

Bill 24-001 (Zoning Accessory Dwelling Units)

Introduced by Council Members Penman, Boyle-Tsottles, and Guthrie

What is an Accessory Dwelling Unit (ADU)?

- ADUs are small residences that share a single-family lot with a larger primary dwelling.
- As an independent living space, an ADU is self-contained, with its own kitchen, bathroom, and sleeping area.
- An ADU can be located within, attached to or detached from the primary dwelling.
- ADUs can be converted from an existing structure, such as a garage, or built new.



DETACHED ADU



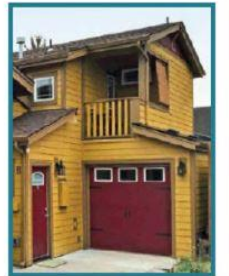
BASEMENT ADU



GARAGE-CONVERSION ADU



ATTACHED ADU



SECOND-STORY ADU

[AARP.org/ADUs](https://www.aarp.org/adus)



Development of Bill 24-001

- Participation and information gathered from Maryland State ADU Task Force.
 - Research of current ADU regulations across the State of Maryland.
 - Evaluation of the current Harford County ADU regulations.
 - Discussions and input from community members.
 - Discussions and input from community stakeholders.
- In December, the proposed legislation was sent, and a meeting requested with the Executive Branch, to discuss all aspects of the legislation, however, received no response.
- A fiscal evaluation was specifically requested from the Executive Branch; however, nothing was provided.

Current ADU Regulations

- One ADU is permitted on a single lot in the AG, RR, R1, R2, R3, R4, RO and VR
 - The ADU shall be physically attached to or located within a single-family detached dwelling unit on the lot.
 - ADU or renovations shall conform to all applicable Zoning and Building Code requirements.
 - The ADU shall be at least 300 square feet in size but shall not exceed the lesser of 1,500 square feet or 50% of the total habitable space of the existing single-family detached dwelling unit.
 - The ADU shall not contain more than 2 bedrooms.
 - The ADU shall be separated from the single-family detached dwelling unit by means of a wall or a floor, with an interior door between the accessory dwelling unit and the principal single-family detached dwelling unit.
 - The ADU shall contain cooking, living, sanitary and sleeping facilities that are physically separated from the principal single-family detached dwelling unit.

Bill 24-001: Code Requirement Changes

Redefines the definition of "accessory dwelling unit (ADU)" to allow it to be either within, directly attached to, or on the lot of a single-family detached dwelling.

Removes the requirement that only a relative may occupy an accessory dwelling unit.

If the ADU is located on the lot in a building separate from the existing single-family detached dwelling unit, it shall conform to all applicable zoning and building code requirements.

ADU Regulations that Remain the Same

- The property owner shall occupy, as his or her legal permanent residence, either the principal single-family detached dwelling unit or the accessory dwelling unit, and the other dwelling unit shall be occupied by the relative.
- The ADU shall have the same street address as the principal single-family detached dwelling unit.
- The property owner shall submit the following upon application for a zoning certificate:
 - A signed copy of the ADU agreement of understanding; and
 - A copy of the property deed.
- When the property owner satisfies the requirements of this subsection, the Department shall issue a zoning certificate to the property owner.
- In the event of a conveyance of the principal single-family detached dwelling unit to any person other than the current owner, a new zoning certificate issued pursuant to the requirements of this subsection is necessary to continue the use of the accessory dwelling unit by the new owner and his or her relatives.
- The zoning certificate for the ADU shall be deemed null and void if:
 - The property is transferred, conveyed or assigned; or
 - The accessory dwelling unit is no longer being occupied by an individual identified in this subsection; or
 - The property owner no longer occupies either the primary single-family detached dwelling or the accessory dwelling unit; or
 - A violation of any provision of this subsection.
- Issuance of a zoning certificate for an accessory dwelling unit under this subsection is not grounds for, or evidence of, a hardship for purposes of a variance under § 267-11(Variances) herein.



The Goals of Changing the Code Requirements

Advantages of ADUs

Can be used for hired caregivers

Our older population can remain independent and age in place

A practical opportunity for tenants seeking small, cost-effective rental housing

Generates rental income for homeowners

ADUs can slow urban sprawl

Gentle solution to the density debate

Less intrusive than apartment complexes

ADUs increase the value of your home

Increased property value and rental income will increase tax revenue

Homeowners typically live on the premises and are less likely to raise the rent and tolerate destructive tenants

ADUs offer young people entry-level housing choices

Provide guest housing for homeowners

Clarifying Common Misconceptions

The ADU must be on public water and sewer or well and septic compliant.

The ADU shall not exceed 50% of primary residence size, with a max of 1,500 square feet.

The property owner must occupy the primary residence or ADU.

Each ADU must request a Zoning certificate.

If the property is sold, the new owner must resubmit the request for a Zoning certificate.

Homeowners Associations have the authority to prohibit ADUs.

Clarifying Common Misconceptions

This legislation would not result in a massive increase in density and most properties would not be eligible.

Adding an ADU is an expensive proposition, therefore need based for homeowners.

Enforcement measures would be the same with any zoning violations, complaint driven.

ADUs would still be considered temporary residences, can not sell individually.

Municipalities have individual zoning procedures, not governed by this legislation.

Legislation allows for responsible planning and is subject to restrictions from Planning & Zoning and Health Department.



Possible Changes through Amendments

Support from the Community

