



Arlington Housing Commission

# Accessory Dwelling Report

## Commission Recommends that County Allow Accessory Dwellings (ADs)

On December 10, 2007, the Housing Commission voted to recommend that the County Board amend the Zoning Ordinance to permit ADs. It adopted the Accessory Dwelling Subcommittee report, which details the major elements of the proposal, making some modifications.

**Definition:** An accessory dwelling is a second dwelling with kitchen and bath on a single family lot. It may be inside the main house or detached.

**Timeline:** If the Board decides to consider allowing ADs, a full public process would ensue, offering many opportunities for public input.

**Subcommittee Process:** Reid Goldstein, Housing Commission member, chaired the subcommittee whose members brought expertise in architecture, real estate and law. Members represented the Housing Commission, Planning Commission and Transportation Commission.

**Consultations:** The subcommittee consulted with a range of community organizations, other municipalities and subject matter experts. Members also met with County staff including the Zoning Administrator, parking staff, and the directors of the Housing, Planning and Inspection Services Divisions.

## How Would the County Approve ADs?

Each AD would need an AD Permit using a two-tier approval process:

- 1) For ADs within the house, e.g. in basements: by-right when all ordinance conditions are met; and
- 2) ADs in detached structures: by use permit approved by the County Board.

A use permit allows neighbors to provide input on the details of structures to ensure compatibility with the existing neighborhood.

The Zoning Administrator would issue the AD Permit once the building code, zoning and parking requirements were met.

## What Types of ADs Would Be Allowed?

Only single-family detached homes and duplexes would be permitted to add accessory dwellings. At this time, accessory dwelling units would not be permitted in townhouses.

Accessory dwellings would be permitted in basements, second floors, attics, garages and other accessory structures.



This Arlington home has space for an accessory unit in its basement.

## How Many People Could Live in an AD?

**Maximum Occupancy:** A cap on the total number of occupants is recommended.

**Unit Size:** Detached ADs could not exceed 1,000 square feet with a footprint no larger than 650 square feet.

**Owner-occupancy** would be required. The owner(s) could live in either the main or accessory unit.

## What Would Be Done to Avoid Parking Problems?

**Parking Survey:** When an AD Permit application is submitted, a parking survey would be conducted to determine the amount of street parking. The parking standard for an AD Permit (65%) would be stricter than that for the current residential parking permits (75%).

**Off-Street Parking Requirement:**

- 1) If the block is less than 65% parked, an owner would be allowed to add an AD without a parking requirement.
- 2) If the block is more than 65% parked, the following requirements apply:

<i>Existing off-street</i>	<i>Must be maintained</i>	<i>Must be added</i>
No spaces	-	1 space
1 space	1 space	None
2 spaces	2 spaces	None

A future change in street parking would not affect an approved permit.

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## Why Legalize Accessory Dwellings?

The Zoning Ordinance currently allows only “family suites,” internal accessory dwellings serving no more than two relatives of the occupant of the main dwelling.

Reasons for allowing accessory dwellings are diverse and include:

- Facilitating **elders’** ability to age in place through added income or space for caregivers. The County’s Elder Readiness Plan recommends that the County amend its Zoning Ordinance to allow ADs.
- Increasing **affordable home ownership** opportunities. A homeowner could qualify for as much as a 25% higher mortgage with an income-producing AD.
- Expanding the supply of **affordable rental housing** without the use of County subsidies. Most accessory dwellings, whether rented to relatives or non-relatives, have below market rents. In addition, accessory dwellings would have a broader geographic distribution.
- Providing **extra income**.
- Accommodating **greater variety** of household budgets and circumstances.
- Fostering **investment in the existing housing stock**.

## Anticipated Production Rate

Patrick Hare, a national expert on accessory dwellings, has aided communities across the country in developing AD ordinances. He has found that typically one accessory dwelling per 1,000 single-family homes is added per year.

Arlington has approximately 28,000 single-family detached houses. Based on Mr. Hare’s findings, the anticipated production rate would be 28 ADs per year.

## How Would AD Overcrowding Be Avoided?

The recommended elements of the AD Program include four components designed to address possible overcrowding. The County would require the owner:

- 1) to live on the property;
- 2) comply with occupancy limits;
- 3) to limit the size of ADs to 1,000 square feet; and
- 4) to grant access to code

enforcement inspectors if there are complaints about the AD.

The owner-occupancy requirement provides a major incentive for careful choice of tenants since problems such as noise would affect the owner more directly than the neighbors.

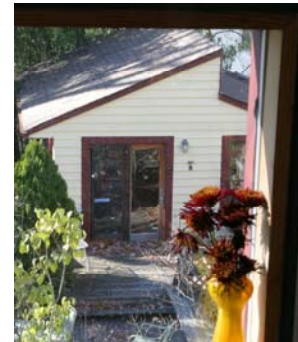
The requirement to grant inspectors access to the AD is key to enforcement through documentation of the problem.

## Contents of Accessory Dwelling Report

The Accessory Dwelling report includes:

- 1) The Introduction;
- 2) This Executive Summary;
- 3) Recommended Elements of Accessory Dwellings (ADs) Program with minority opinions noted;
- 4) Minority Reports;
- 5) Summaries of Accessory Dwelling Ordinance Provisions in nine other jurisdictions;
- 6) A Summary of Community Input to the AD Subcommittee and the Housing Commission; and
- 7) Findings regarding Illegal Accessory Dwellings

The Commission will be sending a transmittal letter separately.



This Arlington detached accessory structure could be made into an accessory dwelling.

## How Would Illegal ADs Be Addressed?

Owners of illegal accessory dwellings would be given a grace period to obtain an Accessory Dwelling Permit from the Zoning Administrator.

## Where to Obtain Additional Information

For more information, go to [www.arlingtonva.us](http://www.arlingtonva.us) and search for “Housing Commission” or call Fran Lunney, Coordinator of Housing Planning, Arlington Housing Division at 703.228.3785 or [flunney@arlingtonva.us](mailto:flunney@arlingtonva.us).