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Lt. Governor



Charles C. Deegan
Chairman
Katherine Charbonneau
Executive Director

**STATE OF MARYLAND
CRITICAL AREA COMMISSION
CHESAPEAKE AND ATLANTIC COASTAL BAYS**

March 2, 2022

The Honorable Paul G. Pinsky
Chair, Education, Health and Environmental Affairs Committee
2 West Miller Senate Office Building
Annapolis, MD 21401

Re: Letter of Information - Senate Bill 871 - Accessory Dwelling Unit and Authorization Act

Dear Chair Pinsky and Committee Members:

The Critical Area Commission provides the following information on SB 871. This bill would require each local government to adopt a law authorizing the development of accessory dwelling units (ADUs) on land zoned for single-family residential use.

The Critical Area statute already allows local jurisdictions to opt-in to ADU provisions within the Resource Conservation Area (RCA), the most restrictive and protected land designation within the Critical Area. Specifically, under Nat. Res. § 8-1808.1(e), local jurisdictions may allow ADUs within the RCA if they meet specific requirements that ensure the preservation of the RCA's environmental character and resource-oriented uses. The bill's mandatory requirement prevents a local jurisdiction from implementing Critical Area standards on ADUs in the RCA.

The Critical Area Commission requests the committee preserve Critical Area jurisdictions' ability to apply the existing standards in Critical Area law related to ADUs in the RCA. Without this ability, continued protection of the RCA may be at risk.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Charles C. Deegan".

Charles C. Deegan
Chairman, Critical Area Commission
Chesapeake and Atlantic Coastal Bays