

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND
BILL NO. 24-001 (As Amended)

Introduced by Council Members Penman, Boyle-Tsottles and Guthrie

Legislative Day No. 24-001 Date January 2, 2024

AN ACT to repeal and reenact, with amendments, the definition of “accessory dwelling unit (ADU)”, in Section 267-4, Definitions, of Article I, General Provisions; and to repeal and reenact, with amendments, Subsection B(8) of Section 267-28, Temporary uses, of Article V, Supplementary Regulations, all of Part 1, Standards, of Chapter 267, Zoning, of the Harford County Code, as amended; to revise the definition of “accessory dwelling unit”; to allow an accessory dwelling unit to be either attached to or detached from the primary single detached dwelling unit; to remove the requirement that only a relative may occupy an accessory dwelling unit; **TO PROHIBIT THE RENTAL OF AN ACCESSORY DWELLING UNIT FOR A PERIOD OF LESS THAN 30 DAYS;** and generally relating to zoning.

By the Council, January 2, 2024

Introduced, read first time, ordered posted and public hearing scheduled:

on: February 6, 2024

at: 6:45 PM

By Order: *Nylia A. Dixon*, Council Administrator

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on _____, and concluded on _____.

_____, Council Administrator

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

1 Section 1. Be It Enacted By The County Council of Harford County, Maryland that the definition
2 of “accessory dwelling unit (ADU)” in Section 267-4, Definitions, of Article I, General Provisions,
3 be, and it is hereby, repealed and reenacted, with amendments, and that Subsection B(8) of Section
4 267-28, Temporary uses, of Article V, Supplementary Regulations, be, and it is hereby, repealed and
5 reenacted, with amendments, all of Part 1, Standards, of Chapter 267, Zoning, of the Harford County
6 Code, as amended, and all to read as follows:

7
8 **Chapter 267. Zoning**

9 **Part 1. Standards**

10 **Article I. General Provisions**

11 **§ 267-4. Definitions.**

12 As used in this Part, the following terms shall have the meanings indicated:

13 ACCESSORY DWELLING UNIT (ADU) -- An independent, self-contained dwelling unit located
14 [within a] WITHIN, DIRECTLY ATTACHED TO, OR ON THE LOT OF A single-family
15 detached dwelling.

16
17 **Article V. Supplementary Regulations**

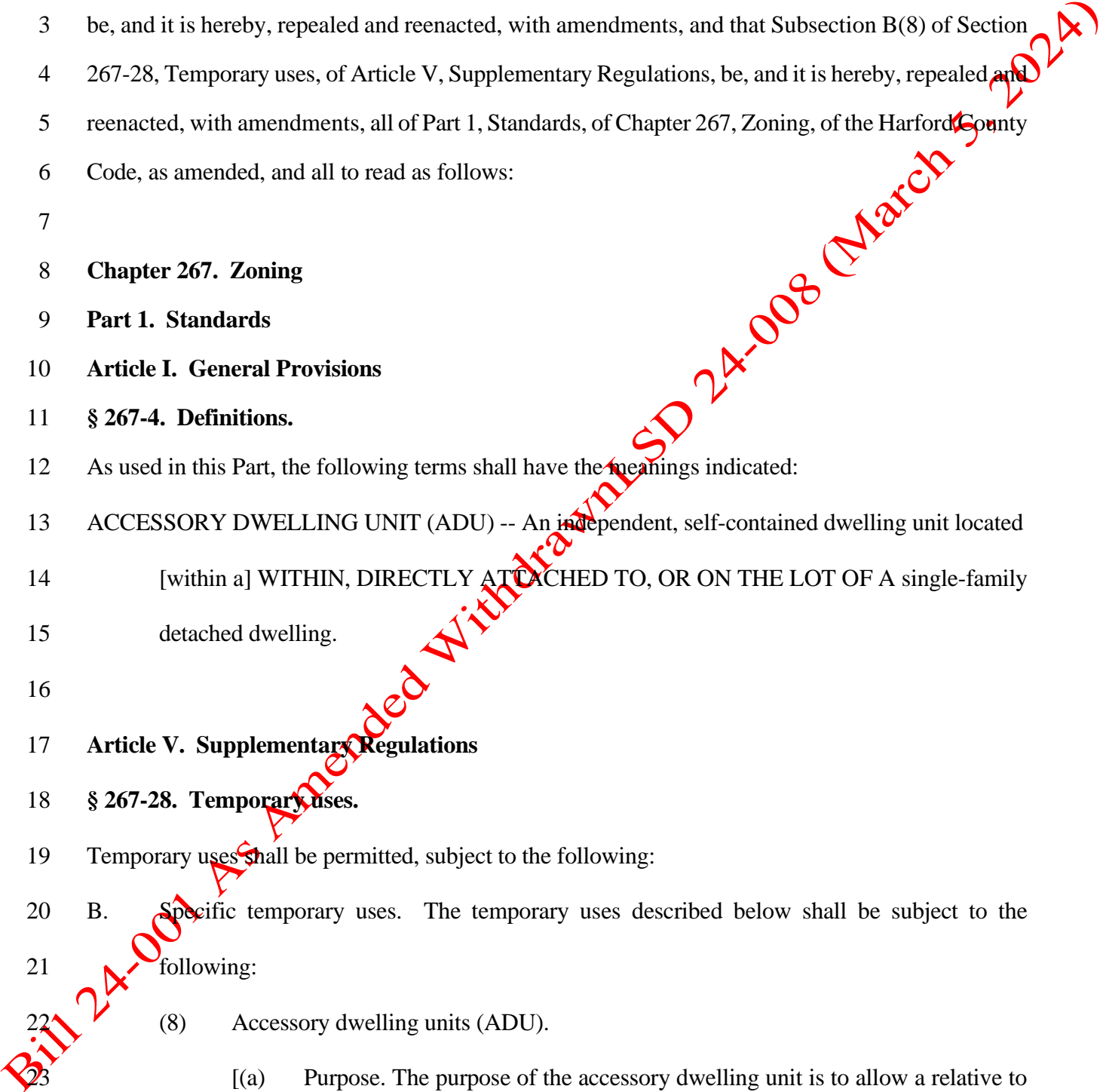
18 **§ 267-28. Temporary uses.**

19 Temporary uses shall be permitted, subject to the following:

20 B. Specific temporary uses. The temporary uses described below shall be subject to the
21 following:

22 (8) Accessory dwelling units (ADU).

23 [(a) Purpose. The purpose of the accessory dwelling unit is to allow a relative to
24 live in an accessory dwelling unit within a family member's principal dwelling



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unit.]

[(b)] (A) One ADU is permitted on a single lot in the AG, RR, R1, R2, R3, R4, RO and VR Districts, provided that:

(1) The ADU shall be physically attached to, [or] located within, OR ON THE LOT OF a single-family detached dwelling unit [on the lot].

(2) If the ADU is located within a new addition to the existing single-family detached dwelling unit, any addition shall conform to all applicable Zoning and Building Code requirements.

(3) 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. THE MINIMUM LOT SIZE REQUIRED FOR A DETACHED ACCESSORY DWELLING UNIT IS ONE ACRE. ANY DETACHED ACCESSORY DWELLING UNIT LOCATED ON A LOT OF LESS THAN 1 ACRE IN EXISTENCE PRIOR TO THE EFFECTIVE DATE OF COUNCIL BILL 24-001 IS GRANDFATHERED AS A PERMITTED USE AND IS NOT SUBJECT TO THE PROVISIONS OF ARTICLE IV, NON-CONFORMING LOTS, BUILDINGS, STRUCTURES AND USES, OF THE ZONING CODE.

[(3)] (4) If the ADU results in any renovations to the existing single-family detached dwelling unit, any renovations shall conform to all applicable

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Zoning and Building Code requirements.

[(4)] (5) The ADU shall be at least 300 square feet in size but shall not exceed the lesser of ~~1,500~~ 1,200 square feet or 50% of the total habitable space of the existing single-family detached dwelling unit.

[(5)] (6) The ADU shall not contain more than 2 bedrooms.

[(6)] (7) IF THE ADU IS EITHER LOCATED IN OR ATTACHED TO THE SINGLE-FAMILY DETACHED DWELLING UNIT, IT [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.

[(7)] (8) The ADU shall contain cooking, living, sanitary and sleeping facilities that are physically separated from the principal single-family detached dwelling unit.

(9) THE RENTAL OF ANY ACCESSORY DWELLING UNIT, OR PORTION THEREOF, FOR A PERIOD OF LESS THAN 30 DAYS IS PROHIBITED.

[(c)] (B) 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.] .

[(d)] (C) The ADU shall have the same street address as the principal single-family detached dwelling unit.

1 under this subsection is not grounds for, or evidence of, a
2 hardship for purposes of a variance under § 267-11 (Variances)
3 herein.

4 Section 2. And Be It Further Enacted that this Act shall take effect 60 calendar days from the date
5 it becomes law.

6
EFFECTIVE:

The Council Administrator does hereby certify that seven (7) copies of this Bill are immediately available for distribution to the public and the press.

Mykia A. Dixon

Council Administrator

Bill 24-001 As Amended Withdrawn SD 24-008 (March 5, 2024)