

# Council Considers Accessory Dwelling Unit Legislation

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Two bills were discussed Tuesday during a workshop.

Frederick, Md (KM). The Frederick County Council on Tuesday got a chance to look over and discuss two bills which would ease regulations on accessory dwelling units. Those are apartments or rooms which are attached to or separate from a home. They're usually constructed for older family members who may have difficulty living on their own; along with "returning" children or "workforce housing" couples or singles.

One bill would waive the school impact fees for units which are 800-square feet or less. "This helps focus the intention of the bill on what we had hoped it would accomplish, and that is to provide housing for residents in need of long term housing to support their parents, or their children or workforce development members," says Ray Barnes, Chief Administrative Officer, speaking for County Executive Jan Gardner.

The second bill would streamline regulatory requirements for construction by reducing parking and setback requirements, and modify the entrance and homeowner reporting requirements. It also says units which are less than 800-square feet would only need administrative approval. Those over 800-square feet would need approval by the Board of Zoning Appeals. The property owner also must live in either the primary structure or the accessory dwelling unit.

Barnes also produced language to the bills to prevent the homeowner from renting out the accessory dwelling unit. "We need to make sure that when these dwelling units are constructed, that they are built and used for the purposes intended; and are not used for a commercial type activity such as

for an ABNB, or an extended business stay-type hotel or seasonal-type use,” he said.

“How do you monitor and control them from doing anything commercial,” asked Councilman Billy Shreve.

“In the application process, there will be requirements to establish the future use of the property,” Barnes responded. “And on an annual basis, there will be an ongoing requirement to identify how the property or the accessory dwelling unit is being used.”

Council President Bud Otis, who is sponsoring both bills, says there is a demand for this type of housing. “We’ve been getting a lot of requests from different contractors who want to build them. And they have customers lined up,” he said.

Some Council members felt these bills are a start, but more needs to be done to facilitate affordable housing in the county. “Everyone who was involved in this legislation felt like we came to a good place with this type of accessory dwelling unit, and we should allow this to move forward while we continue to look at other options,” said Councilwoman Jessica Fitzwater, whose a co-sponsor of the bill to waive the school impact fee for units of 800-square feet or less.

Councilman Shreve says there’s a demand for this type of housing. “It is happening, whether you want it to or not. And this legislation would allow it to be inspected and approved,” he said.

The Council is expected to continue their discussion of these two bills at a later date.

By Kevin McManus