



CITIZENS ADVISORY COMMISSION ON HOUSING  
KELLEN MACBETH, CHAIR

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March 6, 2023

Hon. Christian Dorsey, Chair  
Arlington County Board  
2100 Clarendon Boulevard, Suite 300  
Arlington, VA 22201

RE: Missing Middle Housing / Expanded Housing Option Development Zoning  
Amendments

Dear Mr. Dorsey:

The Citizens Advisory Commission on Housing is the chief advisor to the County Board on housing issues in Arlington County. Our commissioners have been appointed by the County Board to represent the diversity of our residents and to look to the present and future needs of our community when making recommendations on critical housing matters. At its February 16, 2023, virtual public hearing, the Citizens Advisory Commission on Housing considered the Missing Middle Housing (MMH) / Expanded Housing Option Development (EHO) zoning amendments. Commissioners view the MMH/EHO proposal within the context of Arlington's Affordable Housing Master Plan (AHMP) goals, the County Board's 2019 Equity Resolution, and our county's duty to affirmatively further fair housing.

The notion of performing a MMH study was originally suggested during the process and issuance of the County's AHMP and Implementation Framework in September 2015. In addition to County staff's release of a Research Compendium in Summer 2020, rollout of Phase 1 of the Study in Fall 2020, and Phase 2 in Winter 2021, the Housing Commission received briefings on the Study throughout the process, including: January 16, 2020 (scope of work); October 8, 2020 (update on progress); October 7, 2021 (Phase 1 Report); May 5, 2022 (Phase 2 Report); and a presentation and discussion during the Commission's Tools and Trends Subcommittee on May 31, 2022. The Commission made a series of recommendations during its July 7, 2022, public hearing following the release of the preliminary Missing Middle framework by County staff. Between October and December 2022, Commissioner Berkey represented the Commission at a series of meetings under the purview of the Planning Commission.

We appreciate the hard work of county staff over the last three years to conduct a thorough study and extensive public engagement process to develop the MMH/EHO proposal before the County Board. While the process has not been perfect, both the level of engagement with the public over the last five months and depth of the equity analysis is to be lauded. After review of the staff analysis and consideration of the public comment and stakeholder group positions, it is clear to the Commission that only the most expansive MMH/EHO options will begin to advance racial equity in Arlington and open up neighborhoods long closed to many residents. The exclusionary housing practices of our past and present, rooted in racial discrimination and animosity, have been perpetuated by a growing wealth gap between residents of color and White residents. We strongly recommend that the County Board embrace this once in a generation opportunity to open our neighborhoods to new and diverse residents. In order to do so, we recommend that the County Board adopt the most robust zoning options that would permit more housing types in the 75% of our county's residential land that has been closed off to residents who can't afford to live in a detached, single-family home. While the Commission recognizes that no single policy or County action can address all of our community's housing challenges, and these zoning amendments are no exception, they are nevertheless vital because they provide an opportunity for our neighborhoods to become more diverse and attainable for many families without any direct financial obligations from the County government.

The Commission voted unanimously on the motion, 9-0, to recommend that the County Board adopt the options outlined below.

Option 1 (Units per site): Housing Commission recommends Option 1A

The Commission recommends that the County allow all unit types proposed by the Request to Advertise (RTA) up to and including six-plex buildings. The Commission would like to note its grave disappointment in a majority vote of the County Board to remove seven and eight-plex buildings from the RTA before the community and Commission had an opportunity to fully provide input on the unit sizes. A consistent theme of the Commission's discussion was the desire among commissioners that the County pursue the broadest housing types contemplated by not just the RTA, but the original staff framework, to maintain the possibility of the most financially attainable units being built and available in the Arlington housing market. To this end, the Commission proposes that the County study whether seven and eight-plex buildings with affordability provisions can be built using a streamlined planning process to better meet Arlington's affordable housing goals in existing low-density neighborhoods.

Option 2 (Minimum Site Area and Transit Proximity): Housing Commission recommends Option 2A

The Commission recommends that the County maintain the current area site standards for each zoning district and make no distinction between MMH/EHOs and detached, single family homes. Restricting the construction of five- and six-plex units to certain lot sizes or areas within the county will negate many of the benefits of the zoning change. Some of the other options like 2B and 2E add very restrictive site standards for five- and six-plexes that would lead to large parts of the county being unable to benefit from smaller, denser and more attainable MMH/EHO units. Commissioners agreed that while Option 2A is the optimal solution for minimum site area standards, Option 2D is the second most expansive and beneficial option for the county.

Option 3 (Sites Larger Than One Acre): Housing Commission recommends Option 3A

The Commission recommends that the County allow the development of MMH/EHOs on sites larger than one acre through the use permit process. While it may be ideal to develop even denser housing on sites this large, the Commission agreed it was important to provide the option for site owners to develop MMH/EHO through the simpler use permit process since detached, single family homes can be developed on these sites by-right, instead of requiring MMH/EHOs to go through the site plan process as is currently required and will remain required for denser, taller developments on the sites. There was some discussion that the lots larger than one acre are less likely to consist of existing single-family homes and many have a church or other structure on them. For some commissioners, this raised questions about whether there should be more community engagement required through the site planning process before MMH/EHOs are developed on the site.

Option 4 (Lot Coverage Allowances): Housing Commission recommends Option 4B

The Commission recommends that the County reallocate the 5% rear, detached garage additional lot coverage allowance in place for single, detached single family homes to an additional 5% base coverage allowance for MMH/EHO. While MMH/EHOs would still have the option to build a garage on the property, the reallocation of the 5% additional lot coverage to base coverage provides one of the only incentives for owners to develop MMH/EHO on their property by expanding the lot coverage available for living space. This option also retains the 3% additional lot coverage allowance for front porches currently in place.

Option 5 (Parking Requirements): Housing Commission recommends Options 5C and 5E

The Commission recommends that the County not have a minimum parking requirement for transit-proximate sites while still requiring a minimum of one parking spot per unit on non-transit proximate and cul-de-sac sites. The Commission also recommends that the County not eliminate the opportunity to reduce the number of spaces required per unit through a parking study for non-transit proximate and cul-de-sac sites. Additionally, the Commission recommends that the County have no minimum parking requirement if a new/expanded curb cut would result in the loss of the equivalent number of on-street parking spaces. Minimum parking requirements are a costly regulation that can limit the financial viability of developing MMH/EHO and undermine the goals of opening up new neighborhoods to denser, more attainable housing for diverse residents. Commissioners agree that it would be unwise to put minimum parking requirements in place that drive up costs and reduce the number of MMH/EHO units built when alternative transportation options exist.

Option 6 (Tree Requirements): Housing Commission did not take a position

The Commission discussed the options for requiring a certain number of shade trees for two- through four-plexes and five- and six-plexes but it did not make a formal recommendation for the County Board. Instead, the commissioners agreed that the County Board should select the option that best balances the environmental benefits of increased tree canopy and shade trees with meeting the housing needs of our community.

Option 7 (Annual Development Cap): Housing Commission recommends Option 7B

The Commission recommends that the County not set an annual cap on the number of MMH/EHOs permits issued each year. County staff estimate that approximately 19-20 MMH/EHO projects totaling 100 units per year are likely to be built following approval of the zoning amendments. This falls well under the proposed caps in Options 7A and 7C. Additionally, the commissioners did not see a compelling reason to place limits on the development of MMH/EHO units given the potential benefits in opening up many residential neighborhoods to denser, more attainable housing. If the County Board chooses not to adopt Option 7B, the Commission agreed that it should choose the next least restrictive option, Option 7C, which places a sunset on the permitting cap after 2028 and that there should be no permitting restrictions by zoning district.

Option 8 (Conversion of Nonconforming Dwellings to Condominium/Cooperative):  
Housing Commission did not take a position

The Commission briefly discussed Options 8A and 8B to allow conversion of non-conforming dwellings to condo/co-op by-right or to continue to require a use permit for conversions of non-conforming dwellings to condo/co-op, respectively, and decided not to make a recommendation to the County Board.

Option 9 (Duplex Definition): Housing Commission recommends Option 9B

The Commission recommends that the County adopt a more expansive definition of a duplex to include two front entrances and remove the requirement that duplexes have “all external characteristics of a one family attached dwelling.”

Option 10 (Applicability in Zoning Districts): Housing Commission recommends Option 10B

The Commission recommends that the County allow MMH/EHO development in GLUP-designated planning districts including Columbia Pike Revitalization District, Cherrydale Revitalization District, and East Falls Church Neighborhood Center District. The MMH/EHO planning process has been county-wide and should also apply to the approximately 136 properties within the GLUP-designated planning districts.

Option 11 (Gross Floor Area): Housing Commission recommends Option 11B

The Commission recommends that the County limit restrictions on the gross floor area for MMH/EHO units. Specifically, the Commission recommends that the County set a maximum interior square footage for all floors in the main building for duplexes at 5,000 square feet and 7,500 square feet for tri-plexes. A majority of the commissioners expressed their disappointment that the County Board voted to remove Option 11C from the RTA which would have placed no limits on the gross floor area of MMH/EHO units.

Option 12 (Accessory Dwellings): Housing Commission recommends Option 12B

The Commission recommends that the County allow accessory dwelling units within townhomes or semi-detached dwellings and where a pre-existing accessory dwelling unit has been permitted, allow the main building to be converted to a MMH/EHO building. The Commission agreed that the County should not place restrictions on the placement of

accessory dwelling units within MMH/EHO sites that conflict with the goal of expanding attainable housing options.

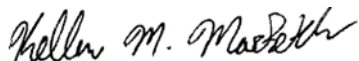
GLUP Amendments: Housing Commission supports the amendments

The Commission recommends that the County adopt the amendments to the GLUP Booklet Amendment – Missing Middle Housing Study.

Commissioners discussed the relevance of the Fair Housing Act of 1968 and implications for housing with more than four units for residents with a disability. The Commission would like the County to use the tools at its disposal to ensure full compliance with the Fair Housing Act of 1968 and take every opportunity to ensure that MMH/EHO units are accessible to residents with disabilities.

The Housing Commission recognizes the importance of reforming Arlington’s residential land use policy to open up low-density neighborhoods, long closed to low- and moderate-income residents and many residents of color, and to expand housing choice. The proposed MMH/EHO zoning amendments will help ready our community to begin meeting existing and future housing needs, breaking with the exclusionary zoning practices of the past. We urge the County Board to adopt the recommendations outlined above and thank the Board for its consideration.

Sincerely,



Kellen M. MacBeth  
Chair, Citizens Advisory Commission on Housing

cc:  
Devanshi P. Patel, Chair, Planning Commission