



MEMORANDUM

TO: EASTON PLANNING & ZONING COMMISSION

FROM: LYNN B. THOMAS, JR., AICP, TOWN PLANNER

DATE: JULY 7, 2026

SUBJECT: ACCESSORY DWELLING UNITS - ZONING CODE CHANGES REQUIRED

This memorandum is intended to bring the Commission's discussion concerning potential amendments of our Accessory Dwelling Unit (ADU) regulations to conclusion so that any proposed Zoning Code Amendments can be forwarded to the Town Council and leave them sufficient time to complete their legislative process and enact any such amendments by the October 1, 2026 deadline for local governments to do so.

I believe the Commission was onboard with most of the changes outlined in the Attachment when we met in June, but there was at least one issue still up in the air. That concerned the way in which we permit ADUs (i.e., either outright or via SE). The attachment proposes to make them outright permitted per our original understanding of State Law and the recommendation of the MD Board of Realtors. That, or any of the other proposed revisions, can easily be modified if the Commission as a whole decides to do so. We do, however, need to bring this to a conclusion at this meeting in order to best guarantee that we satisfy the legislatively mandated deadline to do so.

You will note that we have dropped consideration of the "Junior ADU" concept at this time. This is based on the determination that the recently enacted State Law seems to preclude the idea since the definition requires that ADUs be permitted up to 75% of the floor area of the Principal Structure. We are also proposing to amend the Supplemental Standards for ADUs to allow no more than one on a given lot,, per the recommendation of the Maryland Board of Realtors.

ATTACHMENT A

- (1) Amend the Table of Permitted Uses to make ADUs permitted by right in every zoning district in which Single Family Detached homes are permitted by right as follows:

**TABLE 2.1
TABLE OF PERMISSIBLE USES**

USE	A-1	R-7A	R-10A	R-10M	CB	CG	CL	BC	I	G/I	NOTES
1. RESIDENTIAL USES											
Household Living											
101	Accessory Dwelling Unit *	SE P	SE P	SE P	- P	SE P	--	--	--	--	
106	Single Family Detached*	P	P	P	P	P	--	--	--	--	

- (2) Amend our Supplemental Standard for what is presently listed as “Granny Flat/Accessory Dwelling Unit (ADU)” by striking the term Granny Flat, as follows:

1. ~~Granny Flat~~/Accessory Dwelling Unit (ADU)

- a. Applicant shall have or obtain a Town of Easton Rental Housing License for the rental unit.
- b. One additional off-street parking space shall be provided for the ADU ~~granny flat~~.
- c. No more than one ~~granny flat~~ ADU may be created on any one lot under the terms of these provisions.
- d. The principal residence associated with the application for an ADU ~~granny flat~~ must be occupied by the owner of the property.

- (3) Amend the definition of ADU to be consistent with the State Law. Our new definition would become:

Accessory Dwelling Unit (ADU) - A secondary dwelling unit that is:

- On the same lot, parcel, or tract as a primary single-family detached dwelling unit and
- Not greater than 75% of the size of and subordinate in use to the primary single-family detached dwelling unit.

(4) Further amend the Supplemental Standards for Accessory Dwelling Units to comply with the State Law or recommended Best Practices (as suggested by Maryland Board of realtors), as follows:

Section 28-1007 1 7:

Accessory Dwelling Unit (ADU):

- a. Applicant shall have or obtain a Town of Easton Rental Housing License for the rental unit.
- b. ~~One additional off-street parking space shall be provided for the ADU granny flat.~~
- c. No more than one ~~granny flat~~ ADU may be created on any one lot under the terms of these provisions.
- d. ~~Either~~ the principal residence ~~associated with the application for~~ ~~or the~~ ~~an ADU~~ granny ~~flat~~ must be occupied by the owner of the property.
- e. The ADU floor area should not be greater than 75% of the gross floor area of the primary dwelling unit.
- f. No more than 2 bedrooms are permitted in an ADU.
- g. An ADU should have a direct exterior access that is separate from the existing primary dwelling. The Town Planner shall have discretion to waive this requirement if the entrance does not go into or through the primary dwelling unit