

## Accessory Dwelling Units (ADU's) Update February 27, 2008

### **Accessory Dwelling Unit Definition**

An accessory dwelling is a complete separate dwelling unit with kitchen and bath, located either within the house (e.g. in a basement or on a second floor) or in a detached structure on the same lot as the existing home.

### **Background**

The issue of how to address accessory dwellings was envisioned as principally a housing issue, but with significant overlap in land use, planning and zoning. The Accessory Dwelling Subcommittee met for the first time on July 20, 2005 with members of the Housing and Planning Commissions who had a long-time interest in the subject. A member of the Transportation Commission later joined the subcommittee. The subcommittee met regularly between July 2005 and December 2007.

### **Timeline**

**December 10<sup>th</sup>, 2007** - The Housing Commission presented its report on Accessory Dwelling Units ([www.arlingtonva.us/Departments/CPHD/housing/pdf/page60104.pdf](http://www.arlingtonva.us/Departments/CPHD/housing/pdf/page60104.pdf)). The report discusses the reasons for considering the plan, the proposed rules related to ADU's and examples of other communities that have zoning ordinances that permit ADU's.

**January 8, 2008** - The Housing Commission presented its report to the Arlington County Civic Federation ([www.civfed.org/adu2accf.pdf](http://www.civfed.org/adu2accf.pdf))

**January 31, 2008** - The County Board held a Work Session on Accessory Dwelling Recommendations.

**February 5, 2008** - The Arlington County Civic Federation resolved to support consideration of proposed changes to the Zoning Ordinance to allow Interior/SemiDetached ADUs, with revisions. ([www.civfed.org/resadu0802rev.pdf](http://www.civfed.org/resadu0802rev.pdf))

**February 25, 2008** - Fran Lunney from the County Housing Division spoke at our neighboring Civic Association Boulevard Manor meeting to discuss ADU's.

**February – March** - County staff will contact community groups.

**April** – County staff will publish a Staff Recommendation, which will include draft language for Zoning Ordinance amendments.

**April – May** - County Commissions will review the staff report. These will include the Housing Commission, the Planning Commission, and the Transportation Commission.

**June** - The County Manager will bring a County Manager Recommendation to the County Board, which will vote on whether to advertise it, or a modified version of it, after a public hearing. The June Board meetings are both on Tuesday: June 17 and June 24.)

### **Terms of Proposal**

1. Housing Commission report projects 28 ADU's would be created per year.
2. The proposal is applicable to single family and duplex homes.
3. Owner Occupancy is mandatory (except for unique instances, e.g., military reserve).
4. Size limitation of ADU restricted to up to 1,000 square feet.
5. Parking surveys would be performed by the County during permit process to determine whether applicant needed to add parking on their premises vs. street parking.
6. Grants access to County code enforcement inspectors if there are complaints about the AD (different than existing code where enforcement is limited in access to premises).
7. Permit fees for ADU's have not been determined.
8. Occupancy rules have not been finalized, although the report has recommended that zoning should limit occupancy to no more than 2 adults; currently the Civic Federation proposed the following in their February 5, 2008 resolution: "The allowable occupancy for the entire property (main building with AD) is limited to 4 unrelated persons." **Note: I'm following up with the Civic Federation to obtain the definition of this suggestion.**
9. Height limitations, setback, would parallel existing zoning ordinances/code, while lot coverage is not discussed in the report.

### **Areas for future consideration by County**

1. Eliminate owner-occupancy requirements on the property with appropriate controls.
2. Allow townhouses to have ADs.
3. Provide incentives for owners who rent ADs at affordable rates, for example, tax abatement, tax rebates, fee waiver or assessment relief.

### **Concerns**

1. Enforcement of owner occupancy, ADU occupancy, parking and building code issues.
2. Maximum lot coverage.
3. Tax assessments on properties containing ADU's.
4. How this may impact single family home appearances.
5. Sale of home containing ADU, will the home be sold at a premium?
6. Future elimination of owner-occupancy requirements.
7. How does this resolve affordable home ownership?

### **Questions**

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