

Accessory Dwelling Unit (ADU) Regulatory Comparison Matrix

Policy Dimension	Montgomery County, MD	Portland, OR	Los Angeles, CA	Seattle, WA	Arlington County, VA
ADUs allowed by right	Yes, for one ADU per lot in most single-family zones	Yes (state-mandated + city by-right)	Yes (ministerial approval ¹ required by state law)	Yes	Yes
Maximum ADUs per lot	1 ADU	Up to 2 ADUs (1 attached + 1 detached, or 2 detached in some cases)	Typically 1 ADU + 1 JADU (state minimum); additional options in multifamily	Up to 2 ADUs (1 attached + 1 detached), allowing 3 units total on the lot	1 ADU
Owner-occupancy requirement	Yes – owner must live in primary or ADU	No (prohibited by state law)	No (state law preemption)	No	Yes
Parking requirement	1 additional off-street space, except within 1 mile of Metro / Purple Line / MARC; waivers possible	No parking allowed to be required	No parking required within ½ mile of transit or in most conversions; otherwise capped at 1 space	No parking required	Generally, 1 space required (varies by configuration)

¹ Ministerial approval is a streamlined, non-discretionary permit process where public officials approve projects, such as building permits or site plans, based on whether they comply with existing zoning, rules, and regulations.

Policy Dimension	Montgomery County, MD	Portland, OR	Los Angeles, CA	Seattle, WA	Arlington County, VA
Detached ADU allowed	Yes	Yes	Yes	Yes	Yes
Maximum ADU size	Up to 1,200 sq ft (or 50% of lot/footprint, whichever is less) ²	Typically, 75% of primary dwelling, max ~800 sq ft	Up to 1,200 sq ft for detached ADUs	Up to 1,000–1,200 sq ft (varies by lot size/type)	~750 sq ft, depending on type
Distance or spacing limits between ADUs	No distance separation requirement (removed in 2019)	Nobody	None	None	None
Short-term rental allowed in ADU	No (explicitly prohibited)	Regulated separately; generally allowed with local STR rules	Regulated under STR rules	Regulated; minimum stay requirements apply	Yes, but under certain regulations (i.e., the owner or a tenant must live in the main dwelling as their primary residence for at least 185 days per year)

² Current maximum size – ZTA 26-06 would change this to 75% of the size of the primary dwelling unit

Policy Dimension	Montgomery County, MD	Portland, OR	Los Angeles, CA	Seattle, WA	Arlington County, VA
Approval process	By-right zoning + ADU Class 3 license + registration/inspection	By-right, streamlined; pre-approved plans encouraged	By-right, ministerial review is required by law	By-right, an extensive pre-approved plan library	By-right with an Accessory Dwelling Permit
Pre-approved plans offered by city	No	Yes	Yes	Yes	No
Side Setback	<p>Accessory structure side setback (varies by zone; generally greater than 5 ft, often 8–12 ft in most residential detached zones)</p> <p>A Detached ADU must have the same minimum side setback as the principal dwelling.</p>	5 ft	4 ft (state minimum)	5 ft (typical)	3–5 ft (by zone)
Rear Setback	Minimum rear setback of 12 feet. Accessory structure rear setback (varies by zone;	5 ft	4 ft (state minimum)	5 ft	5 ft (interior lots) / 10 ft (corner lots)

Policy Dimension	Montgomery County, MD	Portland, OR	Los Angeles, CA	Seattle, WA	Arlington County, VA
	generally greater than side setback)				
Front Setback / Placement	Detached ADUs must be located behind the front building line of the principal dwelling	Must be ≥40 ft from front lot line or behind rear wall of primary dwelling	Must meet the underlying zone front setback; cannot prohibit an 800-sf ADU	Varies; 0 ft permitted on alley lots	Typically 20 ft
Public / Quasi-Public Loan Programs	No ADU-specific public loan program	0% interest ADU Loan Program (PHB/Prosper Portland) up to ~\$80k	Local low-interest ADU loans (city/county & nonprofit partners)	Office of Housing-supported low-interest loans (income-qualified)	No ADU-specific financing
Grants / Fee Waivers	No ADU-specific grants; HIF or other financing does not apply to ADUs	System Development Charge (SDC) Waiver	CalHFA \$40k ADU Grant (statewide, competitive)	Utility & energy rebates; tax credits	No ADU-specific grants
Incentive-Based Programs	None targeted to ADUs	Nonprofit-led affordable ADU loan programs	ADU Accelerator (guaranteed tenants/rent support)	Limited local incentives	No incentives tied specifically to ADUs

Policy Dimension	Montgomery County, MD	Portland, OR	Los Angeles, CA	Seattle, WA	Arlington County, VA
		(e.g., Craft3/BackHome)			
Dominant Financing Reality	Mostly HELOCs (Home Equity Line of Credit), cash-out refis, and conventional construction loans Entirely private market financing	Strong public + nonprofit financing ecosystem	Most robust state-enabled ADU finance stack	Private lending + some targeted public assistance	Entirely private market financing