



# Legislative Summary

## O-15-25

### Removing Accessory Dwelling Unit Owner-Residency Requirement

The City of Annapolis Office of Law created this summary for the use of Annapolis City Council members during their consideration of the legislation.

---

#### Bill Summary

O-15-25 eliminates the requirement for owners of an accessory dwelling unit (ADU) to reside on the property, either in the main house or the accessory dwelling. Additionally, it clarifies the definition of ownership within Title 21 of the City Code.

#### *Background*

An Accessory Dwelling Unit (ADU), often called a granny flat, mother-in-law suite, or backyard home, is a smaller residential unit built on the same lot as a primary residence. It can be the garage, attic, or a separate small building. ADUs offer additional housing options for family and friends or rental purposes.

On October 11, 2021, the Annapolis City Council approved the establishment of ADUs through the adoption of Ordinance 9-21, with the program going into effect shortly thereafter.

Annapolis has revisited its Accessory Dwelling Units (ADUs) policies as part of broader efforts to address housing affordability.



## **ADU Requirements in Annapolis**

- Only one accessory dwelling unit (ADU) is allowed per lot and must have a separate entrance.
- The property owner must live in either the main house or the ADU.
- ADUs are permitted in numerous residential zones (R1A, R1B, R1, R2, R3, R3-R, R4, R4-R), with possible allowances via special exceptions in districts like R2-NC, R3-NC, R3-NC2, C1, and C1A.
- The maximum size for an ADU is 850 square feet of livable space, except when located within an existing dwelling's footprint, such as a basement, attic, or garage.
- The Annapolis Planning and Zoning Department must approve plans for an ADU.
- The owner needs a rental license and an inspection from the Planning and Zoning Department to rent the ADU or the main house. Rentals can be short-term or long-term.

## **Details**

### **Section 21.64.010(G)**

The requirement that the property owner live on the property is removed.

### **Section 21.72.010**

Defines "ownership" and clarifies that an owner can be a corporation, partnership, or other business entity.

### **Section 21.44.090**

Property owners can only rent either the primary dwelling or the accessory dwelling unit as a short-term rental, not both.