

Housing Element Advisory Group #6

January 23, 2025



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Government Maryland

Fair Housing



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Protected Classes

- Federal Fair Housing Act: race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, disability
- Maryland (in addition): marital status, sexual orientation, gender identity, source of income, or military status.



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Fair Housing

What fair housing challenges do people face when seeking housing in the County?



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What factors significantly create, contribute to, perpetuate, or increase the severity of segregation?



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What does “access to opportunity” mean within
Frederick County?



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Are there disparities with access to opportunity?

Examples: education, employment, transportation, low poverty neighborhoods, environmentally healthy neighborhoods...



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How can the Housing Element address fair housing challenges?



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Accessory Dwelling Units (ADUs)



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What is an ADU?

ACCESSORY DWELLING UNIT. An independent, self-contained dwelling unit located within a single-family dwelling, or within an accessory structure, or built as a separate accessory structure, and located on the same lot as a single-family dwelling. [...]

Frederick County Code § 1-19-11.100. DEFINITIONS.



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Some County ADU Limits:

- Only 1 ADU allowed per lot
- One unit must be owner-occupied
- ADU size limited by main home
- Prohibits short-term rental of ADUs (e.g. "Air BNB")
- Annual verification by property owner
 - Subsequent property owner must also annually verify

Disclaimer: For illustrative purposes only. This summary slide is not a substitute for the Frederick County zoning ordinance.



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Changes Over Time to County's ADU Ordinance

- Reduced additional parking requirements
 - Allowed additional parking to be met by on-street spaces
- Removed restriction on where an ADU entrance could be located
- A new detached structure can be constructed as the ADU
- Only a building permit needed for ADUs under 800 ft², later increased to 1,000 ft²
 - No school impact fees for ADUs under 800 ft²



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Frederick County ADUs – Certificates of Occupancy

2019: 1

2020: 2

2021: 4

2022: 3

2023: 6

2024: 4

(20 total)



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Maryland ADU Task Force Recommendations (2024)

- By-Right Approval of ADUs
- Overturn and/or prohibit new restrictive covenants banning ADUs
- Limit local impact fees
- Prohibit local jurisdictions from requiring separate water or sewer connections

No recommendations on (allow for local control):

- ADU parking requirements
- Reasonable limitations on ADU building or lot size



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ADU Open Discussion

- What barriers to ADU construction remain?
- What can Frederick County do to reduce or remove these barriers?
- Any other questions or comments?



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Final Advisory Group Comments



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