

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

2026 Legislative Session

Bill 2026-06

Zoning Text Amendment 25-189

FLEXIBILITY FOR ACCESSORY DWELLING UNITS

Introduction by Charles County Commissioners

For the purpose of Amending the County's Zoning Ordinance to Expand and Modernize Accessory Dwelling Regulations for Both Single Family Attached and Detached Housing Types. By Amending Chapter 297 – Zoning Ordinance, Article II, §29. Accessory uses and structures, Article III, §297-49. Word usage; definitions, Article IV, §63, Figure IV-1, Table of Permissible Uses, Article V, §75. Residential density, Article XIII, §211. Alphabetical listing, Article XIII, §212. Uses corresponding with Table of Permissible Uses, Article XX, §335. Number of parking spaces required, Figure XX-1, Table of Parking Requirements, Article XXVI, §430. Permits required. *Code of Charles County, Maryland*

Date introduced: 04/ 28/ 2026

Public Hearing: 07/07/ 2026 Virtual and In-Person @ 6:00 p.m.

Commissioners' Action: 07/07/2026

Commissioner Votes: RBC: Y, GB: Y, TC: Y, AS: Y, RP: Y

Pass/Fail: Pass

Effective Date: 08/21/2026

Remarks: _____

NOTE: CAPITALS indicate matter added to existing text.
[Brackets] indicate matter deleted from existing law.

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND**2026 Legislative Session**

Bill No. Text Amendment/Bill No. ZTA #25-189/Bill No. 2026-06

Chapter. No. 297-

Introduced by The Department of Planning & Growth Management

Date of Introduction 04/28/2026

BILL

AN ACT concerning:

THE AMENDMENT OF THE DEFINITION OF ACCESSORY DWELLING UNITS TO COMPLY WITH STATE LAW AND THE INTRODUCTION OF PRINCIPAL TOWNHOUSE DWELLING UNIT WITH ACCESSORY DWELLING UNIT AS A USE PERMITTED WITH CONDITIONS IN THE MEDIUM-DENSITY RESIDENTIAL (RM), HIGH-DENSITY RESIDENTIAL (RH), MIXED USE (MX), TRANSIT ORIENTED DEVELOPMENT (TOD), PLANNED RESIDENTIAL DEVELOPMENT (PRD), PLANNED UNIT DEVELOPMENT (PUD), CORE EMPLOYMENT/RESIDENTIAL (CER), CORE RETAIL/RESIDENTIAL (CRR), CORE MIXED RESIDENTIAL (CMR), WALDORF CENTRAL (WC), AND ACTON URBAN CENTER (AUC) ZONES.

FOR the purpose of:

AMENDING THE COUNTY'S ZONING ORDINANCE TO EXPAND AND MODERNIZE ACCESSORY DWELLING REGULATIONS FOR BOTH SINGLE FAMILY ATTACHED AND DETACHED HOUSING TYPES.

1 BY Amending:

2

3 Chapter 297 – Zoning Ordinance

4 Article II, §29. Accessory uses and structures

5 *Code of Charles County, Maryland*

6

7 Chapter 297- Zoning Ordinance

8 Article III, §297-49. Word usage; definitions.

9 *Code of Charles County, Maryland*

10

11 Chapter 297- Zoning Ordinance

12 Article IV, §63, Figure IV-1, Table of Permissible Uses.

13 *Code of Charles County, Maryland*

14

15 Chapter 297 – Zoning Ordinance

16 Article V, §75. Residential density

17 *Code of Charles County, Maryland*

18

19 Chapter 297 – Zoning Ordinance

20 Article XIII, §211. Alphabetical listing.

21 *Code of Charles County, Maryland*

22

23 Chapter 297 – Zoning Ordinance

24 Article XIII, §212. Uses corresponding with Table of Permissible Uses.

25 *Code of Charles County, Maryland*

26

27 Chapter 297 – Zoning Ordinance

28 Article XX, §335. Number of parking spaces required.

29 Figure XX-1, Table of Parking Requirements

30 *Code of Charles County, Maryland*

Chapter 297 – Zoning Ordinance

Article XXVI, §430. Permits required.

Code of Charles County, Maryland

**SECTION 1. BE IT ENACTED BY THE COUNTY COMMISSIONERS
OF CHARLES COUNTY, MARYLAND, that the Laws of Charles County,
Maryland read as follows:**

Article II, §297-29. Accessory Uses and Structures

A. GENERALLY. Except as otherwise restricted by this chapter, customary accessory structures and uses shall be permitted in any zone in connection with the principal permitted use within such zone.

B. [Prior to the commencement of any accessory use or the construction of any accessory structure with an agricultural, rural, or residential zone, a zoning permit must be obtained. The standards below shall apply to accessory uses and structures in agricultural, rural, and residential zones:] STANDARDS; EXCEPTIONS. THE FOLLOWING ACCESSORY USES AND STRUCTURES SHALL BE PERMITTED AND THE FOLLOWING RESTRICTIONS SHALL APPLY IN AGRICULTURAL AND RESIDENTIAL ZONES UPON ISSUANCE OF A ZONING PERMIT. THIS SECTION DOES NOT APPLY TO ACCESSORY DWELLING UNITS USES EXCEPT WHERE SPECIFICALLY NOTED BELOW:

(5) No agricultural or residential accessory use or structure (INCLUDING DETACHED ACCESSORY DWELLING UNITS) shall be established within six feet of any side or rear lot line, except in the following situations.

(a) When located on a single-family attached or multifamily use lot that is enclosed with a solid fence, in accordance with § 297-27B of this chapter, an accessory use or structure is permitted to abut any side or rear lot line. Structures over 200 square feet in size are subject to applicable International Residential Code (IRC) requirements.

- 1 (b) When a rear-loaded detached garage is accessed via a private roadway, the
2 rear-loaded detached garage is permitted to abut the rear lot line, subject to
3 applicable International Residential Code (IRC) requirements.
4 (6) No accessory use or structure shall be located within any recorded easement area.
5

(7) An agricultural or single-family detached accessory structure (INCLUDING DETACHED ACCESSORY DWELLING UNITS) which does not abut the principal building shall be located a minimum of six feet from any other building on the same lot. When located on a single-family attached or multifamily use lot, an accessory structure that does not abut the principal building shall be located a minimum of two feet from any other building on the same lot, subject to applicable International Residential Code (IRC) requirements.

Article III, §297-49. Word usage; definitions

E. Definitions

[ACCESSORY APARTMENT

A second dwelling unit that is part of an existing one-family detached dwelling or is located in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent facility with provision within the accessory apartment for cooking, eating, personal sanitation and sleeping. Such a dwelling unit is subordinate to the main dwelling].

ACCESSORY DWELLING UNIT

(1) A SECONDARY INDEPENDENT LIVING SPACE WITH A SEPARATE ENTRANCE, AND ITS OWN LIVING AND/OR SLEEPING AREA, KITCHEN OR KITCHENETTE, AND BATHROOM THAT IS LOCATED WITHIN, ATTACHED TO, OR SEPARATELY DETACHED FROM A SINGLE-FAMILY DETACHED DWELLING UNIT ON THE SAME LOT AS THE PRINCIPAL DWELLING UNIT, OR

(2) A SECONDARY INDEPENDENT LIVING SPACE WITH SEPARATE ENTRANCE, AND ITS OWN LIVING AND/OR SLEEPING AREA, KITCHEN OR KITCHENETTE, AND BATHROOM THAT IS LOCATED WITHIN A SINGLE-FAMILY ATTACHED TOWNHOUSE UNIT THAT WAS PART OF A PROJECT WHICH RECEIVED PRELIMINARY

SUBDIVISION PLAN OR SITE DEVELOPMENT PLAN APPROVAL
AFTER (insert the effective date of this ordinance).

ACCESSORY DWELLING UNIT PERMIT

A PERMIT ISSUED BY THE ZONING OFFICER THAT AUTHORIZES THE
RECIPIENT TO MAKE USE OF AN ACCESSORY DWELLING UNIT IN
ACCORDANCE WITH THE REQUIREMENTS OF THIS CHAPTER.

[RESIDENCE, PRIMARY, WITH ACCESSORY APARTMENT

A residential use having the external appearance of a single-family residence but
in which there is located a second dwelling unit that comprises not more than
50% of the gross floor area of the building, and the minimum floor area shall
also be 300 square feet.]

Article IV. §297-63. Figure IV-1, Table of Permissible Uses.

Uses Description	*	*	*	*	*	*
*****	*	*	*	*	*	*
3.01.700 [Primary Residence with accessory apartment] ACCESSORY DWELLING UNIT	*	*	*	*	*	*
*****	*	*	*	*	*	*

Uses Description	R M	R H	PR D	M X	TO D	CE R	CR R	CM R	W C	AU C
***** ***	*	*	*	*	*	*	*	*	*	*
3.02.210 PRIMARY TOWNHOUSE	PC	P C	PC	PC	PC	PC	PC	PC	PC	PC

Asterisks *** mean intervening code language remaining unchanged
NOTE: CAPITALS indicate language added to existing law
[Brackets] indicate language deleted from existing law

DWELLING WITH ACCESSORY DWELLING UNIT										
*****	*	*	*	*	*	*	*	*	*	*

Article V, §297-75. Residential density

D. An accessory [apartment] DWELLING UNIT SUBORDINATE TO A DETACHED SINGLE-FAMILY RESIDENCE shall not constitute a dwelling unit for purposes of density calculations.

Article XIII, §297-211. Alphabetical listing.

Poultry houses 1.01.450

PRIMARY TOWNHOUSE DWELLING WITH 3.02.210

ACCESSORY DWELLING UNIT

Processing facility/transfer station (solid waste) 7.03.100

[Residential, single-family detached: accessory apartment] 3.01.700

ACCESSORY DWELLING UNIT

Article XIII. §297-212 Uses corresponding with Table of Permissible Uses.

(23) 3.01.700 [Single-family detached residential: primary residence with accessory apartment. This use is permitted with conditions in the HVC, HVG, HVR, AC, RC, RR,

RV, RL, RM, RH, RO, MX, TOD, CER, CMR and CRR Zones, subject to the following requirements:

- A. An accessory apartment may be located either in the principal dwelling unit or in an accessory building.
- B. Apartment size. The minimum floor area for an accessory apartment within a principal dwelling shall be 300 square feet, but in no case shall it exceed 50% of the gross floor area of the dwelling in which it is located. For accessory apartments located in accessory buildings, the minimum floor area shall also be 300 square feet, there shall be no more than two bedrooms in the apartment, and the apartment shall not occupy more than 50% of the accessory structure.
- C. There shall be no more than one accessory apartment permitted per existing single-family dwelling.
- D. Exterior appearance. If an accessory apartment is located in the principal dwelling building, the entry to such unit and its design shall, to the degree reasonably feasible, reflect the appearance of the single-family residential structure. No external entrance that faces a road or street shall be added to either the principal dwelling or an accessory building.
- E. Water and sewerage service. Prior to the issuance of a zoning permit for the establishment of an accessory apartment in or existing residential structure or the conversion of an existing accessory building to an accessory apartment use, approval of the proposed method of water supply and sewage disposal shall be obtained from the County Department of Health.
- F. Off-street parking. Off-street parking shall be provided in accordance with the standards and requirements of Article XX, Parking Facilities.]

ACCESSORY DWELLING UNIT (ADU). THIS USE IS PERMITTED WITH CONDITIONS ON A LOT, PARCEL, OR TRACT IN ANY ZONING DISTRICT WHERE SINGLE FAMILY DETACHED RESIDENCES ARE ALLOWED, OR WHERE A SINGLE-FAMILY DETACHED RESIDENCE EXISTS AS A NONCONFORMING USE SUBJECT TO THE FOLLOWING REQUIREMENTS.

- 1 A. ONE ACCESSORY DWELLING UNIT PER LOT, PARCEL, OR TRACT IS
2 PERMITTED PROVIDED THE ZONING ADMINISTRATOR FIRST
3 APPROVES THE ACCESSORY DWELLING UNIT AS COMPLYING WITH
4 THE STANDARDS OF THIS ORDINANCE AND ISSUES AN ACCESSORY
5 DWELLING UNIT PERMIT IN ACCORDANCE WITH SECTION 297-430.E
6 OF THIS ORDINANCE.
7
- 8 B. AN ACCESSORY DWELLING UNIT MAY BE LOCATED EITHER
9 WITHIN OR ATTACHED TO THE PRINCIPAL DWELLING UNIT OR IN A
10 DETACHED ACCESSORY BUILDING ON A LOT CONTAINING A
11 PRINCIPAL DWELLING.
12
- 13 C. AN ACCESSORY DWELLING UNIT MAY BE INCORPORATED INTO AN
14 EXISTING OR NEW SINGLE-FAMILY DETACHED DWELLING.
15
- 16 D. MINIMUM LOT SIZE:
17
- 18 1. AN ACCESSORY DWELLING UNIT MAY BE CREATED ON A
19 PARCEL OR LOT OF ANY SIZE. FOR PROPERTIES WHERE
20 CONNECTION TO PUBLIC SEWER AND WATER SERVICES IS
21 NOT AVAILABLE, THE MINIMUM LOT SIZE FOR AN
22 ATTACHED ADU WILL BE GOVERNED BY THE CHARLES
23 COUNTY HEALTH DEPARTMENT'S MINIMUM AREA
24 REQUIREMENTS FOR PRIVATE WASTEWATER SYSTEMS.
25
26
- 27 E. SETBACKS
28
- 29 1. WHEN AN ACCESSORY DWELLING UNIT IS CREATED
30 WHOLLY WITHIN A PRINCIPAL DWELLING UNIT OR WHEN
31 THE FOOTPRINT OF THE PRINCIPAL DWELLING UNIT IS
32 EXPANDED TO ACCOMMODATE AN ACCESSORY DWELLING
33 UNIT, THE PRINCIPAL DWELLING UNIT TOGETHER WITH THE
34 ATTACHED ADU SHALL MEET ALL OF THE SETBACKS IN THE
35 ZONE.
36
- 37 2. FOR PROPERTIES SMALLER THAN THREE (3) ACRES, A
38 DETACHED ACCESSORY DWELLING UNIT SHALL MEET THE

FRONT SETBACK OF THE ZONE, BE SET BACK AT LEAST SIX (6) FEET BEHIND THE FRONT BUILDING LINE ESTABLISHED BY THE PRINCIPAL DWELLING UNIT, AND SHALL MEET THE SETBACK REQUIREMENTS FOR ACCESSORY STRUCTURES IN SECTION 297-29 B OF THIS ORDINANCE.

3. FOR PROPERTIES EQUAL TO OR LARGER THAN THREE (3) ACRES, A DETACHED ACCESSORY DWELLING UNIT MAY BE LOCATED ANYWHERE ON THE PROPERTY BUT MUST NOT BE LOCATED LESS THAN FIFTY (50) FEET FROM ANY PUBLIC ROAD RIGHT-OF-WAY. FOR ALL OTHER PROPERTY LINES THE ADU SHALL MEET THE SETBACK REQUIREMENTS FOR ACCESSORY STRUCTURES IN SECTION 297-29 B OF THIS ORDINANCE.

F. ACCESSORY DWELLING UNIT SIZE. THE MINIMUM SIZE FOR AN ACCESSORY DWELLING UNIT SHALL BE SUBJECT TO APPLICABLE INTERNATIONAL RESIDENTIAL CODE (IRC) REQUIREMENTS. THERE SHALL NOT BE MORE THAN TWO BEDROOMS IN AN ADU AND IN NO CASE SHALL THE NUMBER OF BEDROOMS IN THE ADU EXCEED THE NUMBER OF BEDROOMS IN THE PRINCIPAL DWELLING UNIT. THE MAXIMUM SIZE OF AN ACCESSORY DWELLING UNIT SHALL BE BASED UPON THE PROPERTY SIZE AS FOLLOWS:

1. FOR PROPERTIES SMALLER THAN THREE (3) ACRES THE MAXIMUM SIZE OF AN ADU SHALL BE NO LARGER THAN 1,000 SQUARE FEET OR 75% OF THE FLOOR AREA OF THE PRINCIPAL DWELLING, WHICHEVER IS SMALLER.
2. FOR PROPERTIES EQUAL TO OR LARGER THAN THREE (3) ACRES THE MAXIMUM SIZE OF AN ADU SHALL BE 75% OF THE FLOOR AREA OF THE PRINCIPAL DWELLING.

G. THERE SHALL BE NO MORE THAN ONE ACCESSORY DWELLING UNIT PERMITTED PER LOT, PARCEL, OR TRACT. NO LOT, PARCEL, OR TRACT SHALL BE PERMITTED TO INCLUDE BOTH AN ATTACHED AND A DETACHED ADU.

H. THE HEIGHT OF A STRUCTURE WHICH CONTAINS A DETACHED ACCESSORY DWELLING UNIT SHALL NOT EXCEED TWO STORIES OR TWENTY FOUR (24) FEET, AND SHALL AT NO POINT EXCEED THE HEIGHT MAXIMUM IN THE ZONING DISTRICT WHERE IT IS LOCATED.

I. EXTERIOR APPEARANCE.

(1) IF AN ACCESSORY DWELLING UNIT IS LOCATED WITHIN OR ATTACHED TO THE PRINCIPAL DWELLING UNIT THE ACCESSORY DWELLING UNIT ENTRY AND ANY STAIRS SHALL NOT BE VISIBLE FROM THE STREET VIEW OF THE PRINCIPAL DWELLING UNIT.

(2) AN ACCESSORY DWELLING UNIT SHALL BE SUBJECT TO ANY AND ALL APPLICABLE DESIGN GUIDELINES OR STANDARDS FOR THE ZONE IN WHICH IT IS PROPOSED.

J. WATER AND SEWERAGE SERVICE. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT AND/OR ACCESSORY DWELLING UNIT PERMIT FOR THE ESTABLISHMENT OF AN ACCESSORY DWELLING UNIT IN A NEW OR EXISTING RESIDENTIAL STRUCTURE, THE CONVERSION OF A PORTION OR ALL OF AN EXISTING ACCESSORY STRUCTURE TO AN ACCESSORY DWELLING UNIT, OR THE NEW CONSTRUCTION OF A DETACHED ACCESSORY DWELLING UNIT, APPROVAL OF THE PROPOSED METHOD OF WATER SUPPLY AND SEWAGE DISPOSAL SHALL BE OBTAINED.

K. OFF STREET PARKING. OFF STREET PARKING SHALL BE PROVIDED IN ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF ARTICLE XX, PARKING FACILITIES.

(26A) 3.02.210 PRINCIPAL TOWNHOUSE DWELLING UNIT WITH ACCESSORY DWELLING UNIT. THIS USE IS PERMITTED WITH CONDITIONS IN THE PUD, RM, RH, PRD, MX, TOD, CER, CRR, CMR, WC, AND AUC ZONES, SUBJECT TO THE SAME CONDITIONS AS SPECIFIED IN USE 3.02.200, AND SUBJECT TO THE FOLLOWING REQUIREMENTS:

- 1 A. ONE ACCESSORY DWELLING UNIT IS PERMITTED PROVIDED THE
 2 ZONING ADMINISTRATOR FIRST APPROVES THE ACCESSORY
 3 DWELLING UNIT AS COMPLYING WITH THE STANDARDS OF THIS
 4 ORDINANCE AND ISSUES AN ACCESSORY DWELLING UNIT PERMIT
 5 IN ACCORDANCE WITH SECTION 297-430.E OF THIS ORDINANCE.
 6
- 7 B. THE ACCESSORY DWELLING UNIT SHALL ONLY BE LOCATED
 8 WITHIN A PRINCIPAL TOWNHOUSE DWELLING UNIT THAT WAS
 9 PART OF A PROJECT WHICH RECEIVED PRELIMINARY SUBDIVISION
 10 PLAN OR SITE DEVELOPMENT PLAN APPROVAL AFTER (INSERT THE
 11 EFFECTIVE DATE OF THIS ORDINANCE). *NOTE: PC MUST APPROVE*
 12 *THE ADUs WITHIN THE OVERALL PROJECT.*
 13
- 14 C. ACCESSORY DWELLING UNIT SIZE. THE MINIMUM SIZE FOR AN
 15 ACCESSORY DWELLING UNIT SHALL BE SUBJECT TO APPLICABLE
 16 INTERNATIONAL RESIDENTIAL CODE (IRC) REQUIREMENTS. AN
 17 ACCESSORY DWELLING UNIT SHALL NOT EXCEED 35% OF THE SIZE
 18 OF THE PRINCIPAL DWELLING UNIT. THERE SHALL NOT BE MORE
 19 THAN TWO BEDROOMS IN AN ACCESSORY DWELLING UNIT AND IN
 20 NO CASE SHALL THE NUMBER OF BEDROOMS IN THE ACCESSORY
 21 DWELLING UNIT EXCEED THE NUMBER OF BEDROOMS IN THE
 22 PRINCIPAL DWELLING UNIT.
 23
- 24 D. THERE SHALL BE NO MORE THAN ONE ACCESSORY DWELLING UNIT
 25 PERMITTED PER PRINCIPAL TOWNHOUSE DWELLING UNIT.
 26
- 27 E. EXTERIOR APPEARANCE. IF AN ACCESSORY DWELLING UNIT IS
 28 LOCATED IN THE PRINCIPAL DWELLING UNIT, THE ACCESSORY
 29 DWELLING UNIT ENTRY AND ANY STAIRS SHALL NOT BE VISIBLE
 30 FROM THE STREET VIEW OF THE PRINCIPAL DWELLING UNIT.
- 31 F. WATER AND SEWERAGE SERVICE. PRIOR TO THE ISSUANCE OF A
 32 BUILDING PERMIT AND/OR ACCESSORY DWELLING UNIT PERMIT
 33 FOR THE ESTABLISHMENT OF A NEW ACCESSORY DWELLING UNIT,
 34 APPROVAL OF THE PROPOSED METHOD OF WATER SUPPLY AND
 35 SEWAGE DISPOSAL SHALL BE OBTAINED.
 36
- 37 G. REQUIRED PARKING. REQUIRED PARKING SHALL BE PROVIDED IN
 38 ACCORDANCE WITH THE STANDARDS AND REQUIREMENTS OF

ARTICLE XX, PARKING FACILITIES. THE PARKING SPACE REQUIREMENT FOR A PRINCIPAL TOWNHOUSE DWELLING UNIT WITH ACCESSORY DWELLING UNIT MAY BE SATISFIED VIA A DETACHED ON-LOT GARAGE, OFF-LOT PARKING, OR SOME COMBINATION THEREOF.

Article XX, §297-335. Number of parking spaces required.

Figure XX-1, Table of Off-Street Parking Requirements

Uses Description	Off-Street Parking Requirements
* * * * *	* * * * *
3.00.000 RESIDENTIAL	
* * * * *	* * * * *
[3.07.700]3.01.700 [Primary residence with accessory apartment] ACCESSORY DWELLING UNIT	[2 spaces per unit] NO OFF-STREET PARKING SPACES REQUIRED
Uses Description	Off-Street Parking Requirements
* * * * *	* * * * *
3.02.210 PRIMARY TOWNHOUSE RESIDENCE WITH ACCESSORY DWELLING UNIT	
1-BEDROOM	2 SPACES PER PRINCIPAL DWELLING UNIT AND 1 SPACE FOR EACH ACCESSORY DWELLING UNIT
2-BEDROOM	2.25 SPACES PER PRINCIPAL DWELLING UNIT AND 1 SPACE FOR EACH ACCESSORY DWELLING UNIT
* * * * *	* * * * *

Article XXVI, §297-430. Permits required.

The Zoning Officer has the power to issue the following permits:

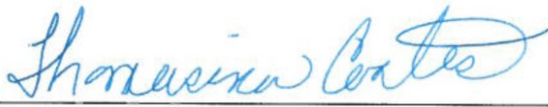
1 **SECTION 2.** BE IT FURTHER ENACTED, that this act shall take effect forty-
 2 five (45) calendar days after adoption

3
 4 ADOPTED this 7th day of July 2026.

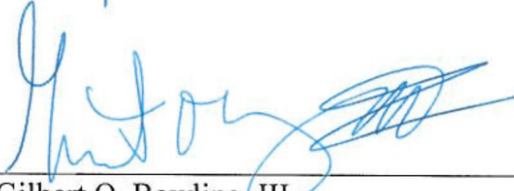
5
 6 COUNTY COMMISSIONERS
 7 CHARLES COUNTY, MARYLAND
 8

9
 10 
 11
 12 Reuben B. Collins, II, Esq. President

13
 14
 15 
 16
 17 Ralph E. Patterson II, M.A., Vice President

18
 19
 20 
 21
 22 Thomasina O. Coates, M.S.
 23

24
 25
 26 
 27
 28 Amanda M. Stewart, Ed.D.

29
 30
 31 
 32
 33
 34 Gilbert O. Bowling, III
 35

36
 37
 38
 39 ATTEST:

40 
 41
 42 Carol A. DeSoto, CAP, OM, Clerk