to make a comment in regards to Gordon's comment, if you could scroll up real quickly.

Keep going up, KP. Right there, go down.

So, Article, this, as I was explained from the Maryland Department of Planning, who we've been partnering with and working with to develop this ordinance, Maryland Department of Planning pointed out that this section that we're discussing in regards to the short-term rental, the comment that's noted on here, this is in the Real Property Article of the Maryland Code. Real Property is where, it's primarily discussing real estate transactions, covenants, deeds, and other things. It's not really the area where the Land Use Article is where it discusses municipalities.

So, this is primarily more attuned to an HOA or a deed restriction on property, that's what the intent of this

was. It wasn't really focused on municipalities restricting short-term rentals, is what I was pointed out, why that was in the Real Property Article.

MR. KRETSER: And the literature from the Department of Planning from the State of Maryland says, page, it looks like 215, but number, I'm sorry... number 18 addresses HOAs. Number 19 says, question, does HB 14-66 allow local governments to regulate the use of ADUs as short-term rentals; HB 14-66 does not alter a local government's power to regulate short-term rentals.

MR. BENDLER: And I understand, their literature has a lot of detail on that, and I was just pointing out where the, where that landed in the House Bill, is that it was in the Land Use Art -- or the Real Property Article.

MR. WILSON: Are there any other -- let me ask this -- are there any other amendments that anyone else would like to see made?

If not, I will entertain a motion from Gordon to approve what's been presented with the amendment that he would like to see.

MR. KRETSER: Yeah, I would like to make a motion

--

MR. BENDLER: You need to close --

MS. HOUGH: You have to close the public hearing.

MS. DONLEY: Yes, if you could close the public hearing.

MR. WILSON: Close the public hearing first, yes, okay.

MS. DONLEY: And then one more comment.

MR. WILSON: Yes.

MS. DONLEY: There's two options when you're either approving with an amendment, Town Staff can always bring it back to you if you want to see that in writing.

MR. WILSON: Okay, sounds good.

So, before I close the public hearing I'll ask one more time, is there any member of the public who would like to speak while we have the public hearing open?

AUDIENCE MEMBER: No.

MR. WILSON: Very good.

Then I will entertain a motion to close the public hearing.

Pam, one.

Tony, two.

All those in favor?

(All Commissioners raised their hands.)

MR. WILSON: And now, Gordon, I will entertain a motion from you.

MR. KRETSER: I would like to make a motion to amend Chapter 110 of the Ocean City Code to amending sections listed with the amendment to extend Section 110-888 (a)(4) with, an ADU shall not be used or offered as a short-term rental housing unit as defined in the Town Code and the Town shall not issue a short-term rental housing unit license for an ADU. An ADU may be rented only as a long-term rental housing unit.

MR. WILSON: I've got a motion from Gordon.

MR. BUTTA: Second.

MR. WILSON: I've got a second from Tony.

Any further discussion?

All those in favor?

(Commissioners Kretser, Robertson, Hough, and Butta raised their hands.)

MR. WILSON: All right. And opposed?

(Commissioner Wilson raised his hand.)

MR. WILSON: Four to one. Very good.

(End of Public Hearing.)

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COURT REPORTER'S CERTIFICATE

I, Valerie M. Dawson, RMR, Court Reporter Wicomico County, Maryland, certify that I recorded stenographically the Proceedings held before the Town of Ocean City Planning and Zoning Commission held on the 6th day of October, 2026.

I further certify that to the best of my knowledge and belief, the foregoing transcript constitutes a true and correct transcript of the said proceedings.

Given under my hand this 12th day of October, 2026, at Salisbury, Maryland.

Valerie M. Dawson

Valerie M. Dawson, RMR

Court Reporter

HOUSE BILL 1466

L6, N1 5lr1838
CF SB 891

By: ~~Delegate Stewart~~ **Delegates Stewart, Allen, Behler, Boyce, Ciliberti, Healey, Holmes, R. Lewis, Otto, and Stein**
Introduced and read first time: February 7, 2025
Assigned to: Environment and Transportation

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 6, 2025

CHAPTER _____

AN ACT concerning

Land Use and Real Property – Accessory Dwelling Units – Requirements and Prohibitions

FOR the purpose of requiring, on or before a certain date, the legislative body of certain counties or municipal corporations to adopt a local law authorizing the development of accessory dwelling units on land ~~zoned for~~ with a single–family ~~residential use~~ detached dwelling unit as the primary dwelling unit subject to certain requirements; providing for requirements for ~~approval of a zoning use permit application, the calculation of development impact fees or building excise taxes,~~ the creation of ~~on– and~~ off–street parking spaces~~, and restrictions on the ability of a utility to require a certain connection or charge a certain fee~~, subject to certain criteria; prohibiting a restriction on use in an instrument affecting the transfer or sale of real property or any other interest in real property from imposing or acting to impose certain limitations on the development or use of accessory dwelling units ~~on property zoned for single–family residential use~~; authorizing the governing body of a homeowners association to treat an accessory dwelling unit as a separate lot for purposes of voting and levying assessments; and generally relating to the development and use of accessory dwelling units.

BY repealing and reenacting, without amendments,
Article – Land Use
Section 1–401(a) and (c) and 10–103(a)
Annotated Code of Maryland
(2012 Volume and 2024 Supplement)

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.

BY repealing and reenacting, with amendments,
Article – Land Use
Section 1–401(b)(18) through (30) and 10–103(b)(17) through (23)
Annotated Code of Maryland
(2012 Volume and 2024 Supplement)

BY adding to
Article – Land Use
Section 1–401(b)(18); 4–501 through ~~4–507~~ 4–504 to be under the new subtitle "Subtitle 5. Accessory Dwelling Units"; and 10–103(b)(17)
Annotated Code of Maryland
(2012 Volume and 2024 Supplement)

BY adding to
Article – Real Property
Section 2–126, 11B–101(a–1), and 11B–111.11
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, without amendments,
Article – Real Property
Section 11B–101(a)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

BY repealing and reenacting, with amendments,
Article – Real Property
Section 11B–117(a)
Annotated Code of Maryland
(2023 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Land Use

1–401.

(a) Except as provided in this section, this division does not apply to charter counties.

(b) The following provisions of this division apply to a charter county:

(18) TITLE 4, SUBTITLE 5 (ACCESSORY DWELLING UNITS);

[(18)**] (19)** § 5–102(d) (Subdivision regulations – Burial sites);

[(19)**] (20)** § 5–104 (Major subdivision – Review);

[(20)**] (21)** Title 7, Subtitle 1 (Development Mechanisms);

[(21)**] (22)** Title 7, Subtitle 2 (Transfer of Development Rights);

[(22)**] (23)** except in Montgomery County or Prince George's County, Title 7, Subtitle 3 (Development Rights and Responsibilities Agreements);

[(23)**] (24)** Title 7, Subtitle 4 (Inclusionary Zoning);

[(24)**] (25)** Title 7, Subtitle 5 (Housing Expansion and Affordability);

[(25)**] (26)** § 8–401 (Conversion of overhead facilities);

[(26)**] (27)** for Baltimore County only, Title 9, Subtitle 3 (Single–County Provisions – Baltimore County);

[(27)**] (28)** for Frederick County only, Title 9, Subtitle 10 (Single–County Provisions – Frederick County);

[(28)**] (29)** for Howard County only, Title 9, Subtitle 13 (Single–County Provisions – Howard County);

[(29)**] (30)** for Talbot County only, Title 9, Subtitle 18 (Single–County Provisions – Talbot County); and

[(30)**] (31)** Title 11, Subtitle 2 (Civil Penalty).

(c) This section supersedes any inconsistent provision of Division II of this article.

SUBTITLE 5. ACCESSORY DWELLING UNITS.

4–501.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) (1) "ACCESSORY DWELLING UNIT" MEANS A SECONDARY DWELLING UNIT THAT IS:

(I) ON THE SAME LOT, PARCEL, OR TRACT AS A PRIMARY SINGLE–FAMILY DETACHED DWELLING UNIT ~~THAT IS CONSTRUCTED:~~; AND

(II) NOT GREATER THAN 75% OF THE SIZE OF AND SUBORDINATE IN USE TO THE PRIMARY SINGLE–FAMILY DETACHED DWELLING UNIT.

~~(1) ATTACHED TO OR THROUGH THE CONVERSION OF A PORTION OF THE PRIMARY DWELLING UNIT;~~

~~(2) 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; OR~~

~~(3) AS A NEW BUILDING, DETACHED FROM THE PRIMARY DWELLING UNIT AND ANY EXISTING ACCESSORY STRUCTURES.~~

(2) "ACCESSORY DWELLING UNIT" INCLUDES A STRUCTURE THAT IS:

(I) SEPARATE FROM THE PRIMARY SINGLE–FAMILY DETACHED DWELLING UNIT; OR

(II) ATTACHED AS AN ADDITION TO THE PRIMARY SINGLE–FAMILY DETACHED DWELLING UNIT.

(C) (1) "DWELLING UNIT" MEANS A SINGLE UNIT PROVIDING COMPLETE, ~~INDEPENDENT~~ LIVING FACILITIES FOR AT LEAST ONE INDIVIDUAL, INCLUDING, AT A MINIMUM, ~~PERMANENT~~ PROVISIONS FOR SANITATION, COOKING, EATING, AND SLEEPING~~, AND OTHER ACTIVITIES ROUTINELY ASSOCIATED WITH DAILY LIFE~~.

(2) "DWELLING UNIT" DOES NOT INCLUDE A UNIT IN A MULTIFAMILY RESIDENTIAL BUILDING.

(D) "UTILITY" MEANS WATER OR SEWER DISPOSAL SERVICES PROVIDED BY:

(1) A PRIVATE COMPANY REGULATED UNDER DIVISION I OF THE PUBLIC UTILITIES ARTICLE;

(2) THE WASHINGTON SUBURBAN SANITARY COMMISSION REGULATED UNDER DIVISION II OF THE PUBLIC UTILITIES ARTICLE;

(3) A SANITARY COMMISSION REGULATED UNDER TITLE 9, SUBTITLE 6 OF THE ENVIRONMENT ARTICLE; OR

(4) A MUNICIPAL AUTHORITY REGULATED UNDER TITLE 9, SUBTITLE 7 OF THE ENVIRONMENT ARTICLE.

4–502.

THIS SUBTITLE APPLIES ONLY TO THE DEVELOPMENT OF ACCESSORY DWELLING UNITS ON LAND ~~ZONED FOR~~ WITH A SINGLE–FAMILY ~~RESIDENTIAL USE~~ DETACHED DWELLING UNIT AS THE PRIMARY DWELLING UNIT.

4–503.

(A) IT IS THE POLICY OF THE STATE TO PROMOTE AND ENCOURAGE THE CREATION OF ACCESSORY DWELLING UNITS ON LAND ~~ZONED FOR~~ WITH A SINGLE–FAMILY ~~RESIDENTIAL USE~~ DETACHED DWELLING UNIT AS THE PRIMARY DWELLING UNIT IN ORDER TO MEET THE HOUSING NEEDS OF THE CITIZENS OF MARYLAND.

(B) (1) EXCEPT AS PROVIDED IN THIS SUBTITLE AND SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, THIS SUBTITLE DOES NOT ALTER OR ABROGATE ANY ZONING POWER OR RELATED AUTHORITY GRANTED TO A LOCAL JURISDICTION UNDER THIS TITLE.

(2) LOCAL JURISDICTIONS SHALL ESTABLISH POLICIES THAT FURTHER THE INTENT OF THIS SUBTITLE.

4–504.

(A) (1) ON OR BEFORE OCTOBER 1, 2026, EACH LEGISLATIVE BODY SHALL ADOPT A LOCAL LAW AUTHORIZING THE DEVELOPMENT OF ACCESSORY DWELLING UNITS ~~ON LAND ZONED FOR SINGLE–FAMILY RESIDENTIAL USE~~ IN ACCORDANCE WITH THIS SECTION.

(2) A LEGISLATIVE BODY MAY ADOPT A LOCAL LAW THAT:

(I) ESTABLISHES STANDARDS FOR ACCESSORY DWELLING UNIT SAFETY; AND

(II) PROHIBITS THE FULL OR PARTIAL CONVERSION OF AN ACCESSORY STRUCTURE AS AN ACCESSORY DWELLING UNIT IF THE ONLY VEHICULAR ACCESS TO THE ACCESSORY STRUCTURE IS FROM AN ALLEY.

(B) A LOCAL LAW ADOPTED UNDER THIS SECTION SHALL ~~APPLY TO ALL LAND IN THE LOCAL JURISDICTION ZONED FOR SINGLE–FAMILY RESIDENTIAL USE, PROVIDED THAT:~~

~~(1) THE PARTY DEVELOPING THE ACCESSORY DWELLING UNIT OWNS AND HAS THE EXCLUSIVE RIGHT TO USE THE LOT, PARCEL, OR TRACT ON WHICH THE ACCESSORY DWELLING UNIT IS TO BE DEVELOPED; AND~~

~~(2) THE DEVELOPMENT OF NEW DWELLING UNITS ON THE LOT, TRACT, OR PARCEL IS NOT OTHERWISE PROHIBITED DUE TO:~~

~~(I) LIMITATIONS ON AVAILABLE SAFE DRINKING WATER;~~

~~(II) THE EXISTENCE OF PUBLIC HEALTH RISKS DUE TO LIMITATIONS ON SEWAGE DISPOSAL; OR~~

~~(III) RISKS ASSOCIATED WITH FIRES, FLOODS, OR LANDSLIDES~~ **PROVIDE FOR CONSTRUCTION OF ACCESSORY DWELLING UNITS THAT MEET PUBLIC HEALTH, SAFETY, AND WELFARE STANDARDS, INCLUDING RELEVANT BUILDING CODES AND ADEQUATE PUBLIC FACILITIES PROVISIONS.**

(C) A LOCAL LAW ADOPTED UNDER THIS SECTION SHALL~~:~~

~~(1) REQUIRE THAT THE TOTAL SQUARE FOOTAGE OF THE ACCESSORY DWELLING UNIT BE LESS THAN THE TOTAL SQUARE FOOTAGE OF THE PRIMARY DWELLING UNIT;~~

~~(2) REQUIRE THAT THE FINAL DESIGN FOR THE ACCESSORY DWELLING UNIT SATISFY ALL RELEVANT BUILDING CODE REQUIREMENTS;~~

~~(3) AUTHORIZE CONSTRUCTION OF AN ACCESSORY DWELLING UNIT BEFORE OR DURING THE CONSTRUCTION OF THE PRIMARY DWELLING UNIT, UNLESS THE CONSTRUCTION OF THE ACCESSORY DWELLING UNIT WOULD RESULT IN THE NEED FOR A VARIANCE FROM THE ZONING LAW OF THE LOCAL JURISDICTION IN ORDER TO CONSTRUCT THE PRIMARY DWELLING UNIT;~~

**~~(4)~~ EXCLUDE THE DEVELOPMENT OF AN ACCESSORY DWELLING UNIT FROM THE CALCULATION OF DENSITY AND THE APPLICATION OF ANY MEASURES LIMITING RESIDENTIAL GROWTH THAT PERTAIN TO THE LOT, PARCEL, OR TRACT PROPOSED FOR THE DEVELOPMENT OF THE ACCESSORY DWELLING UNIT~~;~~ AND~~

~~(5) SET CONDITIONS FOR APPROVAL OF A ZONING USE PERMIT FOR AN ACCESSORY DWELLING UNIT UNDER § 4–505 OF THIS SUBTITLE THAT ADDRESS OBJECTIVE AND MEASURABLE REQUIREMENTS, INCLUDING:~~

~~(I) MASSING;~~

~~(II) LOCATIONS OF ENTRANCES;~~

~~(III) SQUARE FOOTAGE; AND~~

~~(IV) SUBJECT TO § 4–507 OF THIS SUBTITLE, CONNECTIONS TO A UTILITY~~**.**

(D) A LOCAL LAW ADOPTED UNDER THIS SECTION MAY NOT:

~~(1) REQUIRE, AS A CONDITION TO DEVELOPING AN ACCESSORY DWELLING UNIT, THAT THE LOT, PARCEL, OR TRACT EXCEED THE MINIMUM SIZE REQUIRED FOR A PRIMARY DWELLING UNIT IN THE ZONE OR DISTRICT;~~

~~(2) ESTABLISH SETBACK REQUIREMENTS FROM THE SIDE AND REAR LOT LINES FOR AN ACCESSORY DWELLING UNIT THAT IS CONVERTED FROM AN EXISTING ACCESSORY STRUCTURE IF:~~

~~(I) THE LOCATION OF THE PROPOSED ACCESSORY DWELLING UNIT IS IDENTICAL TO THE EXISTING ACCESSORY STRUCTURE; AND~~

~~(II) THE DIMENSIONS OF THE PROPOSED ACCESSORY DWELLING UNIT ARE IDENTICAL TO OR SMALLER THAN THE EXISTING ACCESSORY STRUCTURE;~~

~~(3) FOR AN ACCESSORY DWELLING UNIT OTHER THAN A UNIT THAT MEETS THE REQUIREMENTS OF ITEM (2) OF THIS SUBSECTION,~~ **ESTABLISH SETBACK REQUIREMENTS THAT EXCEED ~~4 FEET~~ THE EXISTING ACCESSORY STRUCTURE SETBACK REQUIREMENTS FROM THE SIDE AND REAR LOT LINES~~;**

~~(4) EXCEPT AS PROVIDED IN SUBSECTION (E) OF THIS SECTION, REQUIRE:~~

~~(I) IF THE DEVELOPMENT OF THE ACCESSORY DWELLING UNIT IS LOCATED WITHIN A 0.75–MILE RADIUS OF A MASS TRANSIT FACILITY, THE CREATION OF NEW OFF–STREET PARKING AS A CONDITION TO DEVELOPING THE ACCESSORY DWELLING UNIT; AND~~

~~(II) IF THE DEVELOPMENT OF THE ACCESSORY DWELLING UNIT IS LOCATED OUTSIDE A 0.75–MILE RADIUS OF A MASS TRANSIT FACILITY, THE CREATION OF MORE THAN ONE OFF–STREET PARKING SPACE; OR~~

~~(5) SET CONDITIONS FOR APPROVAL OF A ZONING USE PERMIT FOR AN ACCESSORY DWELLING UNIT UNDER § 4–505 OF THIS SUBTITLE BASED ON SUBJECTIVE CRITERIA, INCLUDING:~~

~~(I) NEIGHBORHOOD COMPATIBILITY, SUCH AS DESIGN OR AESTHETICS; OR~~

~~(II) ADVERSE IMPACTS.~~

~~(E) (1) (I) SUBJECT TO SUBSECTION (D)(4) OF THIS SECTION, A~~ A LOCAL LAW ADOPTED UNDER THIS SECTION MAY ESTABLISH ADDITIONAL OFF–STREET PARKING REQUIREMENTS THAT CONSIDER:

1. THE COST TO CONSTRUCT OFF–STREET PARKING SPACES;

2. WHETHER SUFFICIENT CURB AREA EXISTS ALONG THE FRONT LINE OF THE PROPERTY TO ACCOMMODATE ON–STREET PARKING;

3. THE INCREASE IN IMPERVIOUS SURFACE DUE TO THE CREATION OF NEW OFF–STREET PARKING AND THE RELATION TO ANY APPLICABLE STORMWATER MANAGEMENT PLANS; AND

4. VARIABILITY DUE TO THE SIZE OF THE LOT, PARCEL, OR TRACT ON WHICH THE ACCESSORY DWELLING UNIT OR PRIMARY DWELLING IS LOCATED.

(II) A LOCAL LAW ADOPTED UNDER THIS PARAGRAPH SHALL PROVIDE FOR A WAIVER PROCESS FROM THE PARKING REQUIREMENTS.

(2) BEFORE ADOPTING A LOCAL LAW UNDER PARAGRAPH (1) OF THIS SUBSECTION, A LEGISLATIVE BODY SHALL COMPLETE A PARKING STUDY TO DETERMINE THE APPLICABLE NEEDS AND RESTRICTIONS IN THE JURISDICTION.

~~4–505.~~

~~(A) A LOCAL JURISDICTION SHALL APPROVE OR DENY A COMPLETE APPLICATION FOR A ZONING USE PERMIT FOR AN ACCESSORY DWELLING UNIT WITHIN 90 DAYS AFTER RECEIPT BY THE AGENCY RESPONSIBLE FOR MAKING ZONING DECISIONS.~~

~~(B) APPROVAL OF A COMPLETE APPLICATION UNDER THIS SECTION SHALL BE PERFORMED IN A MINISTERIAL MANNER.~~

~~(C) IF AN APPLICANT REQUESTS A DELAY IN THE REVIEW OF AN APPLICATION, THE 90–DAY REVIEW PERIOD REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE TOLLED FOR THE DURATION OF THE DELAY.~~

~~(D) THIS SECTION MAY NOT BE CONSTRUED TO ALTER THE APPELLATE OR JUDICIAL REVIEW PROCESSES FOR A ZONING USE PERMIT APPLICATION FOR AN ACCESSORY DWELLING UNIT.~~

~~4–506.~~

~~(A) A LOCAL JURISDICTION MAY NOT CHARGE A DEVELOPMENT IMPACT FEE OR A BUILDING EXCISE TAX ON AN ACCESSORY DWELLING UNIT WITH A TOTAL SQUARE FOOTAGE OF LESS THAN 750 SQUARE FEET.~~

~~(B) A LOCAL JURISDICTION MAY CHARGE A DEVELOPMENT IMPACT FEE OR A BUILDING EXCISE TAX FOR THE DEVELOPMENT OF AN ACCESSORY DWELLING UNIT THAT IS AT LEAST 750 SQUARE FEET IF THE IMPACT FEE OR BUILDING EXCISE TAX IS:~~

~~(1) ASSESSED PROPORTIONATELY IN RELATION TO THE SQUARE FOOTAGE OF THE PRIMARY DWELLING UNIT; AND~~

~~(2) SET AT AN AMOUNT THAT DOES NOT CREATE A DE FACTO PROHIBITION ON THE CONSTRUCTION OF THE ACCESSORY DWELLING UNIT.~~

~~(C) A LOCAL JURISDICTION MAY ESTABLISH A PROCESS BY WHICH AN IMPACT FEE OR BUILDING EXCISE TAX CHARGED UNDER THIS SECTION MAY BE WAIVED OR REDUCED.~~

~~4–507.~~

~~(A) (1) THIS SUBSECTION DOES NOT APPLY TO AN ACCESSORY DWELLING UNIT THAT IS DEVELOPED IN CONJUNCTION WITH A NEW OR SUBSTANTIALLY RENOVATED PRIMARY DWELLING UNIT.~~

~~(2) SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, A UTILITY MAY NOT REQUIRE THE USE OF A SEPARATE CONNECTION BETWEEN AN ACCESSORY DWELLING UNIT AND THE WATER OR SEWER MAIN IF THE EXISTING CONNECTION BETWEEN THE PRIMARY DWELLING UNIT AND THE WATER OR SEWER MAIN IS DETERMINED TO BE SUFFICIENT TO SUPPORT THE ADDITION OF THE ACCESSORY DWELLING UNIT.~~

~~(3) A LOCAL JURISDICTION MAY ESTABLISH CRITERIA UNDER WHICH A UTILITY IS AUTHORIZED TO REQUIRE THE USE OF A SEPARATE CONNECTION BETWEEN AN ACCESSORY DWELLING UNIT AND THE WATER OR SEWER MAIN.~~

~~(B) IF AN ACCESSORY DWELLING UNIT IS INTEGRATED INTO THE EXISTING CONNECTION BETWEEN THE PRIMARY DWELLING UNIT AND THE WATER OR SEWER~~

~~MAIN, A UTILITY MAY NOT CHARGE A CONNECTION FEE ASSOCIATED WITH THE INTEGRATION OF THE ACCESSORY DWELLING UNIT.~~

~~(C) A PERSON DEVELOPING AN ACCESSORY DWELLING UNIT MAY ELECT TO USE A METER THAT IS SHARED WITH THE PRIMARY DWELLING UNIT TO TRACK THE DELIVERY OF WATER FROM A UTILITY.~~

10–103.

(a) Except as provided in this section, this division does not apply to Baltimore City.

(b) The following provisions of this division apply to Baltimore City:

(17) TITLE 4, SUBTITLE 5 (ACCESSORY DWELLING UNITS);

[(17)**] (18)** § 5–102(d) (Subdivision regulations – Burial sites);

[(18)**] (19)** Title 7, Subtitle 1 (Development Mechanisms);

[(19)**] (20)** Title 7, Subtitle 2 (Transfer of Development Rights);

[(20)**] (21)** Title 7, Subtitle 3 (Development Rights and Responsibilities Agreements);

[(21)**] (22)** Title 7, Subtitle 4 (Inclusionary Zoning);

[(22)**] (23)** Title 7, Subtitle 5 (Housing Expansion and Affordability); and

[(23)**] (24)** Title 11, Subtitle 2 (Civil Penalty).

Article – Real Property

2–126.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "ACCESSORY DWELLING UNIT" HAS THE MEANING STATED IN § 4–501 OF THE LAND USE ARTICLE.

(3) "RESTRICTION ON USE" INCLUDES ANY COVENANT, RESTRICTION, OR CONDITION CONTAINED IN:

(I) A DEED;

(II) A DECLARATION;

(III) A CONTRACT;

(IV) THE BYLAWS OR RULES OF A HOMEOWNERS ASSOCIATION;

(V) A SECURITY INSTRUMENT; OR

(VI) ANY OTHER INSTRUMENT AFFECTING:

1. THE TRANSFER OR SALE OF REAL PROPERTY; OR

2. ANY OTHER INTEREST IN REAL PROPERTY.

(B) (1) ~~IF~~ EXCEPT AS PROVIDED IN PARAGRAPH (2)(II) OF THIS SUBSECTION, IF A PROPERTY OWNER HAS THE EXCLUSIVE RIGHT TO USE THE PROPERTY AND ABIDES BY ALL APPLICABLE LAWS AND REGULATIONS, A RESTRICTION ON USE REGARDING LAND USE MAY NOT IMPOSE OR ACT TO IMPOSE AN UNREASONABLE LIMITATION ON THE ABILITY OF THE PROPERTY OWNER TO DEVELOP OR OFFER FOR RENT AN ACCESSORY DWELLING UNIT ~~ON A PROPERTY ZONED FOR SINGLE–FAMILY RESIDENTIAL USE~~.

(2) FOR THE PURPOSE OF PARAGRAPH (1) OF THIS SUBSECTION, AN UNREASONABLE LIMITATION:

(I) ~~INCLUDES~~ INCLUDES A LIMITATION THAT:

~~(I) SIGNIFICANTLY INCREASES THE COST OF DEVELOPING AN ACCESSORY DWELLING UNIT; OR~~

~~(II)~~ ~~PROHIBITS~~ PROHIBITS, EITHER EXPLICITLY OR BY EFFECT OF THE RESTRICTIONS, THE DEVELOPMENT OF AN ACCESSORY DWELLING UNIT; AND

(II) DOES NOT INCLUDE A LIMITATION ON THE SHORT–TERM RENTAL OF AN ACCESSORY DWELLING UNIT.

(C) THIS SECTION DOES NOT APPLY TO A RESTRICTION ON USE ON HISTORIC PROPERTY THAT IS LISTED IN OR DETERMINED BY THE DIRECTOR OF THE MARYLAND HISTORICAL TRUST TO BE ELIGIBLE FOR INCLUSION IN THE MARYLAND REGISTER OF HISTORIC PROPERTIES.

11B–101.

(a) In this title the following words have the meanings indicated, unless the context requires otherwise.

(A–1) "ACCESSORY DWELLING UNIT" HAS THE MEANING STATED IN § 4–501 OF THE LAND USE ARTICLE.

11B–111.11.

NOTWITHSTANDING ANY OTHER PROVISION OF LAW OR ANY PROVISION IN THE DECLARATION, BYLAWS, RULES, DEEDS, AGREEMENTS, OR RECORDED COVENANTS OR RESTRICTIONS OF A HOMEOWNERS ASSOCIATION, THE GOVERNING BODY OF A HOMEOWNERS ASSOCIATION HAS THE AUTHORITY TO TREAT AN ACCESSORY DWELLING UNIT AS A SEPARATE LOT FOR PURPOSES OF VOTING ON A HOMEOWNERS ASSOCIATION MATTER.

11B–117.

(a) (1) As provided in the declaration, a lot owner shall be liable for all homeowners association assessments and charges that come due during the time that the lot owner owns the lot.

(2) **[**The**] NOTWITHSTANDING ANY PROVISION OF THE DECLARATION, ARTICLES OF INCORPORATION, OR BYLAWS RESTRICTING ASSESSMENT INCREASES, CAPPING THE ASSESSMENT THAT MAY BE LEVIED IN A FISCAL YEAR, OR LIMITING ASSESSMENTS TO EACH LOT, THE** governing body of a homeowners association has the authority to **[**increase**]:**

(I) INCREASE an assessment levied to cover the reserve funding amount required under § 11B–112.3 of this title**[**, notwithstanding any provision of the declaration, articles of incorporation, or bylaws restricting assessment increases or capping the assessment that may be levied in a fiscal year**]; AND**

(II) TREAT AN ACCESSORY DWELLING UNIT AS A SEPARATE LOT FOR PURPOSES OF LEVYING ASSESSMENTS.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

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Additional ADU Resources

- Accessory Dwelling Unit Policy Task Force Report
- MAPC Webinar on ADUs in the Mid-Atlantic
- Housing Element Models and Guidelines
- Model Local ADU Ordinance & Assessment Tool
- ADU Bill (HB 1466) FAQ

ADU Policy Task Force

- Task Force Home
- SB 382 Bill Text
- Task Force Members
- Meeting Recordings and Materials
- Reports
- Housing Element Models & Guidelines

ADU Ordinances and Legislation

- Inventory of ADU Ordinances in Maryland
- ADU Legislation from other states

Panel Discussions and Focus Groups

- ADU Owners, Residents, and Aging and Accessibility Advocates Focus Group
- HOAs and Neighborhood Associations Panel Discussion
- Planning Directors Panel Discussion
- Housing Organizations Focus Group

ADU Bill (HB 1466) FAQ

1. What is the purpose of Accessory Dwelling Units – Requirements and Prohibitions (HB 1466)?

Maryland's General Assembly passed HB 1466 during its 2025 legislative session. HB 1466 makes it the policy of Maryland to promote and encourage the creation of Accessory Dwelling Units (ADUs) on land with a single-family detached dwelling unit as the primary dwelling unit in order to help solve the state's housing shortage and meet its housing needs. To accommodate all who want to live in the state, Maryland will need a mix of quality housing types and affordability options, and ADUs are an important part of that mix.

2. How does HB 1466 define an ADU?

HB 1466 defines ADUs as a secondary unit (1) on the same lot, parcel, or tract as a primary single-family detached dwelling unit and (2) that is not greater than 75% of the size of the primary single-family detached dwelling unit. The bill further states that ADUs can be a separate structure from the primary unit or attached as an addition to the primary unit. While not explicitly defined in the bill, jurisdictions may also permit ADUs that are wholly enclosed within the existing single-family dwelling.

3. When does HB 1466 go into effect?

The act became effective on October 1, 2025. The act includes a separate requirement that, by October 1, 2026, local governments adopt a local law authorizing development of ADUs on land with an existing single-family detached dwelling unit.

4. What does HB 1466 do?

The act defines ADUs, creates a statewide policy governing ADUs, requires that local governments adopt local laws authorizing development of ADUs, and prohibits documents such as deeds, bylaws of homeowner associations, and contracts from imposing unreasonable limitations on a property owner's ability to develop an ADU or offer an ADU for rent.

5. How does HB 1466 modify local zoning?

HB 1466 modifies local zoning through its requirements for local laws authorizing the development of ADUs. See below for more information on those requirements.

6. What are the requirements for local laws governing ADUs?

Local laws must follow the intent of HB 1466, which is to promote and encourage ADUs. Such a law must:

- Provide for the development of ADUs as defined in the bill and described in question two above
- Provide for construction of ADUs that meet public health, safety, and welfare standards (such as building codes and adequate public facilities ordinances)
- Exclude ADUs from density calculations
- Exclude the development of an ADU from any measures that limit residential growth on the property on which the unit is proposed

The act states that a local law governing ADUs may not:

- Impose additional parking requirements on ADUs without first completing a parking study to determine the jurisdiction's parking needs
- Establish side and rear setback requirements that exceed existing accessory structure setback requirements

The act states that a local law governing ADUs may:

- Establish standards for ADU safety
- Prohibit conversion of an accessory structure as an ADU if the only access to the structure by car is from an alley

7. Does HB 1466 require local laws to permit ADUs by right?

No, but it does require that local laws authorize ADUs in some manner. A local government may establish a process that allows ADUs by right, or a local government may establish a process that requires a conditional use or special exception to confirm local requirements have been met. The Maryland ADU Policy Task Force recommended permitting "one internal or attached ADU by right on any lot in which a single-family residential unit is similarly permitted by right" as a best practice to support ADU development.

8. Can local laws be more permissive of ADUs than the requirements of HB 1466?

Yes, existing and future local laws governing ADUs can be more permissive than the requirements of HB 1466. This could include by-right approval, reduced or eliminated impact fees, or Adequate Public Facilities Ordinance exemptions. The ADU Policy Task Force report includes many best practices to support ADU development that are more permissive than the requirements of HB 1466.

9. Does HB 1466 impose any requirements regarding lot size or residential density?

HB 1466 does not limit the size of the lot on which an ADU can be located, but it does limit the size of the ADU to no more than 75% of the size of the primary single-family dwelling unit. Although the act does not identify how to measure the size of the primary dwelling for purposes of the 75% limitation, MDP recommends using the square footage of the finished living area above grade. See ADU Policy Task Force report page 16 (ADU sizes should be "subordinate to the principal dwelling to support affordability and limit the impact on community facilities"). The act also requires that local laws governing ADUs exclude them from density calculations.

10. What limit can my jurisdiction impose on ADU size?

HB 1466 defines an ADU as no greater than 75% of the size of its primary single-family detached dwelling unit. Because local jurisdictions are required to authorize ADUs consistent with the state definition, local jurisdictions may not limit the size of ADUs to anything below the 75% limit. Not all ADUs will be this size: a homeowner who wishes to develop a smaller ADU may do so under state law. See question #9 above for more information on ADU size requirements.

11. How does HB 1466 address facility capacity?

HB 1466 requires that local laws governing ADUs "provide for construction of accessory dwelling units that meet public health, safety, and welfare standards, including relevant building codes and adequate public facilities provisions." For municipalities that do not determine their own facility capacities, MDP recommends consulting with their county government.

The ADU Policy Task Force report recommends that local laws continue to follow existing environmental laws and laws regarding facility capacity. For by-right development of ADUs, local laws can include language allowing their development "as available utilities permit" (p. 12).

12. What is a parking study?

HB 1466 does not define the elements of a parking study, but it does require that any additional off-street parking requirements established for ADUs consider the following factors:

- The cost to construct off-street parking spaces
- Whether sufficient curb area exists along the front line of properties to accommodate on-street parking
- The increase in impervious surfaces due to the creation of new off-street parking and its relation to stormwater management
- Variability in parking due to the size of the ADU's lot.

HB 1466 requires that any local law requiring additional parking for ADUs shall provide a waiver process from the parking requirements.

The Maryland ADU Policy Task Force report includes several best-practice recommendations for parking policies related to ADUs so that parking requirements do not become an unreasonable barrier to ADU development.

13. Is my jurisdiction required to do a parking study to comply with HB 1466?

The act requires that local jurisdictions complete a parking study only if their local laws impose off-street parking requirements on ADUs. If a jurisdiction's local law does not require that an off-street parking space be constructed in order to develop an ADU, the jurisdiction does not need to complete a parking study.

14. How does HB 1466 apply to historic districts and historic properties?

The act's prohibition against restrictive covenants (such as deeds or bylaws) specifically exempts Maryland properties listed in or determined to be eligible for listing in the National Register of Historic Places. Historic neighborhoods often include housing types similar to what we now call ADUs, accommodating multi-family and multi-generational living configurations. In many cases, ADUs can be compatible with historic neighborhoods. The Maryland Historical Trust recommends that local governments utilize the Secretary of the Interior's Standards for Rehabilitation (particularly Standards 9 and 10) and consider historic precedents and local architectural styles and approaches when increasing density in historic neighborhoods. If you have additional questions regarding historic properties, please contact Nell Ziehl, Chief of the Office of Planning, Education, and Outreach at the Maryland Historical Trust, at nell.ziehl@maryland.gov.

15. My jurisdiction already has an ADU law. Does HB 1466 require that the law be changed?

If a jurisdiction's existing ADU law complies with all of HB 1466's requirements, it does not need to be changed. Local governments should confirm with their legal counsel whether their ADU laws comply with HB 1466. Any new legislation that a local jurisdiction must adopt to comply with HB 1466 must be adopted by October 1, 2026.

16. How does HB 1466 define "unreasonable limitations"?

HB 1466 addresses unreasonable limitations in its amendment of the Real Property Article rather than in its amendment of the Land Use Article. It defines them as any restriction on use that prohibits, either explicitly or by effect, a property owner from developing or offering an ADU for rent. The act's definition of unreasonable limitations applies to covenants, deeds, or similar private legal documents.

17. Does HB 1466 prohibit HOAs from regulating ADUs?

HB 1466 prohibits HOA bylaws from imposing unreasonable limitations (defined above) on the ability of a property owner to develop an ADU or offer an ADU for rent. HOAs should consult with their legal counsel to determine whether their bylaws may impose an unreasonable limitation on ADUs.

18. Does HB 1466 require that HOAs allow the use of ADUs as short-term rentals?

HB 1466 specifies that, for the purposes of its amendment of the Real Property Article, an unreasonable limitation does not include a limitation on the short-term rental of an accessory dwelling unit.

19. Does HB 1466 allow local governments to regulate the use of ADUs as short-term rentals?

HB 1466 does not alter a local government's powers to regulate short-term rentals.

20. How does HB 1466 affect existing ADUs?

HB 1466 is silent on the topic of existing ADUs. Once a county or municipality adopts a new ADU law meeting the requirements of HB 1466, some existing ADUs within its jurisdiction may not conform with the new requirements. To avoid confusion and burden for existing ADU owners, in consultation with the jurisdiction's legal counsel, MDP recommends that local legislation recognize the legally existing ADUs and avoid deeming them as non-conforming. The ADU Policy Task Force addressed best practices for nonconforming ADUs on page 23 of its report.

21. Does HB 1466 govern ADU structure or construction type?

HB 1466 does not identify permitted ADU structure types. It states, broadly, that local laws governing ADUs may "provide for construction of accessory dwelling units that meet public health, safety, and welfare standards, including relevant building codes." However, § 4-504 of Maryland's Land Use Article separately provides that local governments may not prohibit the placement of a new manufactured home or modular dwelling in a zone that allows single-family residential uses.

The ADU Policy Task Force report recommends that "detached ADUs, including both those involving the conversion of an existing accessory structure (such as a garage) or the construction of a new structure, should only be required to meet the same standards and lot requirements for any other accessory structure that is not a dwelling unit" (p. 15).

22. Does Maryland state law require fire sprinklers to be added to ADUs?

State law requires residential fire sprinkler systems in all new single- and two-family residential dwellings, which would include newly constructed ADUs (Section 313.2 of the International Residential Code as referenced by COMAR 09.12.51.04A). While Maryland's Attorney General has provided an opinion stating that no provision of state law currently requires fire sprinklers in manufactured homes (see Maryland's Attorney General Opinion No. 107 OAG 74), local county or municipal building codes, or local laws governing ADUs, may have separate requirements regarding fire sprinklers. The State of Maryland Department of State Police, Office of the Fire Marshall, is responsible for licensing and regulating residential sprinkler systems. Contact the local government agency that administers the local building code, or the Office of the Fire Marshall, to determine how fire sprinkler requirements apply to a proposed ADU.

23. Where can I find more information about best practices for ADUs?

MDP maintains a webpage with a list of resources related to ADU policy, including the 2024 report published by Maryland's ADU Policy Task Force. MDP will continue to update this page with additional guidance in coming months. If you have any other questions regarding ADUs that you think should be added to this document, please contact Carter Reitman, MDP's Lead Housing Planner, at carter.reitman2@maryland.gov.

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Accessory Dwelling Unit Policy Task Force Final Report

May 31, 2024

Maryland
DEPARTMENT OF PLANNING

Wes Moore, Governor
Aruna Miller, Lt. Governor

Rebecca L. Flora, AICP, Secretary
Kristin R. Fleckenstein, Deputy Secretary

Maryland
DEPARTMENT OF PLANNING

May 31, 2024

The Honorable Wes Moore
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The Honorable Bill Ferguson
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The Honorable Adrienne A. Jones
Speaker, Maryland House of Delegates
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Annapolis, MD 21401-1991

RE: ACCESSORY DWELLING UNIT POLICY TASK FORCE FINAL REPORT

Dear President Ferguson and Speaker Jones,

On behalf of the Accessory Dwelling Unit (ADU) Policy Task Force (Task Force), I am pleased to submit our Final Report, in accordance with 2023 SB 382 and State Government Article (Article) §2–1257.

At present, the state is experiencing a housing shortage of a staggering 96,000 units and that shortage is growing at an average of 5,600 units annually. This lack of supply has had a significant impact on the cost of living for Marylanders. According to data published by the Department of Housing and Community Development, 52% of renters are now cost burdened, spending 30% or more of their wages on housing-related costs, and a striking 23% are spending upwards of 50% of their income on housing.

While this crisis impacts Marylanders across the state, the high costs and lack of availability of housing have a disproportionate effect on our seniors and high-need populations. The construction of more accessory dwelling units may be but one tool to resolve this crisis. However, these dwellings may have a significant impact on some of our most vulnerable Marylanders, namely those with disabilities and aging populations who seek support from their families and communities. With better and more consistent policies in Maryland, we can reduce the high cost of these units and remove much of the confusion faced by homeowners as they attempt to construct an ADU on their property.

As per the Article, the Task Force included fifteen members (see Table 1) from a cross-section of agencies, organizations, and disciplines who met over nine months to deliberate on various aspects of ADU policy. After nine months of deliberations, the Task Force unanimously adopted the final report on May 21, 2024. The Task Force web page for this initiative serves as a resource for communities interested in pursuing ADU policy.

Please don't hesitate to contact me or Joe Griffiths, MDP staff team lead, if you have questions or would like us to provide a briefing on the report

Sincerely,

Rebecca L. Flora

Rebecca L. Flora, AICP
MDP Secretary / ADU Task Force Chair

cc: ADU Task Force Members; Joseph Griffiths

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Public Infrastructure and Services
Housing Supply
Codes
Ownership
Housing Affordability
Legacy Racial Inequity in Housing
Keep It Simple, Be Reasonable
Community Context
Restrictive Covenants

II. Executive Summary

Maryland is facing a housing crisis with an estimated 96,000-unit deficit.[1] This gap has been in the making for over a decade and in turn has impacted Maryland's lagging GDP growth rate of 2.1% since 2016. During the 2023 legislative session, the General Assembly recognized Accessory Dwelling Units (ADUs) as one strategy among many to encourage more residential options for Marylanders, passing SB 382, which established the Accessory Dwelling Unit Policy Task Force (Task Force).

SB 382 assigned the Task Force to develop policy recommendations for state and local government by surveying the ADU development policies, regulations, and programs of Maryland jurisdictions and other states in areas zoned for single-family residential use. Chaired by Maryland Department of Planning (MDP) Secretary Rebecca L. Flora, 15 leading experts in the fields of housing development, zoning, architecture and design, real estate, aging, and accessibility, as well as local and state government representatives, composed the Task Force membership (see Table 1).

Maryland's real GDP per capita has grown only 2.1% since the end of 2016, compared to 11.9% for the U.S., 9.9% for Virginia, and 7.5% for Pennsylvania.

Office of the Comptroller Maryland 2023, State of the Economy

The Task Force held nine meetings that were open to the public from September 2023 through May 2024. With the assistance of MDP staff, the Task Force analyzed the current impacts of local and state ADU policy and regulation with the demands and contexts of Maryland's unique communities. Through this analysis common themes were frequently raised and are detailed in Section IV. Combining research, deliberation, stakeholder engagement, and public comment, the Task Force drafted policy recommendations (Section V) and identified guidance, resources, and technical assistance (Section VI) needed to advance the implementation of ADUs throughout Maryland's communities. The extensive number of resources identified throughout the process are listed in Appendices along with a glossary of terms and executive summary of the market assessment also performed during the process. Additionally, an ADU Task Force web page was created on the MDP web site to host all materials and will remain available as a resource for access by all.

In spring 2024, the Task Force prioritized those topic areas and recommendations appearing to have the greatest impact on ADU development. These priority impact areas were deliberated in a working meeting in April, leading to a draft report that was ultimately adopted through unanimous vote at the final May 21, 2024, meeting.

> *"The level of engagement by all Task Force members serves as a testament to the importance of accessory dwelling units to all Marylanders. The Task Force thoroughly examined the research and best practices of ADUs and deliberated in a balanced manner, respecting the array of perspectives from small to large communities. They also provided their own professional expertise directly to ensure all factors were considered. The Task Force should be commended for their work and the unanimous adoption of the final report as an accurate reflection of the collective outcome of nine months of learning and deliberations."*
>
> ***~ Rebecca L. Flora, AICP, MDP Secretary/ADU Policy Task Force Chair***

1 Housing Underproduction in the U.S. 2023, Up For Growth

The Task Force proposes the adopted policy recommendations listed below, and further detailed in Section V, for Governor Moore and the General Assembly consideration.

By-Right Approval The state should pursue legislation which would require the permitting of one ADU as a by-right use in most areas of Maryland whose zoning permits single-family residential uses.

Parking Requirements The state should not pursue legislation governing local parking requirements for ADU approval. Rather, further guidance and resources are needed to help Maryland jurisdictions develop ordinances in which parking requirements do not present an unreasonable barrier to ADU development.

Lot Requirements The state should not pursue legislation governing local lot requirements for ADU approval. Rather, further guidance and resources are needed to help Maryland jurisdictions develop ordinances in which lot requirements do not present an unreasonable barrier to ADU development.

Restrictive Covenants The state should pursue state legislation that would prohibit new and existing covenants for housing developments from barring or unreasonably restricting ADUs.

Impact Fees The state should pursue legislation that limits impact fees that would unduly hinder the affordability of ADUs. Further guidance and resources are needed to help Maryland jurisdictions prevent impact fees from presenting an unreasonable barrier to ADU development and affordability.

Infrastructure and Facilities The state should pursue state legislation which would prohibit jurisdictions from requiring an ADU developer to install new and/or separate water and sewer lines to the unit.

Further analysis is needed to help Maryland jurisdictions determine the impact that ADUs have on school capacity. Additional guidance and resources are needed to help Maryland jurisdictions quantify and measure this impact and craft reasonable Adequate Public Facilities Ordinance (APFO) school tests for ADUs.

Additionally, the Task Force identified several areas, listed below and further detailed in Section VI, as needing additional guidance, resources and technical assistance.

- Aging and Accessibility
- Financial Incentives and Partnerships
- Government Directed Technical Assistance and Education for ADU Interested Homeowners
- Nonconforming Uses and Structures
- Owner Occupancy Requirements
- Short Term Rentals
- Rental Licensing Programs

III. Introduction

A. Purpose

This report was prepared by the Accessory Dwelling Unit Task Force (Task Force) and staffed by the Maryland Department of Planning (MDP) in accordance with 2023 SB 382 and State Government Article §2–1257. The purpose of this report is to meet the requirements of SB 382 that require the Task Force to:

1) *"survey and document a representative sampling of State and local codes, laws, ordinances, and policies regarding the development and operation of accessory dwelling units in areas zoned for single-family residential use, including those codes, laws, ordinances, and policies that address residential growth in these areas;*
2) *study available best practices for streamlining or standardizing the application process for permits necessary to build or operate an accessory dwelling unit; and*
3) *make legislative or other policy recommendations, including a list of best practices for local governments in the State, that holistically address:*
    i) *the practical issues associated with the development of accessory dwelling units on owner–occupied land zoned for single–family residential use; and*
    ii) *the impacts on local housing markets, neighborhood livability, and other policies and projects related to accessory dwelling units."*

SB 382 defined 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 defined 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)."



The Task Force compiled a glossary of terms related to ADUs arising during its deliberations which can be found in Appendix A.

B. 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 organizations listed in SB 382, the Maryland Department of Planning (MDP) and the Chair established the following roster of Task Force members according to SB 382's requirements. Ex-officio, non-voting members from the Maryland Departments of Disabilities and Aging were also invited by the Chair to participate in deliberations.

Table 1

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 to the Director
MACo Rural County Rep.	Amy Moredock, CFM	Queen Anne's County Planning & Zoning	Director
MML Urban Municipality Rep.	James 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	Century 21 Harris Hawkins & Co	Broker Owner
Chesapeake Region Chapter of the Community Asso. Inst.	Quinn Griffith	Whiteford, Taylor, & Preston LLP	Associate
American Institute of Architects Maryland	Deborah Buelow, AIA, Well AP	Cedar Architecture	Principal/Founder
AARP	Priscilla Kania	AARP Maryland	Lead Volunteer Advocate
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
Ex-officio (non-voting) Member	Isabella Shycoff	Maryland Department of Aging	Division Director, Housing Services
Ex-officio (non-voting) Member	Charmeda McCready	Maryland Department of Disabilities	Director of Housing Policy and Programs

MDP staff members who conducted research and supported the work of the Task Force included:

Joe Griffiths, AICP, Local Assistance and Training Manager (team leader)
Susan Llareus, PLA, ASLA, Planner Supervisor, Regional Planner for Maryland Capital Region
David Dahlstrom, AICP, Upper Shore Regional Planner
Yasmin Behram, M.A., Executive Assistant, Office of the Secretary
Fahmi Khairun, Intern, Master of Community Planning Student, University of Maryland

C. Task Force Process

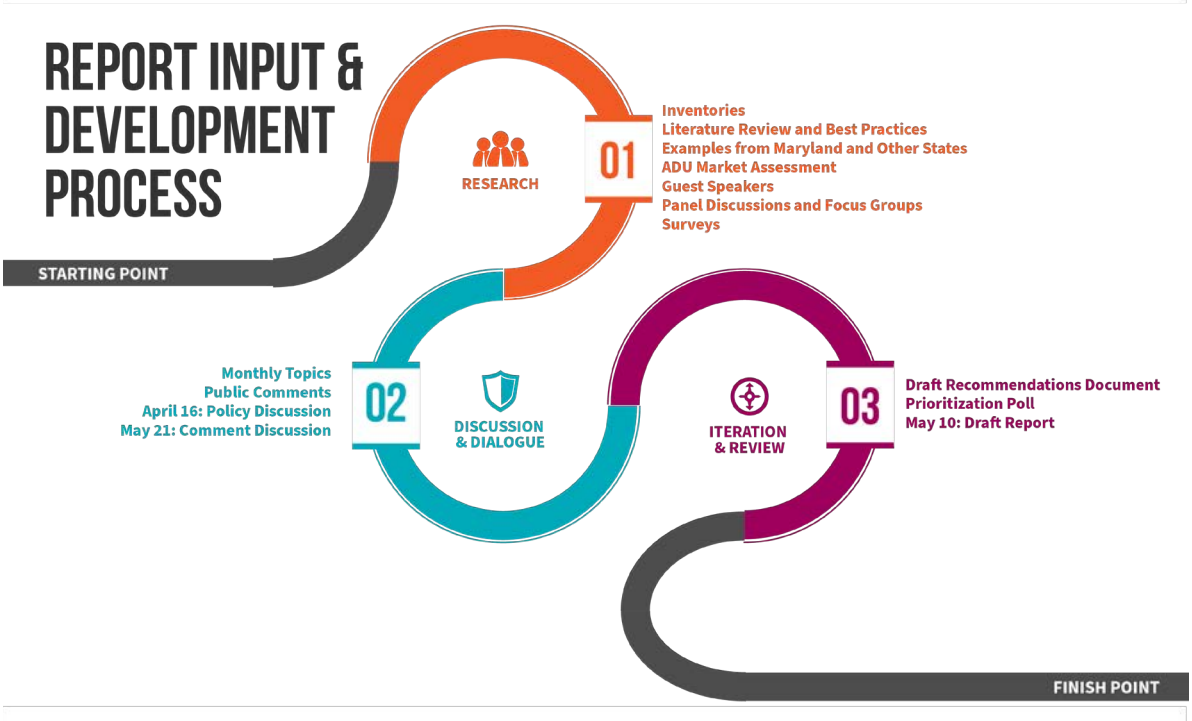
The Task Force studied best practices for streamlining or standardizing the local ADU application and development review process. From this analysis, the Task Force developed legislative and policy recommendations, including best practices that holistically address ADU issues. The recommendations consider potential impacts on surrounding single-family neighborhoods, local housing markets, and neighborhood character.

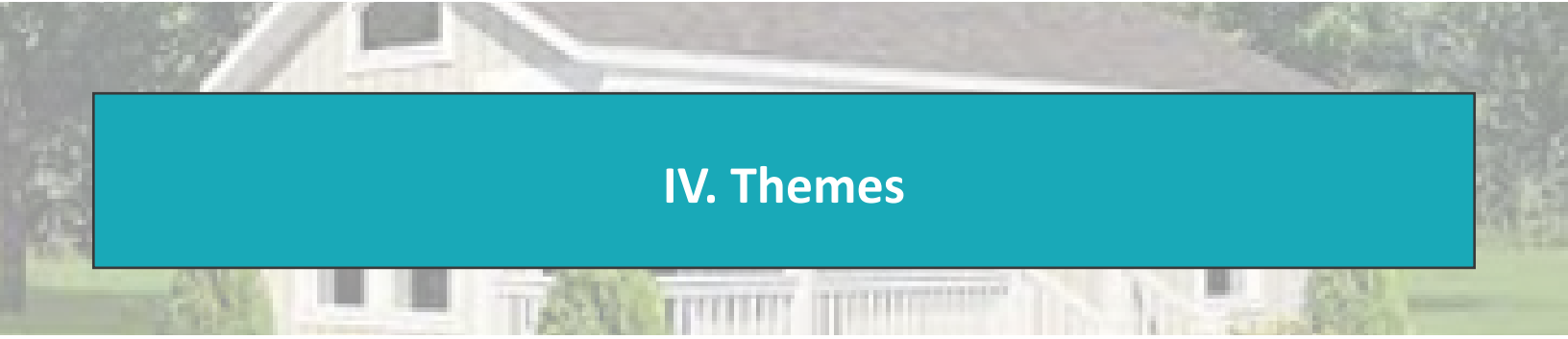
MDP served as staff to the Task Force. Governor Moore appointed MDP Secretary Rebecca L. Flora, AICP as Chair of the Task Force (Chair). SB 382 assigned MDP to staff the Task Force, who collaborated with the Maryland Department of Housing and Community Development (DHCD) on research.

In September 2023, MDP developed a Accessory Dwelling Unit Policy Task Force webpage to inform Marylanders about Task Force meetings, research, and discussion. The webpage included a comment form through which members of the public could share their opinions and insights with the Task Force. Staff completed a Public Comment Report to summarize comments received through May 31, 2024, the comment form end date. The Task Force also encouraged members of the public to attend and comment during meetings which were all open to the public. Further, the meetings were held in a hybrid format except for the April working meeting that was in-person only (and open to the public) to facilitate the process of finalizing recommendations.

The Task Force met monthly from September 2023 through May 2024. The first two meetings established the Task Force's purpose, clarified definitions, formed a meeting and research plan, and prioritized discussion topics. MDP and DHCD staff compiled inventories of ADU ordinances in Maryland and ADU legislation from other states, which the Task Force used to inform its deliberations through a series of topical meetings extending from November through March. The Task Force prioritized recommendations during the April meeting, reviewed the draft report in advance of the May meeting, and finalized their work on the report in May. In preparation for each meeting, MDP and DHCD reviewed best practices literature and ADU resources informing the next topic. The Task Force distributed two surveys- Builders and Developers and Environmental Organizations. The Task Force also hosted four focus groups and/or panel discussions that included Planning Directors, ADU Owners, Residents, and Aging and Accessibility Advocates, Homeowners Association and Neighborhood Associations, and Housing Organizations. Finally, staff serving the Task Force completed an ADU Market Assessment to address SB 382's requirement that the Task Force consider ADU impacts on local housing markets and neighborhood livability.

The diagram to the right outlines the Task Force's process and timeline.





IV. Themes

A review of Task Force meeting records by the MDP staff resulted in the identification of common topics or themes that the members most frequently raised. The top ten most frequently raised themes below were not scientifically derived and are not in order of priority, however they do reflect a general summary of issues and considerations. As a result, these common themes are, in many cases, woven into the policy recommendations and/or local guidance that follows in the next sections of this report along with more detail.

1) **Housing Supply.** Maryland has a 96,000 housing unit shortage.[2] ADUs are a small, 1%-2% estimated potential, but essential part of filling a housing gap for small, one-to-two-bedroom households. For example, only 2% of Portland, Oregon properties include an ADU,[3] which is the highest percentage for large American cities. This is a solution that is already quietly (and often illegally) occurring in some places, often without adequate health and safety considerations and due to the dire housing needs of Marylanders.

2) **Housing Affordability.** The cost of housing has risen dramatically,[4] making it unaffordable for many to stay or move to Maryland. Overly burdensome regulations have made it impractical for ADUs to be considered an affordable option without relief from regulatory barriers and the provision of targeted financial lending or other incentives.[5]

3) **Accessory Structures.** Most zoning codes address accessory "structures" in residential areas. Attached or detached accessory "dwelling" structures should not be treated as a new housing unit with all the associated requirements and fees that further impact affordability.

4) **Community Context.** One size does not fit all was a strong consideration for how to best scale any state-wide policy or guidance. The varying conditions from urban to rural, market demand, existing infrastructure and service capacity, and special overlay districts require local interpretation in implementation.

5) **Keep it Simple, Be Reasonable.** ADUs are typically undertaken by homeowners without experience in design, permitting, and construction. Local and state regulatory requirements that are overly complex and burdensome create barriers and add cost to the project. Local regulations and decision-making for obtaining an ADU building permit should be "reasonable". State guidance to local jurisdictions through data, tools, and resources are also needed to simplify the varying and confusing approaches already occurring across the state.

[2] Housing Underproduction in the U.S. 2023, Up For Growth
[3] The ABCs of ADUs, A guide to Accessory Dwelling Units and how they expand housing options for people of all ages, AARP, 2021.
[4] ACS 1-Year Data, DP04
[5] Maryland Housing Needs Assessment & 10-Year Strategic Plan, 2020

6) **Legacy Racial Inequity in Housing.** The injustices of redlining, Euclidean (single purpose) zoning and large lot development over the decades have created neighborhoods that purposedly served to shut people out. Before these policies became popular, it was common for multiple generations to live in one home, a detached carriage house, or a duplex to accommodate family growth and aging in place, or to provide much needed rental income. ADUs are not new, they are a practice considered standard that past generations considered normal.

7) **Public Infrastructure and Services.** Additional stress on existing streets, water and sewer, electric, gas, trash, schools, parking, and other public services, (and private systems) are a real concern of local officials, as they are with many other developments. While some of these community services and infrastructure are already overburdened, the impacts of ADUs may be overstated compared to other housing types. However, these concerns exist and should be acknowledged as being unique to each locale.

8) **Restrictive Covenants.** Homeowner associations often prohibit ADUs over concerns for home values and quality of life. There is an equity divide between these types of deed-based protections, which are often at odds with local planning and zoning, which can adapt to changing community needs. Local jurisdictions may have limited oversight regarding private restrictive covenants. These protections, which apply to some neighborhoods, should be addressed moving forward as an obstacle to adding housing supply. In some cases, more flexibility would be welcomed by some existing homeowners to diversify existing places to improve marketability.

9) **Ownership.** Based on input from builders and developers in Maryland and through Task Force discussion, the most predominant type of ADU construction in Maryland appears to be for family members.[6] However, the growing trend[7] of short-term rentals in some communities has also raised concern over who should be eligible to live in an ADU. Existing code typically addresses this issue, and it would be hard to enforce if structures were limited to family members only. Limitations such as ownership would also limit future market adaptability.

10) **Codes.** Existing building codes and state regulatory measures address multiple aspects of any site development and building construction. These should be seen as the primary source for all aspects of the ADU. Many of these regulations relate to health, safety, and welfare, and are relevant to the design and cost of ADUs, including fire protection, emergency access, and the enforcement of the American with Disabilities Act. Additionally, “visitability” features of ADUs that allow improved accessibility for residents and visitors should be considered for populations most in need of locational proximity to the primary unit.



[6] ADU Task Force Builder/Developer Survey
[7] The Effect of Short-Term Rentals on Residential Investment, 2021

V. Policy Recommendations

Early in its tenure, the Task Force established a meeting and research plan to organize the progression of monthly meeting topics. The Task Force deliberated ADU policy recommendations for zoning use and approval processes, lot requirements, design and building codes, parking requirements, community facilities, code enforcement, utilities and fees, and affordability. These deliberations were aided by an inventory of ADU ordinances in Maryland jurisdictions, an analysis of ADU legislation in other states, best practices research, focus groups and panel discussions, and surveys that were all undertaken by MDP staff. During each meeting, the Task Force responded to the following questions regarding the designated focus topic.

1) *What preliminary legislative and policy recommendations should the Task Force include in its final report to the Governor and General Assembly?*
2) *What preliminary best practices should the Task Force include in its final report to the Governor and General Assembly?*
3) *What additional research, if any, is needed to address this topic?*

In between Task Force meetings, MDP staff developed and shared preliminary ADU recommendations and best practices for local and state government related to the previous meeting's topic. Using this method, the Task Force and staff engaged in an iterative recommendation drafting process throughout the Task Force's tenure.

In preparation for the April 2024 Task Force meeting, staff compiled the preliminary recommendations into a Task Force member poll. Members used the poll to prioritize topics and recommendations for state legislative action, and/or technical assistance and resource development. During the April meeting, staff presented Task Force members with example state legislative recommendations for six topics which they prioritized in the poll. In order of poll response priority, those topics were

1) By-Right Approval;
2) Parking Requirements;
3) Lot Requirements;
4) Restrictive Covenants;
5) Impact fees; and
6) Infrastructure and Facilities.

The Task Force also identified the top three policy priorities for further state guidance. Thus, for those three, this section also includes best practices and guidance recommendations. The other areas of guidance, which were not prioritized for state policy action, are included in Section VI. Task Force Chair Secretary Rebecca L. Flora facilitated deliberations on each topic and provided every Task Force member an opportunity to respond, express approval or disapproval of the draft recommendations, and suggest amendments.

The resulting policy recommendations below communicate the primary focus of the Task Force on legislative and policy recommendations for Governor Moore and General Assembly consideration. The facilitated deliberation was not intended to result in a majority vote up or down, but rather to get a majority sense on each of the priority areas and understand the members' perspectives due to the complexity of each issue. To address this, Policy Recommendations include: 1) a policy statement with a brief description of the topic and Task Force majority position; 2) considerations that often vary by context and reflect various perspectives to be considered; and 3) example Task Force member statements (modified with approval here for brevity and clarity) which highlight some of the discussion.

As noted above, the top three policy and guidance topics also include 4) best practices and 5) resources that are needed. Throughout the deliberations, Task Force members recognized the diversity of Maryland's communities but felt that some local ADU context-sensitive standards could be established without being too onerous, expressing the need to avoid unreasonable[8] ADU conditions or limitations.

1. By-Right Approval. The state should pursue legislation which would require the permitting of one ADU as a by-right use in most areas of Maryland whose zoning permits single-family residential uses.

A by-right approval use qualifies for a permit without requiring discretionary board or hearing examiner review to analyze the fulfillment of subjective criteria, but rather can be approved administerial if it meets specified criteria. When discussing the ADU as a by-right use, Task Force members generally agreed that addressing Maryland's housing crisis requires as few procedural and political barriers as possible. They also noted that allowing ADUs by-right will help maintain affordability for both homeowners and ADU residents, combat exclusionary zoning limiting access to certain neighborhoods for those of modest incomes, limit the creation of illegal ADUs, and unify zoning codes. Most members agreed that allowing the ADU as a by-right use would lead to the creation of more ADUs to address housing shortages in the state.

Considerations

- The building permit process for ADUs as by-right use should be straightforward, and efforts to ensure consistency in ADU (by-right) requirements across the state should be pursued.
- Allowing ADUs as a by-right use does not prevent local governments from applying development standards for ADU approval.
- Maintaining some degree of local permitting control over conditions for by-right approval is the only way that state legislation governing by-right approval of ADUs would likely be supported by most special interest groups.
- Zoning regulates use of property either by-right or as special exception/conditional use.
    - By-right use approval is an administrative process, which tends to be quicker.
    - Special exception/conditional use approval requires public meetings and tends to be longer and more costly.
- Local government determination on use regulation is often based on past practices of similar uses. New uses or unfamiliar uses tend to have more permitting restrictions.
- Other regulations, such as building codes, may better address design considerations rather than including standards for special exception/conditional use in zoning ordinances, as design requirements in zoning ordinances are often subjective and can be used to purposefully restrict ADUs.

> *"If the approval is not by-right, ADU applicants must hire a design professional, which will be unaffordable to most homeowners, to help them get through the process and go through the board of appeals. That is a lot of money and a lot of time that they will not likely have. And that is all before they even know if they will be permitted to build an ADU."*
>
> *"People are going to build ADUs whether they are permitted or not, and it is better to ease that permitting through by-right approval processes so local governments will have more control and knowledge of ADUs being constructed."*
>
> ***~ Task Force Member Statements on By-Right***

8 "Unreasonable" is defined comparably to its use in the Housing Expansion and Affordability Act of 2024 (HB 538). That bill defined an unreasonable limitation or requirement as one that "amounts to a de facto denial by having a substantial adverse impact on" the viability or affordability of a housing development project."

Best Practices

- Permit one internal or attached ADU by-right on any lot in which a single-family residential unit is similarly permitted by-right.
- Permit detached ADUs by-right on any lot in which a single-family residential unit is similarly permitted by-right, but with additional conditions to ensure that the ADU massing is subordinate to that of the primary dwelling unit.
- Establish objective conditions for local approval of ADUs that address measurable requirements such as massing, entrance locations, connections to public utilities, and square footage. They should not include subjective criteria such as neighborhood compatibility, or adverse impacts.

Example By-Right Best Practice

The City of Aberdeen treats ADUs (called an Accessory Apartment in the city's zoning ordinance) as a type of dwelling rather than accessory structure and permits one by-right in its R-2, R-3, B-1, B-2, IBO, and TOD zoning D=districts. ADUs are permitted ministerially by the Zoning Administrator after submission of a permit application, plot plan or location survey with ADU location, and construction drawings. ADUs are subject to lot requirements and cannot exceed 50% of the above-grade living area of the primary dwelling.

Technical Assistance, Resources, and Guidance Gaps

- Description of ADU benefits and contributions to housing supply, affordability, gentle incremental densification, aging in place, and sustainable development.
- Communication and outreach strategies for use by local planning agencies as to what ADUs are and are not, as well as their proportionate documented impact on community facilities.
- Advice on the exclusion of restrictions based on utilities, as these are regulated by other laws already in place, including public water and sewer capacity and private septic systems, or environmental laws. Instead, the by-right use may include wording "as available utilities permit".
- By-right ADU approval standards that respond to the physical design of the neighborhood in bulk requirements such as lot size, unit size, setbacks, and height.



2. Parking Requirements. The state should not pursue legislation governing local parking requirements for ADU approval. Rather, further guidance and resources are needed to help Maryland jurisdictions develop ordinances in which parking requirements do not present an unreasonable barrier to ADU development.

Zoning ordinances typically require a certain number of dedicated parking spaces based on the type and intensity (i.e. size) of a proposed use. In zoning ordinances which permit ADUs, this is often reflected in a requirement that ADU applicants construct one or more off-street parking spaces on the same property in which an ADU will be constructed. While recognizing that off-street parking requirements may make ADU development unfeasible for many property owners, Task Force members generally agreed that parking supply and demand is best determined locally and that state legislation prohibiting local governments from requiring off-street parking spaces will negatively impact older well-developed communities with a heavy reliance on automobiles

Considerations

- Maryland does not have a strong statewide transit network, so the state should develop and implement strategies to enhance the network and reduce auto-dependency.
- Parking requirements demand flexibility, which is best assessed locally and should be context sensitive. Parking studies or other assessments demonstrating the insufficiency of on-street parking could be conducted by jurisdictions which want to require off-street parking as a condition of ADU approval. Maryland jurisdictions should make the final decision relating to parking for ADUs.

> *"There is nothing worse than having an elderly homeowner call and tell you she needs to walk two blocks to get to her home because her neighbor has five service vehicles parked in front of their house."*
>
> *We should use solutions to parking problems, such as accessible spaces, rather than limit ADUs because we already have parking problems.."*
>
> ***~ Task Force Member Statements on Parking Requirements***

- ADU ordinances should address parking requirements appropriately and in the context of the jurisdiction with the least restriction necessary to avoid an unreasonable barrier to ADU development.
- It is not equitable to put the burden of solving a jurisdiction's existing parking problems on an individual property owner who wishes to construct an ADU of very minor to no impact due to its small 1–2-bedroom size. Parking requirements can be a barrier to ADU permitting.
- State and local governments should consider different parking requirements for different types of ADUs, such as those that are internal, attached, or detached.
- Off-street parking requirements can be expensive to construct and often penalize working class owners of smaller properties.
- Off-street parking adds to the issue of impervious surfaces, creating additional impact rather than utilizing existing, shared on- and off-street parking options.

Best Practices

- Eliminate off-street parking requirements for ADUs developed within .75 miles of a transit stop or station.
- Never require more than one off-street parking space as a condition for ADU permitting.
- Complete a parking study prior to adopting ADU ordinance parking requirements.
- If off-street parking is required for ADU construction, develop an ordinance that allows a parking waiver under certain circumstances.
- Develop parking requirements for ADUs that consider, or factor into decision making:
    - that the cost to construct off-street parking spaces is prohibitive for most homeowners;
    - whether sufficient curb area exists to accommodate on-street parking, including areas in proximity to transit;
    - that the increase in impervious surface resulting from off-street parking spaces may run counter to stormwater management objectives; and
    - variability determined by lot and ADU size.

Example Parking Requirements Best-Practice

The Town of Snow Hill permits one ADU by-right in its R-1 and R-2 zoning districts. ADU permitting does not require the creation of an additional parking space if the unit is constructed on a site with an existing home and on-street parking in the neighborhood is "permitted and adequate". The creation of one additional parking space is required when none of the abutting streets can accommodate on-street parking or if the ADU is constructed at the same time as the primary dwelling unit.

Technical Assistance, Resources, and Guidance Gaps

- Metrics for the elimination of off-street parking requirements for properties within .75 miles of a transit stop or station.
- Maximum parking standards supportive of residential development.
- Documented parking impacts of ADU development on Maryland communities that have permitted ADUs for at least 10 years and witnessed statistically significant ADU construction.



3. Lot Requirements. The state should not pursue legislation governing local lot requirements for ADU approval. Rather, further guidance and resources are needed to help Maryland jurisdictions develop ordinances in which lot requirements do not present an unreasonable barrier to ADU development.

Zoning ordinances govern use requirements with restrictions on minimum lot size and density, as well as building setbacks, height, floor area ratio, and more, otherwise referred to as development standards. When discussing lot requirements, the Task Force generally concurred that ADUs will only be a viable housing product in Maryland if development standards do not present an unreasonable financial and approval burden on property owners desiring to construct ADUs. Members also acknowledged that different types of ADUs (e.g. internal, attached, detached) necessitate context sensitive requirements as they impact properties in distinct ways. Ultimately though, the Task Force concluded that local governments are best suited to craft reasonable ADU ordinances with development standards that meet the needs of their communities.

Considerations

- To encourage ADUs as a viable housing option,
  - Jurisdictions should not use lot requirements as a tool to intentionally restrict ADU development nor apply lot requirements for ADUs that are more burdensome than those placed on the principal residential structure, as construction may become infeasible if ordinances are overly restrictive.
  - Lot requirements for internal or attached ADUs should be the same as those for the principal dwelling, while those for detached ADUs should be the same as those for accessory structures. Zoning ordinances should strive to simplify these distinctions.
  - ADUs should not count against unit-per-acre density calculations in zoning ordinances unless they exceed a certain size, measured either in square feet or as a percentage of the principal dwelling.
  - ADU ordinances should not require a minimum unit size but should set a maximum unit size to ensure subordination to the principal dwelling and support unit affordability.
- ADU ordinances should consider the unique needs and impacts of different types of ADUs. For example:
  - The conversion of a basement or other portion of a dwelling that includes only interior alterations should not trigger any lot requirement standards as the building mass is not changing.
  - An ADU created as an addition to an existing house should be treated the same way as any addition to a house, following the standards for the original home.
  - Detached ADUs, including both those involving the conversion of an existing accessory structure (such as a garage) or the construction of a new structure, should only be required to meet the same standards and lot requirements for any other accessory structure that is not a dwelling unit.

> *"Jurisdictions should maintain local control of lot requirements unless they, in bad faith, use them to subvert the provisions of a state ADU law, such as one requiring by-right approval."*
>
> *"I feel strongly that ADUs should not count against zoning district residential density limitations"*
>
> ***~ Task Force Member Statements on Lot Requirements***

Best Practices

- Ensure ADU sizes are subordinate to the principal dwelling to support affordability and limit the impact on community facilities.
- Include specific zoning ordinance statements that remove ADUs from residential unit density calculations. The inclusion of ADUs in density calculations may prohibit or preclude their development in existing neighborhoods or limit overall unit production in new residential developments.
- Establish appropriate maximum ADU unit size and other bulk requirements such as setbacks, height of building, lot coverage, and/or floor area ratio calculation guidelines.
- Do not require internal ADUs or converting existing accessory structures into ADUs to consider lot requirements, as they do not impact building massing on a property.

Example Lot Requirements Best-Practice

Queen Anne's County permits one ADU (called an Accessory Apartment in the county's zoning ordinance) as an accessory residential use per single-family lot. ADUs are not counted against dwelling unit density limitations if they are within the primary dwelling or an approved residential accessory structure, are 1,500 square feet or less, the property owner lives in the primary unit, AND, if on septic, approved by the county health department.

Technical Assistance, Resources, and Guidance Gaps

- Appropriate maximum ADU unit size calculation guidelines and examples tailored to the lot and unit size of the principal dwelling and/or zoning district, such as those based on a maximum percentage of the size of the principal dwelling.
- Checklist of lot requirement criteria and options that Maryland jurisdictions could use for local deliberations and decision making regarding ADU ordinances.
- Clarity on how zoning ordinances, subdivision ordinances, building codes, and other regulations respectively impact ADU lot and bulk requirements.



4. Restrictive Covenants. The state should pursue state legislation that would prohibit new and existing covenants for housing developments from barring or unreasonably restricting ADUs.

Many, if not most residential subdivisions built today include some form of restrictive covenant that limits what owners can do with their properties or homes. Restrictive covenants, which are not governed by zoning ordinances, have helped perpetuate a long history of racial injustice in Maryland. Many of those developed after the 1968 Fair Housing Act, which outlawed restrictive covenants based on race, still had their intended segregated effect as they limited access to certain communities based on income thresholds. When discussing restrictive covenants, Task Force members generally agreed that restrictive covenants prohibiting ADUs are a worst practice that must be avoided. If Maryland considers housing development important, it should work to address the practice of creating restrictive covenants that remain a barrier and are their own form of exclusionary housing practice.

Considerations

- Restrictive covenants usurp local planning and zoning authority. However, residents will often look to the local government to help enforce them, even though the covenants are private property agreements.
- Retroactively overriding existing restrictive covenants may be legally challenging and would likely be opposed by many Homeowner's Associations (HOA's), while legislation prospectively prohibiting new covenants from restricting ADUs may be more implementable.
- Restrictive covenants present one more barrier to property owners who want to construct an ADU for a family member or renter, lessening their viability as a housing product.
- Some restrictive covenant elements are set based on a fixed point in time of market conditions and targeted demographics that may no longer be relevant. Yet, they are very difficult to amend by a new generation of property owners who often prefer greater diversity of housing type and occupancy.
- Restrictive covenants may be considered outside the Task Force's purview because they are private restrictions not subject to local zoning enforcement.
- ADUs could impact the use and capacity of community or HOA assets such as clubs and pools. HOAs may have a valid reason to prohibit or restrict them if these assets cannot be adjusted for occupancy and variation in fees.

> *"There are owners who purchase into deed-restricted communities because they know, going into it, that ADUs are not permitted, and that one will not pop-up next door."*
>
> *"Some of our recommendations propose overriding local zoning control, but the Task Force is afraid of overriding HOAs and restrictive covenants?*
>
> ***~ Task Force Member Statements on Restrictive Covenants***

Equity in Zoning Policy Guide, American Planning Association, 2022

"Although enforced through private lawsuits, covenants can be and often are just as effective as zoning in preventing affordable housing, innovative types of housing, rental units, accessory dwelling units (ADUs), or social services from entering a neighborhood. Zoning does not have the power to rescind private covenants; that generally requires action by the homeowners subject to the covenants or by state or federal government to declare specific types of covenants unenforceable. State or federal action to prohibit the use of exclusionary residential covenants—similar to that prohibiting the use of exclusionary racial covenants -- would be particularly helpful."

5. Impact Fees. The state should pursue legislation that limits impact fees that would unduly hinder the affordability of ADUs. Further guidance and resources are needed to help Maryland jurisdictions prevent impact fees from presenting an unreasonable barrier to ADU development and affordability.

Maryland jurisdictions impose impact fees on new developments to help pay for the increased demand on community facilities (schools, police, parks) and infrastructure (water and sewer, roads). Developers account for impact fees when crafting a budget for a proposed development. The majority of those constructing ADUs, however, are homeowners with limited financing options and modest budgets. When discussing impact fees, the Task Force generally concurred that they are necessary to ensure the local government's financial capacity and that decisions on imposing them should remain a local prerogative.

Impact Fees are not applicable to the resale of existing homes, nor in the permitting process of additions to existing homes or for accessory structures. In the case of an ADU, charges for impact fees can vary between jurisdictions. Members shared that some services, such as public water and sewer capacity, are beyond local control and that impact fees are needed to meet existing state requirements. However, the Task Force also noted that ADUs should not require the same impact fees as a newly constructed principal unit and that jurisdictions should be strongly encouraged to ensure they do not present an unreasonable barrier to ADU development. While ADUs may generate some additional burden on municipal/ county services, this burden is not equivalent to that of a principal dwelling unit. Unreasonable impact fees only serve to inhibit ADU development or raise the cost of the unit, undermining the ability to serve residents most in need of housing.

> *"Many local impact fee codes already incentivize affordable housing options. State legislation should not trample on such locally established processes and reinvent the wheel for one specific land use."*
>
> *"How do we keep it simple and affordable? Impact fees should be determined locally, but they must be reasonable and not something that stops an ADU."*
>
> *"It is ridiculous to charge an impact fee to an elderly widow who wants to build an ADU for a caretaker, after their partner dies and kids move away, when they previously used many more public services and facilities caring for a large family."*
>
> ***~ Task Force Member Statements on Impact Fees***

Considerations

- Local government determination of impact fees should be allowed to the extent they are not used in an unreasonable manner to create barriers.
- Impact fee waivers or reductions should be considered as an incentive for stimulating ADUs in targeted areas where they are most needed.
- ADU owners should pay some impact fees because their property generates more expenses for local governments.
- Potential state legislation on ADU impact fees could cap them based on unit size.

Example Impact Fees Best-Practice

In 2023, Anne Arundel County's Bill 6-23 exempted ADUs from development impact fees.

In Frederick County, ADUs 800 square feet or less are exempt from the payment of school impact fees, per § 1-22-15 of the County Code

The AARP Model State Act and Local Ordinance recommends that impact fees should not be imposed on an ADU less than 750 square feet, and that impact fees for ADUs larger than that should be charged proportionately in relation to the size of the primary dwelling unit.

6. Infrastructure and Facilities. The state should pursue state legislation which would prohibit jurisdictions from requiring an ADU developer to install new and/or separate water and sewer lines to the unit.

Further analysis is needed to help Maryland jurisdictions determine the impact that ADUs have on school capacity. Additional guidance and resources are needed to help Maryland jurisdictions quantify and measure this impact and craft reasonable Adequate Public Facilities Ordinance (APFO) school tests for ADUs.

Requiring a property owner to pay for the installation of a new sewer line or subjecting a small ADU to an APFO school test are likely to suffocate a project. When discussing the topic of infrastructure and facilities, the Task Force generally agreed that the state should not allow ADU ordinances to require separate connections unless unique site characteristics warranted it. A state prohibition on separate line requirements supports property owners, facilitates unit affordability, and restricts the likelihood of ADU subdivision from the primary property, which the Task Force agreed is undesirable.

Members also concurred that while ADUs are likely to have very little impact on school capacity, the General Assembly should avoid legislation prohibiting the local application of APFO school tests to ADUs. Task Force members noted that state intervention with local authority over APFO requirements is politically unpalatable, and that while APFOs governing school tests should not unreasonably restrict ADU development, best practices should be implemented locally, guided by further analysis and resource development.

Considerations

- There is no reason for internal or attached ADUs to require a new water and sewer line. The Task Force noted that even though an addition to a home does not require an additional hook-up, capacity is sometimes measured based on the number of additional bathrooms or square footage added to the home. It is likely that an ADU would have no more than one bathroom, so the issue of allocating additional water or sewer capacity to the dwelling unit may not be needed.
- While new connections to all ADUs are undesirable, certain situations or properties may require it from an engineering standpoint. Jurisdictions should have the authority to make this determination, and any state legislation should recognize that issue.

> *"Sewer connections are site specific. If an ADU tries to connect to a principal structure system which is high up a slope, it will have problems and may require a separate connection. When there are requirements that are beyond local control and require jurisdictions to meet state and federal regulations, which is often the case with infrastructure and facilities, new state legislation restricting local autonomy would likely not be supported at the local level."*
>
> ***~ Task Force Member Statements on Infrastructure and Facilities***

- ADUs are an accessory use and should be governed under the same requirements for any accessory use in the respective zoning ordinance, which in most cases will already govern water and sewer connections.
- Further analysis and research are needed to determine if APFO school test guidance should be based on ADU square foot size or bedroom count.
- The Montgomery County Planning Director reported in the panel discussion that their office tracks ADU school impacts and found that there has been no impact on schools since ADU legislation was first approved in 2014.



VI. Guidance, Resources, and Technical Assistance

This section summarizes topic areas that the Task Force prioritized for state provided guidance documents, resources, and technical assistance. In addition to by-right use, lot requirement/ development standards, and parking requirements, which were also policy recommendations included in Section V, the Task Force prioritized four other topics relating to the neighborhood livability, affordability, and practical issues associated with ADUs, including: 1.) Aging and Accessibility; 2.) Financial Incentives and Partnerships; 3.) Government Directed Technical Assistance and Education for ADU Interested Homeowners; and 4.) Nonconforming Use and Structures, for technical assistance and guidance. In many cases, best practices exist from Maryland jurisdictions and nationally that were documented and are included on the ADU webpage. A summary of all resources identified during the process is included in Appendix C of this report. The topics below are listed in order of Task Force priority based on polling. Additional topics considered noteworthy by MDP staff are also included at the end due to the frequency of discussion during deliberations.

1. Aging and Accessibility

ADUs can be an instrument to develop more housing for an aging population and help provide accessible units for persons with disabilities. Two agencies provided staff to assist the Task Force's consideration of housing that supports aging and accessibility. More guidance and resources are needed to help Maryland jurisdictions develop ADU ordinances to accommodate aging populations and persons with disabilities that do not present an unreasonable barrier to ADU development.

Considerations

- ADUs provide homeowners with a smaller unit than their primary dwelling unit that could be a more suitable living arrangement for an aging relative, or one with disabilities, than a larger multi-story home.
- ADUs allow older adults to continue to live in their familiar neighborhoods and lease the primary dwelling unit. Likewise, as in larger single family traditional neighborhoods, an ADU could be designed to provide separate and private living quarters with wheelchair accessibility for family members or veterans with disabilities.
- Maryland's jurisdictions should assess the need for housing for senior and disabled residents in their communities when developing ADU ordinances to accommodate an aging population and persons with disabilities.
- Incentives for accommodating persons with special needs could be prioritized by the jurisdiction without presenting an unreasonable barrier to ADU development.

Best Practices

- Access to ADUs should be ADA or at a minimum, visitability compliant, when possible.
- Incentive programs should be established to provide homeowner benefits (financial or otherwise) if an ADU is designed for people with disabilities, including such design elements as level access, accessible door and window handles, and accessible kitchen countertops.
- Balance ADU affordability and accessibility with sensitivity to lot characteristics. Larger lots and larger ADUs are best suited to the construction of accessible units, while ADUs on smaller lots may be discouraged and/or less affordable by the application of overly restrictive accessibility requirements.

Technical Assistance, Resources, and Guidance Gaps

- Guidelines for ADU size, height, and construction design that accommodate aging household residents and those with disabilities.
- Analysis of Maryland households that live in ADUs and how the units have been and can be designed to enhance the quality of life and access for aging individuals and those with disabilities.

2. Financial Incentives and Partnerships

Cost is a practical aspect of the ADU ordinance and implementation. SB 382 required the Task Force to analyze ADUs on owner-occupied land, which necessitates the homeowner living on the property where an ADU is allowed to be constructed. Not all homeowners understand the many costs associated with the development of an ADU, whether that be in the conversion of part of the existing single-family home, an addition to, conversion of another structure on site, or the construction of a separate independent dwelling unit. Each of these types of ADU construction will typically increase in complexity and cost, respectively.

Best Practices

- Grants or low-interest loans to help homeowners build ADUs.
- Partnerships with non-profits or other housing organizations to provide design support and/or funding for homeowners.
- ADU feasibility and assessment tools.
- Permitting ADU design and construction as eligible expenses in existing home repair loan programs.

Technical Assistance, Resources, and Guidance Gaps

- Current federal regulations and other guidance relating to loan applicants for the ADU development.
- Examples of local and state tax incentives, loans, and grant opportunities for homeowners who want to construct ADUs.



3. Government Directed Technical Assistance and Education for ADU Interested Homeowners

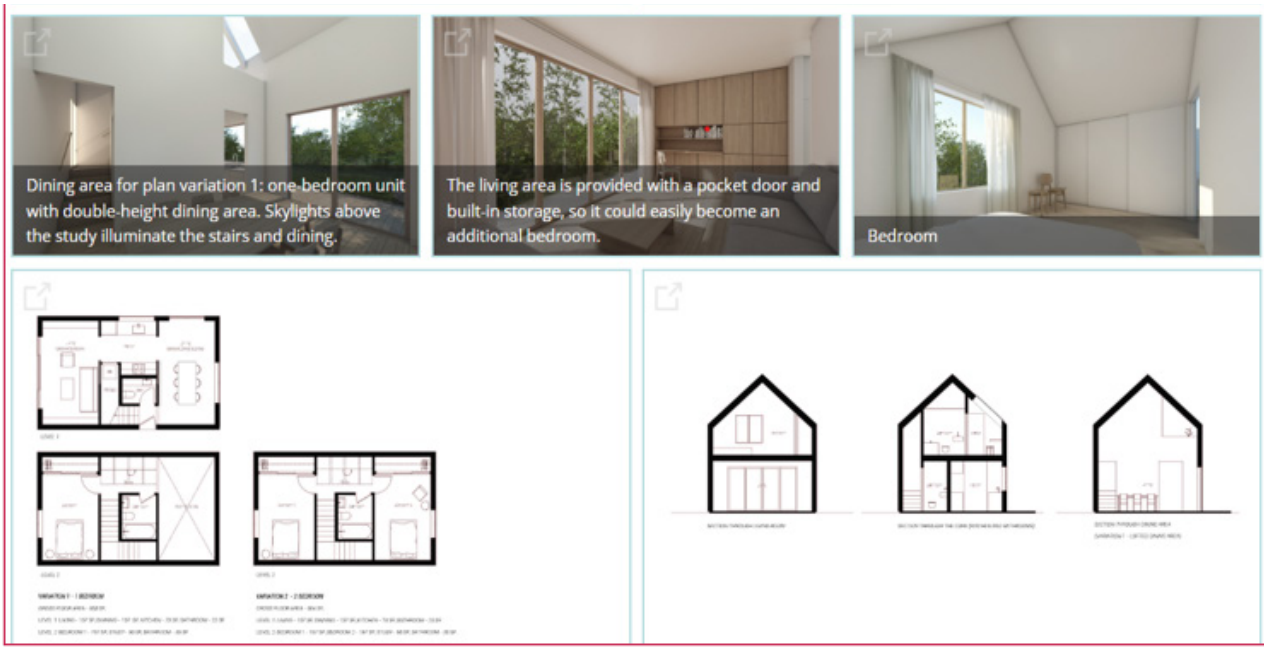
The Task Force heard, through surveys, panel discussions, and public comments, that one of the most challenging aspects in the development of ADUs is the variation from jurisdiction to jurisdiction and the uniqueness of each zoning ordinance. Some jurisdictions have adopted ADUs as a by-right use, while other ordinances only allow ADUs as a special exception or conditional use, or not at all. The homeowner's architect, builder, and attorney may need to spend extra time deciphering the variations from one locale to another. The lot requirements vary, while the utility requirements are complicated and involve more than one local agency. Therefore, jurisdictions wishing to promote ADU development should craft and implement technical assistance and education programs for homeowners that align with localized requirements.

Best Practices

- Develop specialized application forms for ADUs, ensuring properly trained staff at the local level to advocate for ADU housing, and promoting the processing of ADU permits efficiently and in a timely manner.
- Publish FAQ directories and general resources for homeowners to navigate the local process of obtaining a building permit, posting bonds, other permitting requirement thresholds for grading permits, use and occupancy permits, sediment and erosion control permits, street construction permits, stormwater management plans, license requirements, landlord provisions of local law, and waiver processes.
- Publicize sample plans for architectural elevations and floor plans.

Technical Assistance, Resources, and Guidance Gaps

- Lists and examples of locally directed ADU educational programs.
- Inventory of adopted state ADU legislation for jurisdictions, homeowners, and other stakeholders.



4. Nonconforming Uses and Structures

The Task Force felt that the issue of nonconforming uses and structures were a practical aspect of the development of ADUs that homeowners are unlikely to understand. For example, an existing primary dwelling unit could be a nonconforming use because the zoning has changed since the home was constructed and no longer allows residential uses in that zoning district. A nonconforming structure could have been built prior to zoning or the zoning standards, such as setbacks, building height, or other bulk requirements changed. The Task Force also repeatedly noted that many ADUs have been constructed illegally by property owners that never sought permitting approval due to high costs or burdensome requirements.

Maryland's jurisdictions should consider developing guidance documents to assist homeowners, on their own or with the assistance of their agent, in identifying any nonconformity on their properties and make sure the local permitting staff also understand the issue related to nonconformity versus the need for a variance. These are complex legal issues that vary from jurisdiction to jurisdiction.

Best Practices

- Establish amnesty programs, through which, participating owners agree to fix some or all building code violations in exchange for explicit permission to continue renting an existing ADU.

Technical Assistance, Resources, and Guidance Gaps

- Clarification that nonconforming structures may fall into two categories: illegal and legal. Illegal nonconforming structures are those that may have been constructed without permission. Legal nonconforming structures are those that may have been permitted legally, but do not meet today's development standards of the zoning code.
- Examples and best practices for establishing local ADU amnesty programs.
- Resources for applying building code and other life and safety requirements to ADU permitting, as well as to decisions on whether non-conforming structures must be modified or corrected prior to permitting a new ADU.
- Opportunities for extending already existing primary dwelling sprinkler systems into an ADU constructed within an addition to the primary dwelling unit, or other possibilities for reducing the cost of sprinkler systems for ADUs. Fire Protection Codes have a significant impact on the cost of construction if applied to a new detached ADU or other converted structure on the property and may warrant further guidance development.

5. Other Topics

The Task Force did not prioritize the following technical topics in the poll; however, they were frequently discussed in relation to ADUs, neighborhood livability, affordability, or other practical issues. ADU research sources and the Task Force discussions stressed the importance of context sensitivity when developing local regulations and programs to address: 1) Owner Occupancy Requirements; 2) Short Term Rentals; and 3) Rental Licensing Programs.

Owner Occupancy Requirements appear to be implied by SB 382, but consideration must be given to the difficulty of enforcing such requirements, particularly upon property resale. ADU ordinances frequently include the requirement that the property owner occupy either the primary dwelling or accessory dwelling unit after the construction of an ADU. This is a strategy for limiting ADU development by property investors, ensuring that ADUs proliferate slowly and contribute to "gentle density", and encouraging ADU owners to be vested in the success and maintenance of the property. While owner-occupancy requirements may hinder ADU proliferation, many consider them a best practice for securing community support for ADU ordinances and structuring ADU development as a homeowner wealth-building strategy. Maryland jurisdictions may impose owner-occupancy requirements on ADUs but are not required to do so.

Context Sensitive Best Practices

- Jurisdictions wishing to restrict property speculation and protect against absentee landlords should consider owner-occupancy requirements in ADU ordinances.
- Proponents of owner-occupancy requirements argue that owner-occupancy requirements enhance property aesthetics and maintenance. However, staff and the Task Force were unable to locate measurable and causal analysis documenting evidence for this connection.
- Jurisdictions wishing to encourage significant ADU construction should avoid owner-occupancy requirements, as they may limit ADU development to wealthier property owners, place deed restrictions on the property, which may hinder access to real estate financing and loans, and present monitoring, enforcement, and resale challenges.

Short Term Rentals (STRs) do not provide a long-term solution to the housing shortage and may be detrimental as the units become unavailable for long term leasing. However, some studies have found that while restricting the short-range affordable rental market, STRs may encourage long-term residential investment and contribute to the overall housing supply. Jurisdictions developing an ADU ordinance should consider if they will permit ADUs to serve as STRs. If homeowners cannot access personal or external financing for ADU development, the income generated by STRs may be their only economically feasible path. Maryland jurisdictions may restrict STRS in ADUs but are not required to do so.

Context Sensitive Best Practices

- Jurisdictions attracting tourists should consider permitting ADUs to be used as STRs to secure community support for ADU ordinances and to strengthen the tourism industry.
- Jurisdictions concerned with property maintenance, noise, parking constraints, and the short and long-range supply of affordable rental units should consider restricting ADUs from serving as STRs.

Rental Licensing Programs for ADUs can ensure legal occupancy and that the units will be monitored. Licensing of ADUs as rental properties is likely the best practice for enforcement policy; but concerns about local capacity to monitor and enforce them remain. Such programs require ADU owners to register the units prior to renting them and to agree to periodic inspections. Licensing programs can help convert non-permitted or "illegal" ADUs into those meeting permitting requirements. Rental licensing, through either the conversion of an illegal ADU or the permitting of a new ADU, can also ensure that the health and safety needs of ADU occupants are addressed. Maryland jurisdictions may require rental ADUs to enroll in a licensing program but are not required to implement such programs.

Context Sensitive Best Practices

- Jurisdictions believing they may have a significant amount of unpermitted ADUs should consider developing amnesty programs requiring the owners of such units to enroll in a rental licensing program.
- Jurisdictions seeking to encourage ADUs as affordable units or those for individuals with disabilities may consider waiving or streamlining certain requirements of a rental licensing program to incentivize such ADUs. However, such waiver processes may warrant further exploration and guidance development.
- Jurisdictions with high staff capacity and which anticipate significant numbers of ADUs to be constructed are best suited to implementing rental licensing programs. Those with lower staff capacity, or those that do not anticipate ADU development, will either be less likely to maintain such programs or not need them, respectively.



APPENDIX A
Glossary of Terms

Term	Definition	Source
Accessibility	Certain features of accessible and adaptable design according to guidelines established by the U.S. Department of Housing and Urban Development (HUD) for residential structures.	ADA Section 233
Accessory Dwelling Unit - SB 382	"A secondary dwelling unit on the same lot, parcel, or tract as a primary dwelling unit that is 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."	SB382
Accessory Dwelling Unit - American Planning Association	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). ADUs can be 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).	APA A Planners Dictionary
Accessory Structure	A structure that is accessory to and incidental to that of the dwellings(s) and that is located on the same lot.	IRC
Addition	An extension or increase in floor area, number of stories or height of a building or structure.	IRC
Adequate Public Facilities	A technical standard set to determine the measure of capacity and performance of a public facility, such as, schools, sewer, water and roads, against that technical standard.	MDP APFO Models and Guidelines
Affordable Housing (Dwelling) Unit	A dwelling unit that is affordable to households earning 60% of less of the area median income, in which "affordable" means that housing costs do not exceed 30% of a household income.	HB538
Amnesty (ADU)	A provision that accessory dwelling units that violate the zoning code ordinances are able to come in compliance provided that they comply with certain criteria.	Sustainable City Code

Term	Definition	Source
Area Median Income (AMI)	The Area Median Income (AMI) describes the midpoint of an area's income distribution, where 50 percent of households earn above the median figure while 50 percent earn less than the median. The Department of Housing and Urban Development (HUD) defines 'area' as a Metropolitan Statistical Area (MSA).	Planetizen
Areas Zoned For Single-Family Use	These areas are defined as zoning districts in which single-family uses predominate or are intended to predominate as the permitted use.	MDP
Attached ADU	An accessory dwelling unit located on the same lot as an addition to stand-alone single-family home.	APA
Basement Conversion ADU	An internal accessory dwelling unit converting a primary home's existing basement structure into additional living space.	HomeAdvisor
Best Practices	A standard or set of guidelines that is known to produce good outcomes if followed. Best practices are related to how to carry out a task or configure something.	TechTarget
Building Code	A building code is a set of regulations adopted by a jurisdiction to define the design, construction, and materials that may be used to construct buildings and facilities with the goal of protecting the health, safety, and welfare of the public.	AIA
Building Height Limits	Height limits set the upper boundary of the building envelope for a given zone or parcel (the building envelope is a conceptual term that describes the maximum extent of development allowed by the zoning code). To determine the height limit, most zoning codes measure the vertical distance between the average graded ground level at the sides of the proposed building and the elevation of the roof.	Planopedia
Bulk Requirements	The size and shape of a structure and its relationship to other structures, to the lot area for a structure, and to open spaces and yards.	APA A Planners Dictionary
By-Right	Approval granted when a development proposal strictly conforms to zoning and building codes and, thus, qualifies for construction without requiring discretionary approval	Planopedia
Code Enforcement	The person, office, or department designated by state law or the board of supervisors to enforce any provision of [the municipal title]. Enforcing officer includes any county officer, employee, or agent to whom enforcement powers have been lawfully delegated by a designated enforcement officer.	APA A Planners Dictionary
Community Facilities	Basic services usually furnished by local government but which also may be provided by private enterprise, essential to the support of more intensive development. Includes public schools, transportation, water supply, fire protection, [and] sewage and solid waste disposal.	APA A Planners Dictionary

Term	Definition	Source
Conditional Zoning	The attachment of special conditions to a rezoning that are not spelled out in the text of the zoning chapter. Conditions can include restrictions as to use, size, design, and development timing and can be stipulated by the city council as a means to mitigate potential adverse impacts that could be expected to occur without imposing such conditions.	APA A Planners Dictionary
Context Sensitive	Taking the surroundings into consideration when making planning or infrastructure decisions.	CMAP
Conversions (ADUs)	Turning a portion of a primary structure or unit, or all or a portion of an already existing subordinate structure, into an ADU. Conversions within the existing space of a primary structure are also known as Junior ADUs.	MDP
Cost-Burdened	Renters paying more than 30% of their income on housing.	National Low Income Housing Coalition
Critical Areas (Maryland)	All land within 1,000 feet of Maryland's tidal waters and tidal wetlands. It also includes the waters of the Chesapeake Bay, the Atlantic Coastal Bays, their tidal tributaries, and the lands underneath these tidal areas.	DNR
Design Standards (Requirements)	A set of guidelines regarding the architectural appearance of a building, or improvement, that governs the alteration, construction, demolition, or relocation of a building, or improvement.	APA A Planners Dictionary
Detached ADU	An ADU located in a new stand-alone accessory structure or converted portions of a existing stand-alone accessory structures.	APA
Development (Impact) Fees	A fee, also called a development fee, levied on the developer of a project by a city, county, or other public agency as compensation for otherwise-unmitigated impacts the project will produce.	APA A Planners Dictionary
Discretionary Approvals (Decisions)	A decision requiring the exercise of judgment, deliberation or decision on the part of the decision-making authority in the process of approving or disapproving a particular activity, as distinguished from situations where the decision-making authority merely has to determine whether there has been conformity with applicable statutes, ordinances, or regulations.	APA A Planners Dictionary
Dwelling Unit (IBC)	A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.	2021 IBC
Dwelling Unit (SB 382)	A single unit that provides independent living facilities for at least one person.	SB382 (Page 2)

Term	Definition	Source
Means of Egress	A continuous and unobstructed path of vertical and horizontal egress travel from any occupied portion of a building or structure to a public way. A means of egress consists of three separate and distinct parts: the exit access, the exit and the exit discharge	IBC
Equitable (Equity in housing)	The creation of land use policies and inclusionary zoning practices that promote affordable housing and end racially and economically exclusionary zoning, and include equal access to housing for households of all income levels.	Habitat
Euclidean Zoning	The separation of land uses by type—residential, commercial, retail, industrial, etc.—each into their own zones or areas within a given jurisdiction. While Euclidean zoning is frequently associated with the development patterns of suburbia, it's the most common form of zoning code, or the local legal tool for controlling the uses and development of land, in the United States. Even the largest cities in the United States have relied on Euclidean zoning throughout most of the 20th century and up to the present day.	Planopedia
Fair Housing	Meaningful actions that combat discrimination to over come patterns of segregation, restrict access to housing, and address significant disparities in housing needs, in compliance with civil rights and fair housing laws.	HB 90 (2021)
Familial Relationship (Immediate)	Husband, wife, child, stepchild, brother, sister, stepbrother, stepsister, parent, stepparent, grandchild, grandparent, mother-in-law, father-in-law.	APA A Planners Dictionary
Feasibility Assessment Tool (ADU)	This is a tool that aggregates public or proprietary data sets into an online platform that homeowners use to evaluate the physical possibility and economic implecations of ADU designs. This approach focuses on helping owners quickly evaluate their ADU options.	AARP
Floor Area Ratio (FAR)	The numerical value obtained by dividing the gross floor area of a building by the area of the lot on which the building is constructed.	APA A Planners Dictionary
Form-Based Codes (Zoning)	Form-based codes address the relationship between building facades and the public realm, the form and mass of buildings in relation to one another, and the scale and types of streets and blocks. The regulations and standards in form-based codes are presented in both words and clearly drawn diagrams and other visuals. It is a land development regulation that is intended to foster predictable built results and a high-quality public realm by using physical form (rather than separation of uses) as the organizing principle for the code. A form-based code is a regulation, not a mere guideline, adopted into city, town, or county law. A form-based code offers a powerful alternative to conventional zoning regulation.	Form-Based Codes Institute

Term	Definition	Source
Garage Conversion ADU	A type of accessory dwelling unit that transforms a garage into a separate living space.	Housable
Historic Districts	A district or zone designated by a local authority or state or federal government within which buildings, structures, appurtenances, and places are of basic and vital importance because of their association with history; or because of their unique architectural style and scale, including color, proportion, form, and architectural detail; or because of their being a part of or related to a square, park, or area the design or general arrangement of which should be preserved or developed according to a fixed plan based on cultural, historical, or architectural motives or purposes.	APA A Planners Dictionary
Home Owner Association (HOA)	A community association which is organized within a development in which individual owners share common interests and responsibilities for open space, landscaping, or facilities.	APA A Planners Dictionary
Housing Affordability	Housing costs do not exceed 30% of a household's income.	HB538
Housing Types	A description of the scale of a housing unit, including single-family, duplex, townhome, triplex, quadraplex, apartment, condominium, accessory dwelling unit, middle housing or similar variety in housing units.	Missing Middle Housing Types
Impact Fees	A fee, also called a development fee, levied on the developer of a project by a city, county, or other public agency as compensation for otherwise-unmitigated impacts the project will produce.	APA A Planners Dictionary
Impervious Surface	Any material which prevents, impedes, or slows infiltration or absorption of storm water directly into the ground at the rate of absorption of vegetation-bearing soils, including building, asphalt, concrete, gravel, and other surfaces.	APA A Planners Dictionary
Inclusivity	Inclusive planning incorporates plan-making and implementation processes where all community members feel welcome to participate and are confident that their participation can positively affect outcomes.	APA Quicknotes
Internal ADU	An accessory dwelling unit located in a converted portion of an existing (or new single-family) home.	APA
International Building Code (IBC)	A model code that provides minimum requirements to safeguard the public health, safety and general welfare of the occupants of new and existing buildings and structures.	International Code Council
Junior ADU	A specific type of conversion of existing space that is contained entirely within an existing or proposed single-family residence.	CAHCD
Local Ordinance	A law or regulation set forth and adopted by a governmental authority, usually a city or county.	APA A Planners Dictionary

Term	Definition	Source
Lot	A parcel of land occupied or intended for occupancy by one main use permitted in this ordinance, including one principal building and its accessory buildings or as otherwise provided.	APA A Planners Dictionary
Lot Coverage	Typically, a zoning ordinance governs lot coverage as an allowable percentage of a total lot that can be covered by principal buildings, accessory busilings, and other impervious surfaces such as driveways, patios, or swimming pools.	APA A Planners Dictionary
Manufactured Home	A factory-built, single-family structure, which is manufactured or constructed under authority of 42 U.S.C. Sec. 5403, Federal Manufactured Home Construction and Safety Standards, and is to be used as a place for human habitation, but which is not constructed with a permanent hitch or other device allowing it to be moved other than for the purpose of moving to a permanent site and which does not have permanently attached to its body or frame any wheels or axles.	IRC
Minimum Lot Size	Typically, a zoning ordinance governs minimum lot sizes to regulate how small a developer can subdivide a lot. Larger minimum lot size requirements can lead to more expensive properties and limit the viability of rowhouses or smaller units. Some zoning ordinances limit ADUs on lots of a minimum size that may not be the same minimum size required for the principal dwelling unit.	Strong Towns
(Missing) Middle Housing	Means duplexes, triplexes, quadplexes, cottage clusters, or town houses.	HB 538
Non-Conforming (Use)	A non-conforming use is an existing building that would not be built under current land use regulations. While esoteric, the term is nonetheless critical to understanding the changes in development regulations over time.	Planetizen
Offstreet/Onstreet Parking	Offstreet parking spaces for automobiles are located on premises other than streets. Onstreet parking spaces are located on the street right of way.	APA A Planners Dictionary
Owner-Occupied	ADUs are units subordinate to the primary structure or unit on a property. The owner of the property must live in one of the two units.	MDP
Primary Dwelling Unit (Structure)	Means a single-family residence on the parcel and is the larger of the two if there is an existing accessory dwelling unit on the parcel.	Lawinsider

Term	Definition	Source
Rental Licensing	Require owners of ADUs to register them rental units and submit to periodic inspections to proactively address building or property maintenance code violations.	Expanding ADU Development and Occupancy: Solutions for Removing Local Barriers to ADU Construction, AARP
Restrictive Covenants	A restriction on the use of land set forth in a formal binding agreement. Restrictive covenants run with the land and are binding upon subsequent owners of the property.	APA A Planners Dictionary
Secondary Dwelling Unit (Structure)	Means a dwelling unit that has a floor area that is less than the floor area of the other unit in the same building (or lot).	Lawinsider
Setbacks	Setback line means the distance from a curb or shoulder of a highway, edge of a sidewalk, or property line beyond which any portion of a building or structure may not extend. Accessory structure such as ADUs are governed by zoning ordinance setbacks and any modification thereof to either limit or encourage ADU construction.	Maryland Code, Courts and Judicial Proceedings Article, Section 5-114
Short Term Rental	Short-term rentals (STRs) can be defined as the rental of all or part of a residential dwelling unit for a duration of occupancy of less than 30 days. The MD Tax Article defines STRs as “the temporary use of a short-term rental unit to provide accommodation to transient guests for lodging purposes in exchange for consideration.	APA PAS Memo
Single-Family Dwelling Unit	A building consisting of solely of one dwelling unit.	Lawinsider
Special Exception (SPEX)	A land use that is permitted subject to specific conditions in the ordinance; also referred to as a "conditional use." This makes it possible to allow uses where they are reasonable but deny them where the specific conditions cannot be met. For Maryland non-charter counties and municipalities, the Board of Appeals makes the final decision on special exception requests. For special exceptions in non-charter counties and municipalities, the consistency definition in Land Use Article section 1-303 and 1-304 applies and must be met before a special exception is granted. In charter counties, special exceptions are often decided by a hearing officer/zoning commissioner and then appealed to the Board of Appeals.	Maryland Planning Commissioner Training Course (PDF page 11)
Tiny Home (House)	Real estate code defines a tiny house as a dwelling that is 400 square feet or less in floor area, excluding lofts. More generally, a tiny house is a small, portable dwelling with a minimalistic design.	Dengarden

Term	Definition	Source
Transit (ex Metrorail, Purple Line, MARC Rail Station)	The conveyance of persons or goods from one place to another by means of a local, public transportation system.	APA A Planners Dictionary
Restrictive Covenants	A restriction on the use of land set forth in a formal binding agreement. Restrictive covenants run with the land and are binding upon subsequent owners of the property.	APA A Planners Dictionary
Unit Size (ADUs)	Zoning ordinances may govern to minimum and/or maximum size of an ADU. Sizes may be calculated as a square footage, percentage of the principal dwelling, or a combination of both.	
Universal Design	Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design.	NAHB
Zoning (Use)	The division of land into different zones or districts with specific regulations regarding land use, building height, setbacks, and density.	APA A Planners Dictionary

APPENDIX B
Accessory Dwelling Unit Market Assessment

Executive Summary

This report is a qualitative market assessment (Assessment) of accessory dwelling units (ADU) based on available data, literature and studies, focus groups, panel discussions, and surveys. The Assessment was developed by Maryland Department of Planning (MDP) and Maryland Department of Housing and Community Development (DHCD) staff and a graduate intern to inform the ADU Policy Task Force's (Task Force) deliberations and accompany the final report. 2023's SB 382 required that the Task Force's recommendations address ADU "impacts on local housing markets, neighborhood livability, and other policies and projects related to accessory dwelling units". The Assessment is guided by four research questions included in the full report.

The Assessment yields the following findings:

1) While the removal of owner-occupancy requirements could potentially increase ADU construction, such requirements support neighborhood stability and livability while contributing to slow densification.
2) There is a growing consensus of the need for by-right approval processes, streamlined review procedures, and pre-approved design plans to facilitate ADU development.
3) Regulations on minimum lot size and maximum unit size are widely favored, and some suggest incorporating inclusive design elements to accommodate persons with disabilities.
4) Amnesty programs are seen as a valuable opportunity to convert unpermitted, potentially hazardous units into compliant ADUs, thereby enhancing neighborhood safety and providing additional housing options.
5) Studies in areas which have closely tracked ADUs indicate that their average rent is often more affordable than that of a one-bedroom apartment.
6) While there are concerns about ADUs increasing impervious surfaces, others stress their potential to reduce the overall carbon footprint. Moreover, ADUs typically occupy fewer square feet per person compared to traditional housing options, contributing to efficient land use.
7) Suggestions for addressing environmental concerns include implementing stormwater management and control measures for additional impervious areas and permitting ADUs only on properties served by public water and sewer systems.
8) Multiple surveys note parking availability as a top ADU concern. However, the only study quantifying this ADU impact, in Portland, Oregon, found no connection between ADUs and parking availability.
9) ADUs are a promising housing option for older adults and individuals with disabilities.
10) Ordinances and programs are most effective, and lead to ADU construction, when they are informed by community input, track ADU permits, and are adjusted to meet market demands and homeowner needs.
11) ADU financing remains a hurdle for many homeowners, requiring incentives to stimulate construction. High permitting and development fees and parking regulations also present barriers. As a result, ADU construction has concentrated in middle to high income communities, perhaps limiting ADUs as a wealth-building or equity-promoting housing product.
12) ADU permitting data in Maryland is limited. Further quantitative analysis, supported by permitting data, is needed to fully measure the impact of ADUs on housing markets and neighborhood livability.

The Assessment demonstrates that the most significant policies, regulations, and implementation efforts influencing ADU construction are those governing owner occupancy, off-street parking requirements, lot and unit size, financing, and complex zoning and building codes. Moreover, obstacles such as Homeowners Association (HOA) covenants, lengthy and costly special exception or conditional use processes, and rules requiring ADU residents to be family members of the principal dwelling owner impede ADU proliferation, prompting calls for unified regulations.

ADU studies in American communities considering or implementing ADUs, as well as national research surveys and surveys completed by the Task Force, reveal significant demand for ADUs, a variety of reasons why homeowners want to construct ADUs, and that the majority of ADU residents consist of young adults and older adults. Additionally, ADUs often serve as accessible housing options for individuals with disabilities, with focus group participants suggesting inclusive design elements. Research also shows that ADUs are more commonly constructed in high to middle income census tracts and that their wealth building and affordable housing benefits may not extend to lower income or underserved communities.

Local and state policy influences market demand by spurring and/or incentivizing ADU development. In several states, there is a notable proliferation of ADUs in areas with good job access and reasonable rent levels. Community engagement initiatives have also played a pivotal role in addressing contextual challenges that hinder ADU development. Continuous outreach and ADU program assessment and modification can contribute to an increase in the number of ADUs through refined ordinances and targeted programs. ADUs also have the potential to bridge the gap in affordable housing options for various income classes because renting an ADU reduces the overall demand for affordable rental units.

The impact of ADUs on neighborhoods depends on factors such as housing demand, lot size, property value, and neighborhood typology. ADUs offer a practical strategy for slow densification and addressing land scarcity, particularly when their design aligns with existing neighborhood characteristics. Evident demand for multigenerational housing exists, for which ADUs emerge as a viable option. Urban and suburban markets, particularly those experiencing rapid expansion and affordability challenges, are well-suited for ADUs. Nevertheless, the rising cost of development presents challenges for ADU owners seeking to provide affordable rentals, potentially resulting in ADUs being used as short-term rentals. In affluent neighborhoods, ADUs may not be accessible to low-income individuals. To incentivize affordable rentals, some proponents have suggested the implementation of rent control for a specified period.

ADU proliferation is hindered by real or perceived neighborhood livability threats related to parking, environmental degradation, and code enforcement. Some surveys indicate that parking availability is a top concern, although staff found no studies documenting that ADUs have a negative impact on parking. According to a Task Force survey of environmental organizations, ADUs may have a moderate to high impact on the environment, mainly through the expansion of impervious surfaces. However, the same survey, along with other studies, demonstrates the promise of ADUs to reduce carbon emissions and contribute to efficient land use. ADU Amnesty programs also present an opportunity to ensure illegally constructed ADUs meet code requirements and expand housing choice.

Overall, while there are challenges surrounding ADU development, they offer promising solutions to gently increasing residential density in traditional single-family neighborhoods, bring vitality to communities through a diversity of housing types that suit both young and old. State and local policies can drive demand for smaller dwelling units by encouraging market flexibility, simplifying processes, and developing ordinances and regulations that respect community context.

The complete ADU Market Assessment is available on the ADU Policy Task Force webpage.

APPENDIX C
List of Resources

1. ADUs in Growth Areas

In Maryland, growth areas are existing communities, and areas where industrial or other economic development occurs or is desired. Growth Areas are identified in a local government comprehensive plan and may also qualify for a State of Maryland designated growth area known as a Priority Funding Area (PFA) provided the area will be served by water and sewer systems and meet density standards. The following links include examples of how Maryland jurisdictions, and jurisdictions in other states, address the locational criteria of future ADUs.

New Jersey Council Withdraws Zoning Amendment Ordinance Over ADU Concerns

Louisville Courier Journal- Louisville Sees Boom in ADUs Across City

Excessive Water Hook-up Fees Stunt Seattle's ADU Building Boom

City of Aberdeen Maryland Zoning Ordinance

Town of New Market Maryland Land Development Ordinance

Havre de Grace Maryland Zoning Ordinance Chapter 205 ADU Requirements

Rockville Maryland Zoning Ordinance Chapter 25 ADUs Ordinance 17-23

Wicomico County Maryland Zoning Ordinance

Allegany County Maryland ADU Ordinance

Maryland Inventory of ADU Ordinances

Other State ADU Legislation Analysis Table

Oregon HB2001 (2019)

New Hampshire SB146 (2019)

California Government Code Title 7, Division 1, Chapter 2, Article 4 (Multiple Years)

Montana SB528- Revise Zoning Laws Related to ADUs (2023)

Montana Zoning Decision Case No. DV-23-1248C (2023)

Maine HP1489 (2022)

Connecticut HB6107 (2021)

Rhode Island H6082 (2023)

Arizona SB1117 (2023)

Longmont CO Accessory Building Plot Plan

Boise's Zoning Reform Is Working. ADU Permits Are Surging (2024)

Westport Community Economic Development Corporation, Lisa Hodges, Executive Director

California ADU Handbook (2022)

Portland Oregon Zoning Requirements for an ADU

The International Building Code (IBC)

Local Housing Solutions ADU Policy Brief

Montgomery County Maryland ADU Mapping

Missing Middle Housing

National Association of Realtors-MD State of Housing January 2023

Washington HB1337-Expanding Housing Options by Easing Barriers to the Construction and Use of Accessory Dwelling Units (2023)

New Hampshire SB146-Relative to Accessory Dwelling Units (2016)

Colorado SB23-213- Concerning State Land Use Requirements (2023) (Failed)

Zoning Authority in Maryland- Municipalities And Non-Charter Counties- Land Use Article 3-303

Zoning Authority in Maryland- Charter Counties- Land Use Article 1-407

Consistency Requirements-Annotated Code of Maryland-Land Use Article 1-302

MDP HB1045 Data Related to Current Housing Supply

State of Maryland Housing Snapshot 2023

Department of Housing and Community Development (DHCD) Maryland Housing Needs Assessment And 10-Year Strategic Plan

2. Covenants

Covenant restrictions may conflict with state legislative proposals to allow for the development of ADUs. The following links include examples of how other state legislations have considered addressing covenant restrictions of ADUs that may exist in homeowner association (HOA) covenants.

California ADU Handbook (2022), Page 26

Billings Gazette-Montana Homeowner Group Files Court Challenge Against Pro-Construction Housing Laws, December 30, 2023

Montana SB528- Revise Zoning Laws Related to ADUs (2023)

Montana Zoning Decision Case No. DV-23-1248C (2023)

Harvard Law Review State Preemption of Local Zoning Laws as Intersectional Climate Policy

3. Adequate Public Facilities

For public facilities, such as water, sewer, roads and schools, many jurisdictions have adopted technical standards to ensure that there is sufficient capacity of these public facilities to serve the community. The following links include examples of how various jurisdictions consider both the capacity and cost of providing public facilities to new ADUs development.

Excessive Water Hook-up Fees Stunt Seattle's ADU Building Boom

California ADU Handbook (2022), Page 11

Anne Arundel County Maryland Bill No. 6-23, ADUs

4. Short-Term Rentals

The following link provides an example of how a jurisdiction may limit the duration of an ADU to more than 30-days.

Portland Oregon Zoning Requirements for an ADU

5. Homeowner Incentives and Local Technical Assistance

The following links provide an example of how many jurisdictions are working to include incentives for homeowners to construct ADUs, as well as to provide a variety of technical assistance programs to educate homeowners and communities about these incentives and tools to assist homeowners with evaluating and navigating the ADU process.

Local Area Agencies on Aging

AARP ADUs: A Step-by-Step Guide to Design and Development PDF Download

AARP The ABCs of ADUs

AARP Expanding ADU Development and Occupancy

California ADU Handbook (2022), (CalHFA) ADU Grant Program, Page 29

Durango Colorado ADU Program Information, ADU for Locals Rebate Program

Local Housing Solutions ADU Policy Brief

6. Processes and Programs

The following links provide examples of how Maryland and other jurisdictions have established legislative processes and programs to facilitate the construction of ADUs.

Maryland Senate Bill 382 (2023)- Establish an ADU Policy Task Force

Seattle Department of Construction and Inspections ADU Information Hub

Lexington-MA-Accessory Dwelling Unit Zoning

Glenwood Springs-CO-Accessory Dwelling Unit Guide

County of Santa Cruz-CA-Senior Accessible Housing-My House My Home Habitat for Humanity Partnership

Some Valley Cities Rethink Rules on Casitas (Arizona Republic, 9/17/23): James Gaston, III

AARP Model State Act and Local Ordinance (2021)

Sustainable City Code Brief Allowing ADUs

Planetizen Four Low Hanging Fruit Zoning Reforms

Urban Institute Designing Accessory Dwelling Unit Regulations, Recommendations for the City of Alexandria (2020)

Portland Oregon Zoning Requirements for an ADU

Howard County Maryland (HoCo) By Design Adopted General Plan (2023)

University of California Berkley Zoning Reform Tracker (2023)

Baltimore Sun- Backyard Bungalows and Granny Flats, the ADU Movement Comes to Maryland

The ADU Rubric

California Has Passed More Than 100 Housing Laws Since 2016. Are Any of Them Working?

NPR: To help the housing crisis, California is letting developers circumvent some rules

American Planning Association: What to Expect in State Legislatures on Zoning Reform in 2023

Maryland Senate Bill 382 (SB 382) ADU Policy Task Force (2023)

HomeAdvisor: What Is An ADU? The Complete Guide to Accessory Dwelling Units

State of Maryland Requirements for Automatic Residential Fire Sprinkler Systems in One- and Two-Family Dwellings

7. Owner Occupancy and Familial Relationship Requirements

The following links provide examples of how some jurisdictions address the requirement for ADU properties to be owner-occupied.

Loudon Times- Leesburg Council Passes Ordinance for Extended Family Residences

Arizona Republic- Some valley cities rethink rules on casitas

California ADU Handbook (2022)

8. Equity

The following links provide examples on how decisions concerning ADUs should consider the impact of equity and inclusivity in the decision-making process.

Equity in Zoning Policy Guide, American Planning Association (2023)

Local Housing Solutions ADU Policy Brief

American Planning Association- Equity in Zoning Policy Guide, December 2022

Local Housing Solutions- Developing an Anti-displacement Strategy

Councilman Dorsey's Abundant Housing Act Presentation

UMD National Center for Smart Growth- Examining Racial Disparities in Maryland's Housing Market (2022)

Local Solution Support Center the Threat of State Preemption

Local Solution Support Center State Preemption of Equitable Housing Policies

Westport Community Economic Development Corporation, Lisa Hodges, Executive Director

AARP Expand ADU Development and Opportunity, Lack of Inclusivity, Page 23

9. Affordability/Costs

The following links provide examples of efforts to increase the availability of lower cost housing choices, estimates for ADU construction/conversion costs, and financial assistance considerations.

Houzeo- How Much Does It Cost to Build a House in Maryland in 2024?

HUD Press Release No 23-237- Federal Housing Administration Expands Access to Mortgage Financing for Homes That Have or Will Include Accessory Dwelling Units

Queen Anne's County Workforce Housing Financial Analysis 2021

Queen Anne's County Maryland Affordable Housing Committee

Fannie Mae Area Median Income Lookup Tool

Maryland Housing Search Database

Local Housing Solutions ADU Policy Brief

Angi- How Much Do ADUs Cost to Build (2024 Data)

HomeAdvisor What Is An ADU, Page 81

Housable ADU Guide: A Guide to Garage Conversions in California

WTOP News- Maryland Affordable Housing Is Scarce, And Realtors Are Lobbying for Change

Maryland's Local Control Over Housing Worsens Shortage Crisis

Forbes Texas Looks to The Free Market to Tackle Housing Costs

The Texas Tribune to Tackle High Housing Cost, Texas Lawmakers Push to Build More Homes

The Texas Tribune Bills to Build More Homes- And Lower Housing Costs- Fail Quietly in Last Days of The Texas Legislature

Tampa Bay Times Florida Has an Affordable Housing Crisis. Will New Legislation Fix It?

Mercatus Center- A Taxonomy of State ADU Laws

The Hill- The Housing Revolution Brewing In 2023

Supreme Court Ruling on Impact Fees, Sheets v El Dorado County, April 12, 2024

10. Subdivision of ADUs

The following link provides an example of considerations for further subdivision of an existing residential lot into an additional separate lot for the ADU.

California SB 9 (2023) Sec 2. Section 66411.7 Local Government Code

11. ADU Policy Task Force Materials

The ADU Policy Task Force met for six months. The following links highlight the considerations and work of the ADU Policy Task Force over this period, culminating in the Final Report, June 1, 2024.

ADU Policy Task Force Webpage

Accessory Dwelling Unit Policy Task Force Public Comment Summary and Analysis

ADU Policy Task Force Meeting Recordings and Materials

ADU Policy Task Force Report on Activities to Governor Wes Moore and the Maryland General Assembly, November 1, 2023

ADU Policy Task Force Inaugural Meeting September Meeting 9/13/2023

ADU Policy Task Force October Meeting 10/31/2023

ADU Policy Task Force November Meeting 11/28/2023

ADU Policy Task Force December Meeting, 12/19/2023

ADU Policy Task Force January Meeting, 1/16/2024

ADU Policy Task Force February Meeting, 1/20/2024

ADU Policy Task Force March Meeting, 3/19/2024

ADU Policy Task Force April Meeting, 4/16/2024

ADU Policy Task Force Meeting Recordings and Materials (2023-2024)

ADU Policy Task Force Meeting Research Plan, November 28, 2023

ADU Policy Task Force DRAFT Public Comment Report- DRAFT

ADU Policy Task Force DRAFT Recommendations, December 19, 2023

ADU Policy Task Force DRAFT Recommendations, January 16, 2024

ADU Policy Task Force DRAFT Recommendations, February 20, 2024

ADU Policy Task Force DRAFT Recommendation, March 19, 2024

ADU Policy Task Force DRAFT Recommendations DHCD Priority Recommendations, April 16, 2024

ADU Policy Task Force DRAFT Recommendations MACo Representatives Comments, April 22, 2024

ADU Policy Task Force DRAFT Recommendations

ADU Policy Task Force Planning Directors Panel Discussion, December 19, 2023

ADU Policy Task Force, ADU Owners, Residents, and Accessibility and Aging Advocates Focus Group, January 5, 2024

ADU Policy Task Force Neighborhood Associations Focus Group, February 20, 2024

ADU Policy Task Force Housing Organizations Focus Group, March 13, 2024

ADU Policy Task Force Topics and Code Applicability, March 19, 2024

ADU Policy Task Force Breakdown Governing Documents, March 2024

ADU Policy Task Force Housing Market Analysis Plan, November 28, 2023

ADU Policy Task Force Builder/Developer Survey Results and Summary, February 2, 2024

ADU Policy Task Force Environmental Organizations Survey Results, April 5, 2023

12. Links to Resources on the Accessory Dwelling Unit Website

ADU Market Assessment

Meeting Materials

Inventory of ADU Ordinances in Maryland

ADU Legislation from Other States

Focus Group and Panel Discussion Summaries

Planning Directors

ADU Owners, Residents, and Aging and Accessibility Advocates

HOAs and Neighborhood Associations

Housing Organizations

Survey Response Summaries

Builders and Developers

Environmental Organizations

Public Comment Report

Accessory Dwelling Unit Policy Task Force

Final Report

Publication Number 2024-301
May 2024

State of Maryland

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Aruna Miller, Lt. Governor

Maryland Department of Planning

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