



Guidance on Accessory Dwelling Units (ADUs)

The purpose of this guide is to assist homeowners, contractors, and others interested in constructing or owning ADUs. It contains three parts. The first defines what an ADU is. The second part provides an overview of the process to get an ADU approved. The third part provides a summary of requirements that apply to ADUs.

What is an Accessory Dwelling Unit (ADU)?

An ADU is a second dwelling unit that is subordinate to the main detached dwelling and located on the same lot. ADUs are referred to by many names, such as accessory apartments, in-law suites, or granny flats. An ADU is smaller than the main dwelling and it must contain permanent provides complete, independent living facilities, including facilities for cooking, sanitation, and sleeping.

Attached and Detached ADUs

ADUs are classified as “attached” or “detached,” depending on their relationship to the main dwelling located on the lot.

- An **attached ADU** is located in the same building as the main dwelling. It can be created by altering a portion of the main dwelling or additions to the main dwelling. Examples include a basement conversion or home addition that contains an independent dwelling unit.
- A **detached ADU** is located within an accessory building that is separate from the main dwelling. It can be created by retrofitting an existing detached structure or constructing a new detached accessory building on the same lot. Examples include an apartment over a detached garage or an individual dwelling within an accessory structure.

Getting your ADU Approved

All ADUs, existing and proposed, must be permitted through the City's portal, [MyGovernmentOnline](#). Permits and licenses go through a series of reviews before approval, and reviewers may request additional information during the review process. To ensure the quickest turn around, we recommend responding to reviewer questions and requests at your earliest ability.

The following permits and licenses are required for ADU construction, occupancy, and rental (if proposed):

Building ADU Permit and other permits (required) A building permit is required for all attached and detached ADUs, even if no construction work is planned. When applying for a building permit, you will be required to fill out an [application](#) and submit floor plans and construction drawings.

- Once the application is accepted and fees are paid, the reviews will begin. CPDS and Department of Public Works (DPW) staff will review for compliance with the requirements listed in the "Summary of Requirements" section below. General processing time is 35 calendar days (includes intake and review of the drawings).
- Depending on the scope of work, additional permits such as electrical, mechanical, plumbing, [fire protection](#), and [permits from public works](#) may be required.
- Once approved by staff, building permit will be issued via MGO.
- The required inspections and sequence will be available in MGO. Those listed as contacts in MGO will be permitted to request and schedule inspections.
- Once work is complete and all inspections are passed, a certificate of occupancy will be issued through MGO.

Rental License application (required if renting the ADU)

- A [rental license](#) is required if the ADU will be rented to someone other than the owners' relatives.
- Once the rental license application is accepted and the fee is paid, the Code Enforcement team will reach out to schedule an inspection of the space.
- After the rental license inspection has passed, the rental license will be issued.
- Occupancy of the structure by someone other than a family member is prohibited until the rental license has been issued.

Summary of Requirements

Zoning Requirements

All ADUs, whether attached or detached, must comply with the following standards:

- ADUs must be accessory to a Single-Unit Detached Dwelling located on the same lot.
- Only one ADU is permitted on a lot.
- Both the ADU and the principal dwelling unit on a lot must remain under common ownership.
- In accordance with Chapter 18, only one rental license is permitted on a property.

- In all MXTD zones, ADUs are permitted only when located on the same lot as a Single-Unit Detached Dwelling that was in existence on August 1, 2026.

Attached ADUs must also comply with the following standards:

- Attached ADUs may have a gross floor area:
 - Equal to or less than 75 percent of the total floor area of the principal dwelling unit; or
 - If the ADU is located in a basement, equal to or less than the square footage of the basement.
- Attached ADUs, except for Accessory Apartments constructed before October 9, 2023, under a valid Special Exception approval, must comply with the following standards:
 - If a separate entrance to the Attached ADU is provided, it must be located on the side or rear of the principal dwelling unit.
 - Attached ADUs are subject to all design guidelines applicable to their principal Single-Unit Detached Dwellings.

Detached ADUs also must comply with the following standards:

- Detached ADUs may have a gross floor area:
 - If the principal dwelling unit has a gross floor area of 800 square feet or more, equal to or less than 75 percent of the total floor area of the principal dwelling unit; or
 - If the principal dwelling unit has a gross floor area of less than 800 square feet, the Detached ADUs may be up to 600 square feet.
- Detached ADUs must be permanently attached to the ground by a foundation.
- Detached ADUs are subject to the development standards for accessory buildings and structures found in Sec. 25.8.1.3.

Building Code/Permitting

Converting an existing unfinished space to an ADU requires special consideration because some features, such as ceiling heights, windows, stairs, sprinkler heads, and exits may not meet current building code requirements. These conditions could make it difficult or costly for the applicant to convert unfinished space into habitable space.

Fire Suppression: Detached ADUs are required to be protected with an approved automatic fire sprinkler system (FPS). An FPS permit from the city is required prior to commencing installation. For projects located in the WSSC service area, the applicant must confirm with WSSC any necessary modifications to accommodate fire sprinkler installations (e.g. meter and water line sizing). Attached ADUs are required to be protected with an approved automatic fire sprinkler system if the existing house is protected by a sprinkler system, or if the project qualifies as a substantial addition or substantial reconstruction per [City Code Chapter 5](#). An FPS permit from the city is required if an automatic fire sprinkler system is required.

Natural Gas: The applicant must obtain all necessary gasfitting permits from WSSC for the project if natural gas is to be supplied to the unit.

Inspections

Code compliance inspections are an important and required component of alterations, additions, and new construction. After obtaining necessary permits, the applicant must obtain the necessary inspections to ensure that permitted work on the project is code-compliant and the building or structure is ready for use and occupancy. For all inspections, the permits and an approved set of plans must be on the job site.

Forestry

An accessory dwelling requires compliance with City Code [Chapter 10.5](#) (Forest and Tree Preservation Ordinance).

A Natural Resources Inventory and Forest Conservation Plan may be required if the activity results in any of the following:

- a. The cutting, clearing, or grading of more than 20,000 square feet of forest;
- b. The cutting, clearing, or grading of any forest or trees that were subject to the requirements of a previous final forest conservation plan approved under Chapter 10.5 of the City Code;
- c. The subdivision of land;

If the improvements don't result in any of the aforementioned conditions, the applicant must submit a tree save plan, pursuant to section 10.5-11(b)(1)(d) of the City Code. Guidance on how to prepare a tree save plan is available in the Forest Conservation Manual. Please contact CPDS@rockvillemd.gov for more information.

Public Works Permits

The following items may require additional permits from DPW:

- Adding or modifying a curb cut for a driveway
- Adding or modifying impervious cover (walkways, driveways, building foundations, etc.)
- Work in the public right of way
- New connections to city utilities (water)

For additional information on processes and requirements for these permits, contact DPW at pw@rockvillemd.gov.

Rental of ADUs

Chapter 18 of the Rockville City Code requires that any building that will be rented to a non-family member must obtain a rental license with subsequent renewals for as long as the unit is rented. A rental license and inspection must be approved prior to renting an

attached or detached ADU. Issuance of a rental license for an accessory dwelling unit and a single –family dwelling unit rental license on the same property is prohibited.