



*City of Annapolis*  
**DEPARTMENT OF PLANNING AND ZONING**

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December 17, 2019

**MEMORANDUM**

**To:** Planning Commission  
**From:** Sally Nash, Ph.D., AICP, Acting Director of Planning and Zoning  
**Re:** Ordinance O-39-19: Accessory Dwelling Units  
**Encl:** O-39-19

**Purpose**

The purpose of Ordinance O-39-19 is to allow accessory dwelling units (ADU) in all zoning districts that allow single-family detached dwellings. An ADU is a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home. ADUs go by many different names throughout the U.S., including accessory apartments, secondary suites, and granny flats. ADUs can be converted portions of existing homes, additions to new or existing homes (“attached ADUs”), or stand-alone accessory structures or converted portions of existing stand-alone accessory structures (“detached ADUs”).

**Analysis**

Attached and detached ADUs all have the potential to increase housing affordability (both for homeowners and tenants), create a wider range of housing options within the community, enable seniors to stay near family as they age, and facilitate better use of the existing housing fabric in established neighborhoods. Consequently, many cities and counties have signaled support for ADUs in their plans and adopted zoning regulations that permit ADUs.

This ordinance defines attached ADUs as:

“Dwelling unit, accessory attached” means an independent self-contained dwelling unit located within a single-family detached dwelling.

It defines detached ADUs as:

“Dwelling unit, accessory detached” means an independent self-contained dwelling unit located on the same lot as a single-family detached dwelling.

Ordinance O-39-19 permits both attached and detached ADUs as accessory uses subject to standards. The standards are intended to mitigate the impact of ADUs, along with the additional parking requirement. The standards are the following:

**Section 21.64.010 - Accessory Attached Dwelling Unit and Accessory Detached Dwelling Unit**

- A. The record owner of the property shall reside on the premises.
- B. The accessory dwelling unit, whether attached or detached, may not exceed 1,000 square feet.
- C. Only one accessory dwelling unit is permitted per principal use
- D. The property owner shall maintain a valid use and occupancy permit for the accessory dwelling unit in accordance with chapter 21.12, use and occupancy permits.

- E. If the principal use requires a special exception approval, the accessory use requires a special exception approval.

Furthermore, one parking space for the accessory unit, in addition to otherwise required parking, is required for an accessory dwelling unit.

The Bulk Regulations for ADUs are the same as that of the single-family dwelling for attached ADUs and the same as that of an accessory structure (such as a garage) for detached ADUs. In the case there is an existing structure that does not conform to these bulk regulations, an ADU may be permitted if the proposed ADU can meet the standards in Section 21.64.10 and provide the additional required parking space.

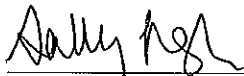
### **Recommendation**

In the 2009 *Annapolis Comprehensive Plan*, Policy 1 of the Housing Chapter recommends "Support Development of Housing Affordable to Workforce or Middle Income Households." In order to implement this policy, the following recommendation is made:

*The City should work with neighborhoods to consider allowing "mother-in-law apartments" or "granny flats" in owner-occupied houses in residential districts where the community finds them acceptable. These above-garage apartments, in-home apartments, or small cottages that serve as a second residence on a property can provide added income to the homeowner and provide a small affordable housing unit. Regulation of such "accessory dwelling units" would be necessary, and would need to address size of the accessory unit, provision of parking, and a permitting process and enforcement.*  
Annapolis Comprehensive Plan, 2009, p. 112

Based upon the information provided above, the Staff recommends that the proposed O-39-19 be APPROVED.

Report Prepared by



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Chief of Comprehensive Planning