



Montgomery Planning

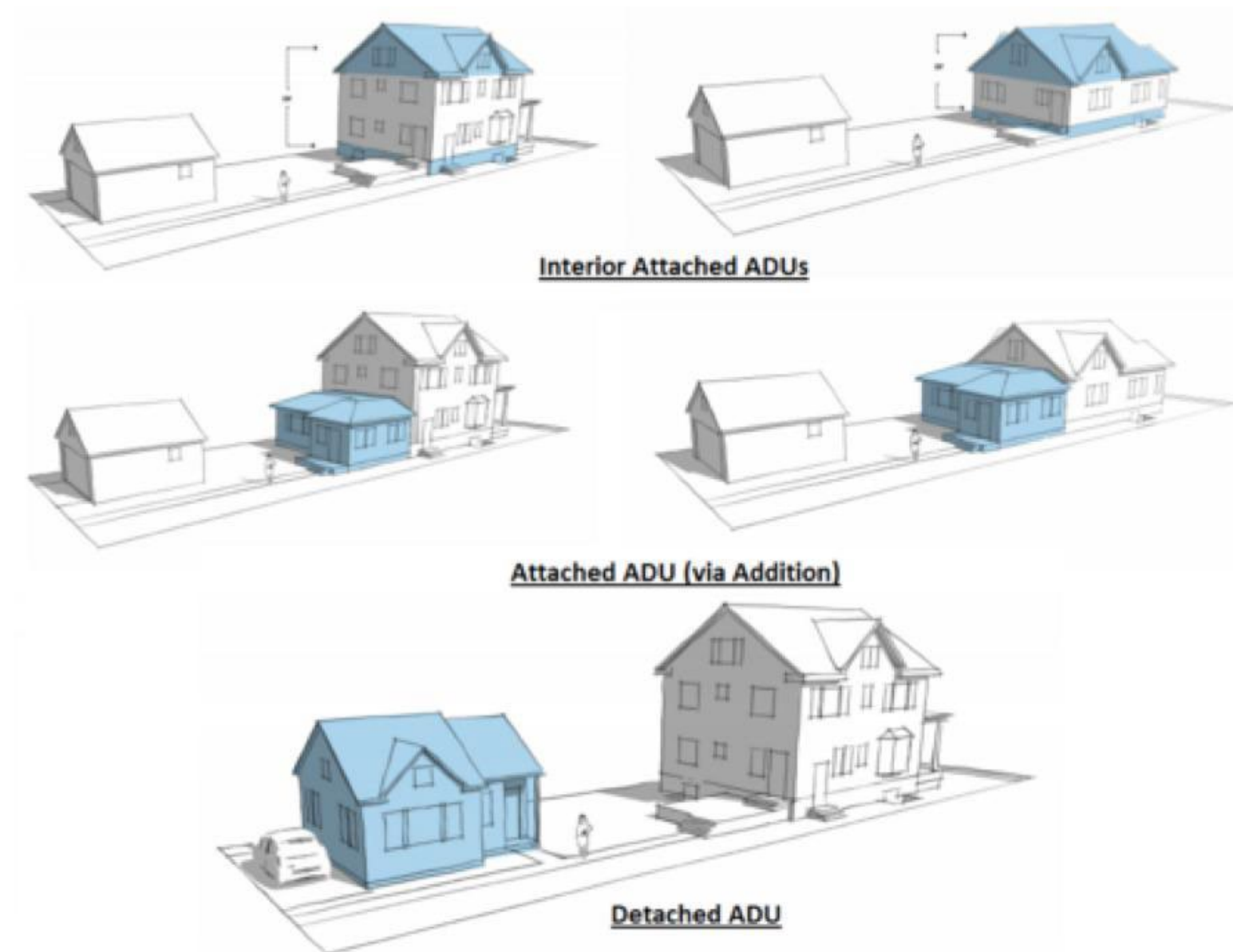
# Accessory Dwelling Units in Montgomery County, MD

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# What is an ADU?

- An **Accessory Dwelling Unit (ADU)** is a second dwelling that is subordinate to an existing one-family detached home and has its own provisions for cooking, eating, sanitation and sleeping.
- An ADU can be an addition or basement (attached) or separate structure on the same lot (detached)





# Why ADUs are Important

- Can help increase the supply of housing
- Provide supplemental income to homeowners
- Help house people of all ages, including seniors





# Timeline

ADUs reviewed as Special  
Exceptions  
**Pre 2013**



**ZTA 12-11**  
Allows ADUs as a limited use in  
certain zones  
**Effective 5/20/13**

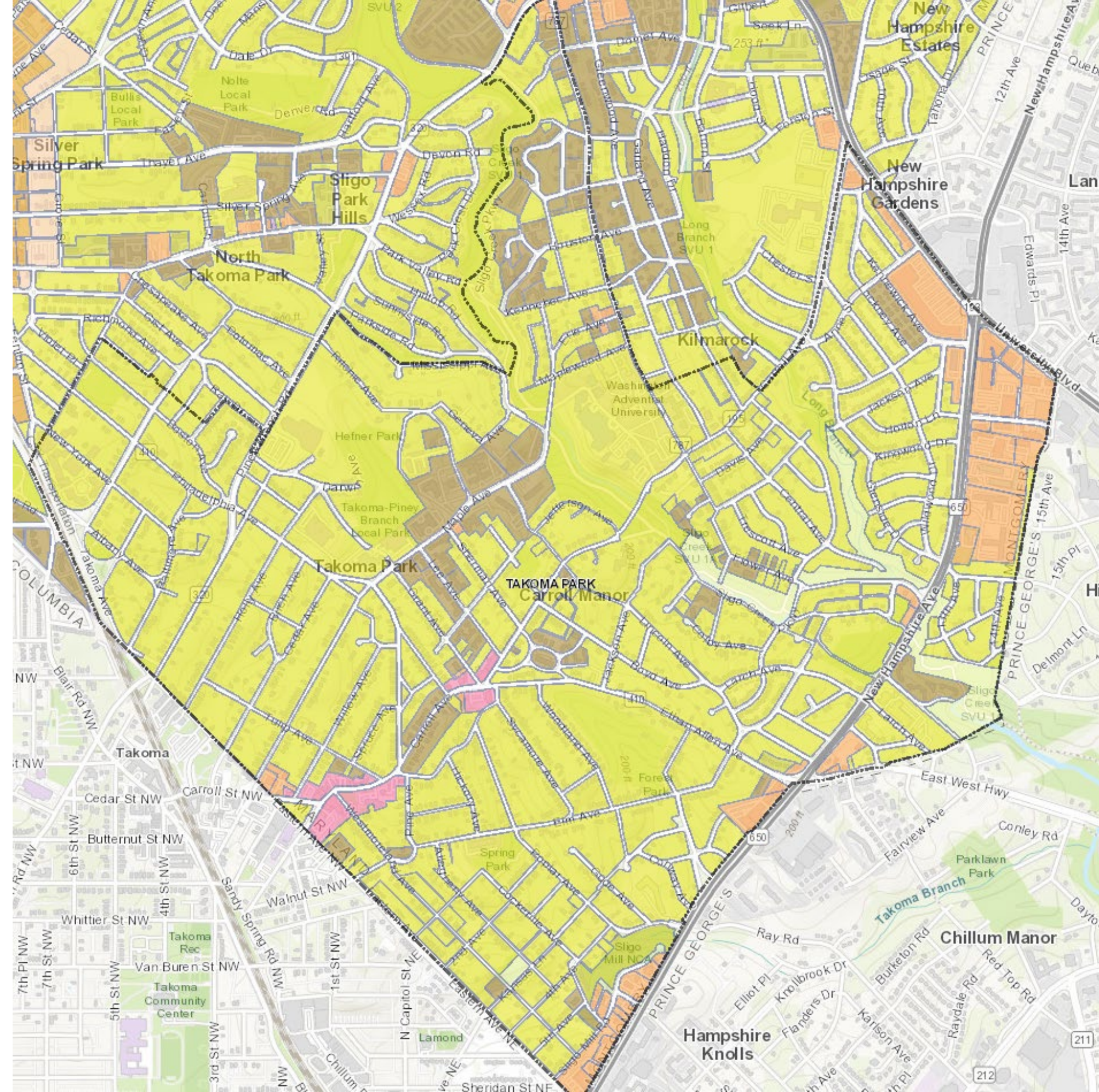
**ZTA 18-07**  
Allows waiver for ADUs that do not  
meet parking/spacing  
**Effective 10/29/18**



**ZTA 19-01**  
Allows detached ADUs in small-lot  
zones, reduces parking  
requirements  
**Effective 12/31/19**



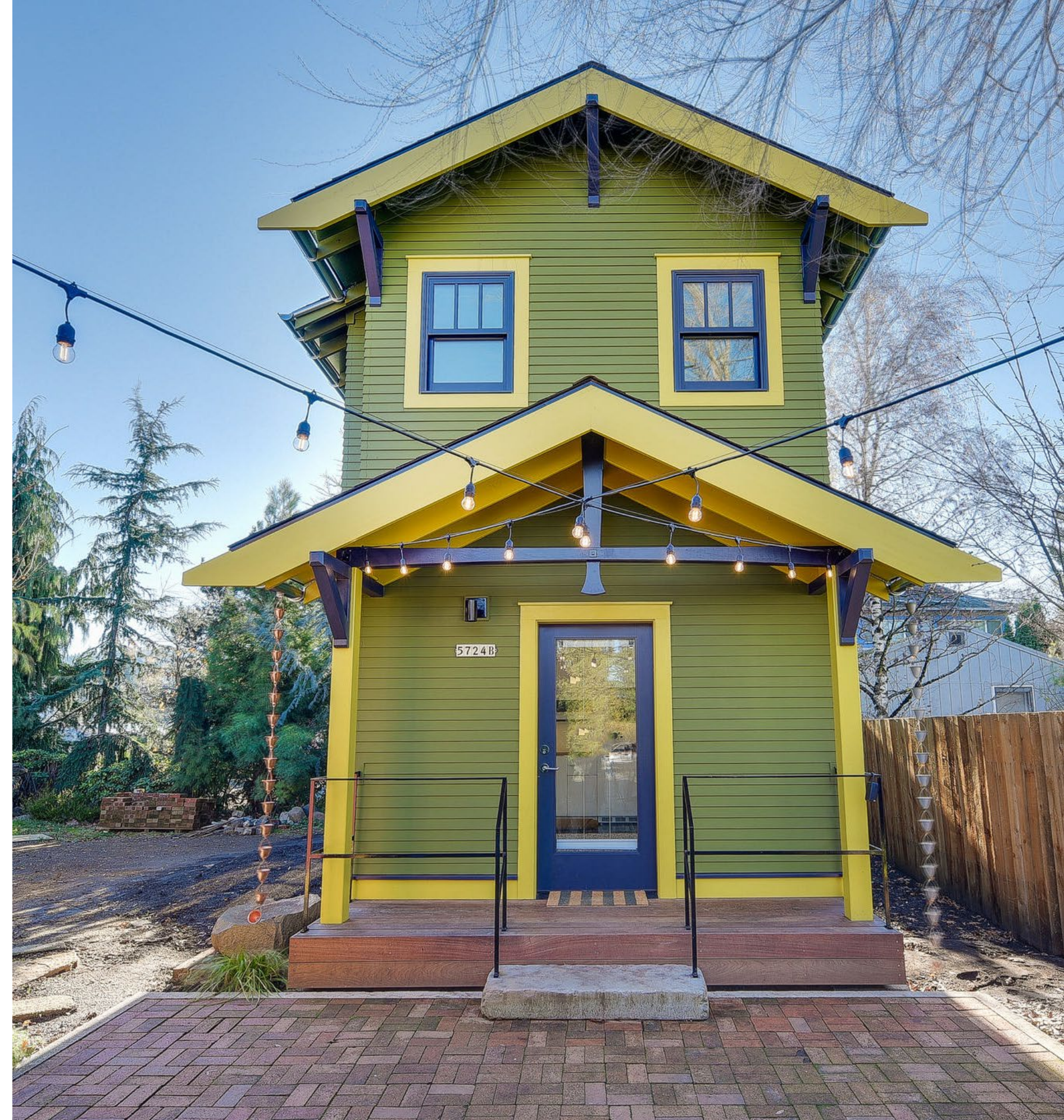
# Existing Residential Detached Zoning in Takoma Park





# About ZTA 19-01

- Introduced in January 2019 to revise the limited use provisions for attached and detached Accessory Dwelling Units
- Allows detached ADUs as a limited use in R-200, R-90, and R-60 Zones
- Changed parking standards within 1-mile of Metrorail, Purple Line, and MARC stations
- Removes 300ft or 500ft spacing requirement





# ADU Requirements

- **ADU size:** The maximum gross floor area for a Detached Accessory Dwelling Unit must be the least of:
  - 50% of the footprint of the principal dwelling;
  - 10% of the lot area; or
  - 1,200 square feet of gross floor area.
- **Separate entrance:** ADU must have a separate entrance located on the side or rear of the property.
- **Parking requirement:** On-site parking requirement of at least 320 square feet (except for properties located within a mile of Metro, MARC, or Purple line)





# ADU Requirements

- **Primary residence:** The property must be the owner's primary residence. Both units may not be rented. If the owner(s) move out of the property, the ADU must be eliminated.
- **Short-term rentals:** ADUs may not be used for short-term rentals.
- **Licensing:** ADUs must be licensed whether they are rented or not.
- Compliance with applicable housing and property maintenance codes





# Accessory Dwelling Unit Process in Takoma Park

## In Historic District

- 1. Historic Area Work Permit (HAWP):** Montgomery County Historic Preservation Commission
- 2. Building Permit:** Montgomery County Department of Permitting Services (DPS)
- 3. Application and Inspection:** Montgomery County Department of Housing and Community Affairs (DHCA)
- 4. Licensing:** City of Takoma Park

## Not in Historic District

- 1. Building Permit:** Montgomery County Department of Permitting Services (DPS)
- 2. Application and Inspection:** Montgomery County Department of Housing and Community Affairs (DHCA)
- 3. Licensing:** City of Takoma Park

# Resources

- Historic Preservation:
  - <https://montgomeryplanning.org/planning/historic/>
- Montgomery County DPS:
  - <https://www.montgomerycountymd.gov/dps/>
  - <https://www.montgomerycountymd.gov/DPS/Resources/Files/ZSPE/AccessoryDW-PP-Zoning.pdf>
- Montgomery County DHCA:
  - <https://www.montgomerycountymd.gov/dhca/housing/licensing/accessory.html>
  - [https://www.montgomerycountymd.gov/DHCA/Resources/Files/finance/licensing/publications/class3adu-pub-information\\_sheet.pdf](https://www.montgomerycountymd.gov/DHCA/Resources/Files/finance/licensing/publications/class3adu-pub-information_sheet.pdf)
- City of Takoma Park:
  - <https://takomaparkmd.gov/government/housing-and-community-development/rental-housing-programs/rental-housing-licensing/>
  - <https://documents.takomaparkmd.gov/government/housing-and-community-development/rental-housing/CreatingAndPermittingADU.pdf>





Montgomery Planning

Historic Preservation

12/1/2022

# ADUs in Historic Context

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# Historic Preservation Requirements

- If your property is either in a designated historic district or individually on the Master Plan for Historic Preservation, any change to the exterior requires a Historic Area Work Permit (HAWP).
- A HAWP requires property owners to submit an application to the Department of Permitting Services that includes:
  - Basic property information
  - Existing conditions (in photos and drawings)
  - Proposed changes (in narrative and drawings)
- The HP Staff reviews the proposal, writes a report with a recommendation; the Historic Preservation Commission considers the recommendation; makes a motion, and votes on the proposal.



# Historic Area Work Permit (HAWP) Review

The primary consideration for the work proposed in the HAWP is:

How will this work impact the historic character of the site and surrounding resources?

- These considerations include size, architectural style, materials, and placement on the property.

Review of the HAWP is governed by 3 potential documents:

- Chapter 24A of County Code
- The Secretary of the Interior's Standards for Rehabilitation; and
- District-specific guidance.







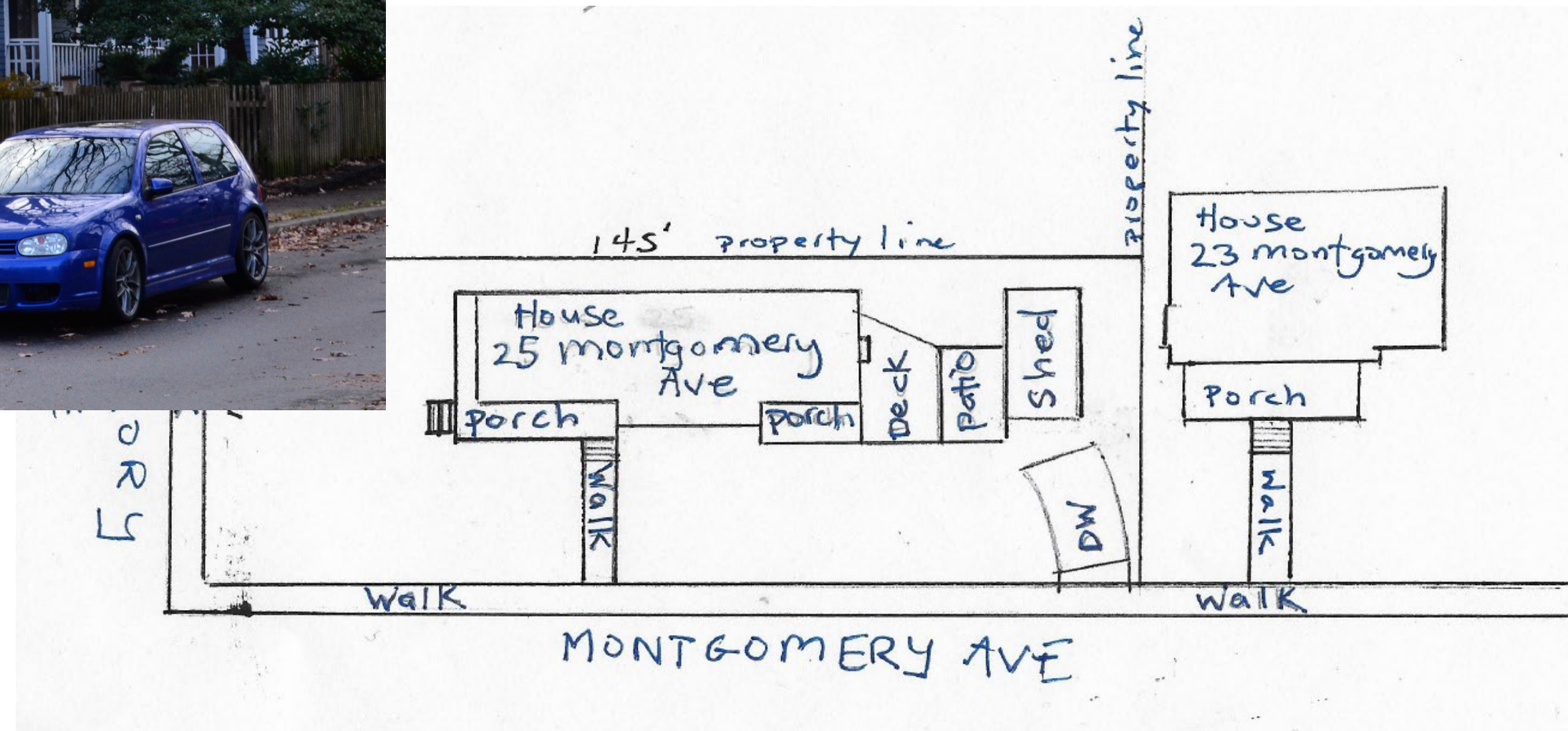


























# What About Interior ADUs?

Because use is generally a concern (or included in the application) for the HPC the HP office doesn't know how many ADUs it has reviewed and approved.

Changes required to accommodate an interior ADU typically occur at the rear or foundation level of the house, areas that are afforded more flexibility under HPC review.



# Recommendations

- Work with a design professional who is familiar with historic preservation and the Montgomery County requirements.
- Contact the HP office early in the process:
  - HP Staff can informally review the proposal early in the design process and identify any red flags and/or
  - Submit a formal Preliminary Consultation to be reviewed by the HPC. Hearings are held, on the record, with the HPC providing feedback on the proposal and recommendations to ensure the project is consistent with the guidance.
  - The Department of Permitting Services will not review other permit applications until the HAWP is approved.







# Takoma Park Permitting Processes

The development **review process and zoning authority lie with the Montgomery County Planning Department**. However, the City manages a few specific permitting processes:

- Tree Impact Assessment/Tree Protection Plan/Tree Removal
- Stormwater Management
- Public Right of Way

Information about these permits is outlined in the Municipality Letter issued by the City.





# TREE PROTECTION

Construction activities that occur **within 50 feet of any urban forest tree (7 5/8" in diameter or greater)**, located on the property or on an adjacent property, may require a **Tree Impact Assessment and Tree Protection Plan**.

- *City Code, section 12.12.*
- Marty Frye, Urban Forest Manager  
301-891-7612 or  
[UrbanForestManager@takomaparkmd.gov](mailto:UrbanForestManager@takomaparkmd.gov)





# STORMWATER MANAGEMENT

Additions or modifications to existing detached single-family residential properties do not require a Stormwater Management permit **if the project does not disturb more than 5,000 square feet** of land area.

- *City Code, section 16.04*
- Ali Khalilian, City Engineer  
alikh@takomaparkmd.gov or 301-891-7620





# CITY RIGHT OF WAY

Impacts from a project that influence the public right of way, such as sidewalks or other publicly owned land may require City permits for the following:

- **Construction dumpster or storage container** temporarily on a City right of way. *A permit is not required if the dumpster is placed in a privately-owned driveway or parking lot.*
- **New driveway apron**, or enlarge or replace an existing driveway apron.
- **Fence in the City right of way**, you need to request a Fence Agreement.





# RENTAL HOUSING LICENSING

The City of Takoma Park requires the licensing of all rental housing. There are three types of rental housing licenses issued by the City of Takoma Park – annual, biennial, and temporary:

- 1. Rental Housing License Application**
- 2. Rental Housing License & Transfer Fees**  
*The license fee for 2022 is \$116 per unit.*
- 3. Lead Poisoning Prevention Compliance**
- 4. Property Inspection**
- 5. Landlord Certification**

Contact the Housing Division with questions:  
[Housing@TakomaParkMd.gov](mailto:Housing@TakomaParkMd.gov) or 301-891-7119.





# More Information

To learn more about what components of your project need special permits from the City:

- Visit <https://takomaparkmd.gov/services/permits/>, or
- Call the Takoma Park Department of Public Works at 301-891-7633.

