

Expanded Housing Option: Annual Data Report

FY 2024 Permitting Activity

July 1, 2023 - June 30, 2024

Department of Community Planning, Housing & Development
December 17, 2024



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Introduction

- Zoning Ordinance Amendments enabling Expanded Housing Option (EHO) development were adopted by the County Board on March 22, 2023, with an effective date of July 1, 2023.
- EHO development offered an alternative on single detached residential lots:
 - Allowed construction of duplexes, semi-detached homes, townhouses (max 3 units), and small multifamily buildings (max 6 units)
 - Design standards reflecting community input ensured that EHO housing types are no larger than single detached homes that otherwise could be built
- At the time of adoption, staff committed to providing an annual data report for the initial years of implementation.

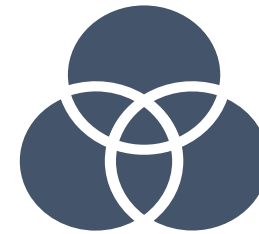
Study Goals and Outcomes

The EHO Zoning Ordinance Amendments were the result of the multi-year Missing Middle Housing Study.



Goals:

- Increase housing supply
- Diversify range of housing types



Outcomes:

- Shared understanding of the problem
- Options for County Board consideration
 - Policy/regulation changes to enable new housing types
- Identification of issues for further study

EHO Litigation

- In April 2023, a group of Arlington homeowners filed a lawsuit in Circuit Court challenging the adoption of zoning regulations that enabled EHO development.
- On September 27, 2024, the judge in the case ruled against the County on four counts, overturning the EHO zoning amendments.
 - As a result, the County voided all EHO permits and halted all review processes related to EHO development.
- The County Board voted to appeal this ruling on November 19, 2024.
- For more information, visit the County's [EHO Trial and Appeal Information webpage](#).

Context

- This report provides information on the first year of EHO permitting activity, July 1, 2023, through June 30, 2024 (FY 2024).
 - The purpose of this report is to communicate key data metrics for EHO development activity that occurred during FY2024
 - The report also provides data on single detached development activity in the same areas where EHO development is allowed, as a comparison.
- Following the September 27, 2024, ruling in the EHO lawsuit, the County voided all EHO permits.
 - On October 25, the judge issued a partial conditional stay of the judgment for approved EHO permits.
 - Property owners with approved EHO permits may move forward with development if they add a specific notice about the lawsuit to the property's land records.

Context

- This report reflects **permitting status as of June 30, 2024**, prior to the judge's ruling and the voiding of permits.
- Given the uncertain path forward for permits due to ongoing litigation, it is possible that many approved EHO permits will not proceed with construction or will switch their plans to single detached construction.
- Despite this uncertainty on outcomes, this report is provided to fulfill the County's commitment to provide information on the first full year of the then-adopted ordinance.
 - The report can also inform future zoning and housing studies, both within Arlington and in other localities.

Report Data

- The underlying data used to develop this report comes from the following sources:
 - Permit Arlington
 - CPHD Development Tracking
 - Manual review and data entry of individual development plans for fields not captured in existing data sets
- Spreadsheets with the individual project data for EHO and single detached development are posted on the [EHO website](#).

Data Limitations

- During FY 2024 (July 1, 2023 – June 30, 2024):
 - No EHO developments were completed.
 - Two EHO developments received building permits authorizing construction.
- Therefore, no information is available regarding tenure (ownership or rental), housing costs, tree canopy coverage, or student generation for EHO development.
 - Future reports will provide additional data on any completed projects.

Data Limitations: Permit Types

- An **EHO permit** is a zoning permit that is approved if an application meets the provisions of the Zoning Ordinance.
 - This EHO permit does not authorize construction.
 - Following EHO approval, applicants must obtain a **building permit** before construction can begin.
 - Depending on the application, additional permits (e.g., land disturbance, stormwater management, subdivision) may also be required.
- Because only two building permits were issued for EHO development during FY 2024, this report primarily focuses on data from EHO permits.
 - Single detached development comparisons are based on issued building permits because there is no zoning permit equivalent for this development type.
 - This report's approach of comparing EHO permits to single detached building permits is **not an apples-to-apples comparison**, but it represents the best available information, given the data limitations.

Refresher on Housing Types



Duplex

- 2 units, arranged vertically



Semidetached

- 2 units, arranged horizontally
- Separated by a common wall



Townhouse

- 3+ attached units, arranged horizontally
- EHO townhouses limited to exactly 3 units



Multifamily

- Building with 3+ dwellings
- EHO multifamily limited to max. 4 or 6 units, based on site area



Single Detached

- 1 unit within a building
- Also known as one-family or single-family detached

Key Takeaways

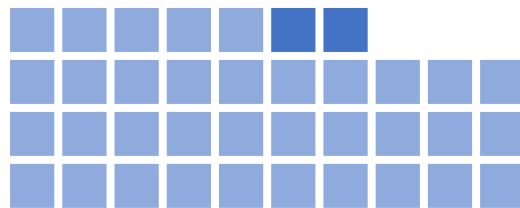


Key Takeaways from FY 2024 Data

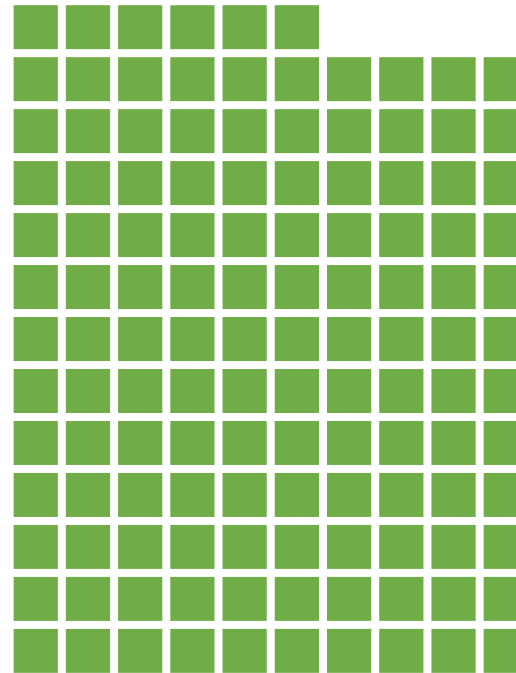
- First year's data only tells a partial story
 - Data is based on permits, not completions
 - Unknown how many EHO zoning permits will proceed to construction/completion
 - Key metrics cannot be evaluated until after project completion (e.g., sales/rent prices, tree canopy)
 - Litigation adds to uncertainty on outcomes
- Early data and analysis are being provided to fulfill the County's commitment to annual reporting and transparency
- Data provides an opportunity to see how the private homebuilding market reacts to zoning reforms allowing a wider range of housing options

Key Takeaways from FY 2024 Data

FY 2024 Permit Approvals:

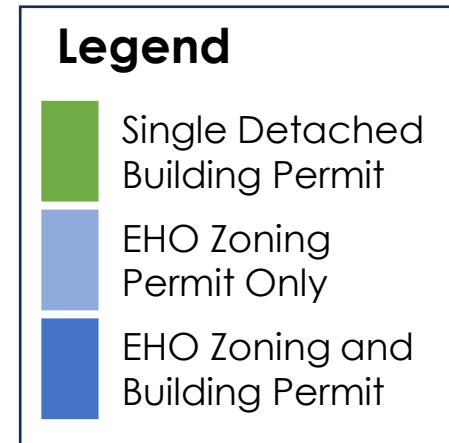


EHO Zoning Permits: 37
EHO Building Permits: 2



Single Detached Building Permits in
EHO-Eligible Zoning Districts: 126*

* Includes applications submitted in FY2024
(80 permits) and in prior years (46 permits)



See pages 5-7 for status of EHO litigation and implications for approved permits

Key Takeaways from FY 2024 Data

Factors contributing to relatively low number of EHO building permits:

- Reluctance of applicants to proceed with construction due to litigation
- Additional process steps required prior to building permit acceptance and review:
 - Separate EHO zoning permit
 - Subdivision plat approval for semidetached and townhouse housing types
- 4+ units triggers compliance with commercial building code
 - Learning curve for applicants with residential code experience who may be unfamiliar with commercial code requirements
 - Requires additional time for code consultations
- For more information: [County Managers Report \(3/19/2024\)](#)

Key Takeaways from FY 2024 Data

- Majority (57%) of approved EHO permits are for **2- or 3-unit** projects
 - Most prevalent development type is **townhouses with 3 units**
- **145 housing units** were approved with EHO permits
 - Net increase of 111 units
 - Represents 0.39% housing growth R-5 to R-20 zones, if all are completed
- Both EHO and single detached permits are predominantly **replacing a single detached house** with new construction
- The 37 approved EHO permits are located in **20 different civic associations**, demonstrating geographic distribution throughout Arlington
 - 78% are within $\frac{3}{4}$ mile of a Metro station or $\frac{1}{2}$ mile of a premium transit stop (Columbia Pike or Richmond Highway Corridors)

Key Takeaways from FY 2024 Data

On average:

- Permitted EHO buildings are **1.3 feet taller** than permitted single detached
- Permitted single detached units have **3 times more square footage** than individual EHO units
- Main building footprints are **comparable** for EHO and single detached

Average	EHO Permits	Single Detached Permits
Building Height	32.9 ft	31.6 ft
Unit Size (sq ft)	1,646 sq ft	5,259 sq ft
Main Building Footprint Coverage	27%	27%

Key Takeaways from FY 2024 Data

- For similarly-zoned sites, lot coverage was **2 - 6 percentage points higher** for EHO permits than single detached
 - Lot coverage is primarily buildings, driveways, and parking
 - Since main building footprints are comparable for EHO and single detached, the lot coverage difference is likely due to greater parking spaces on EHO sites
- EHO provides more housing opportunities on a lot, within a similar building footprint, but with an increase in paved parking areas
- Impervious area data is not available because only 1 EHO permit received a Land Disturbing Activity (LDA) permit in FY 2024
 - Impervious area includes additional site features (e.g., walkways, patios) that do not typically count toward lot coverage

Key Takeaways from FY 2024 Data

- For EHO, the most common unit size is **3-bedrooms**, followed by 2-bedrooms
- For single detached, the most common unit size is **5-bedrooms** followed by 6-bedrooms

	EHO Permits	Single Detached Permits
Number of 3-Bedroom Units	63	0
Number of 5-Bedroom Units	1	35

Permitting Activity



Overview of Permitting Activity

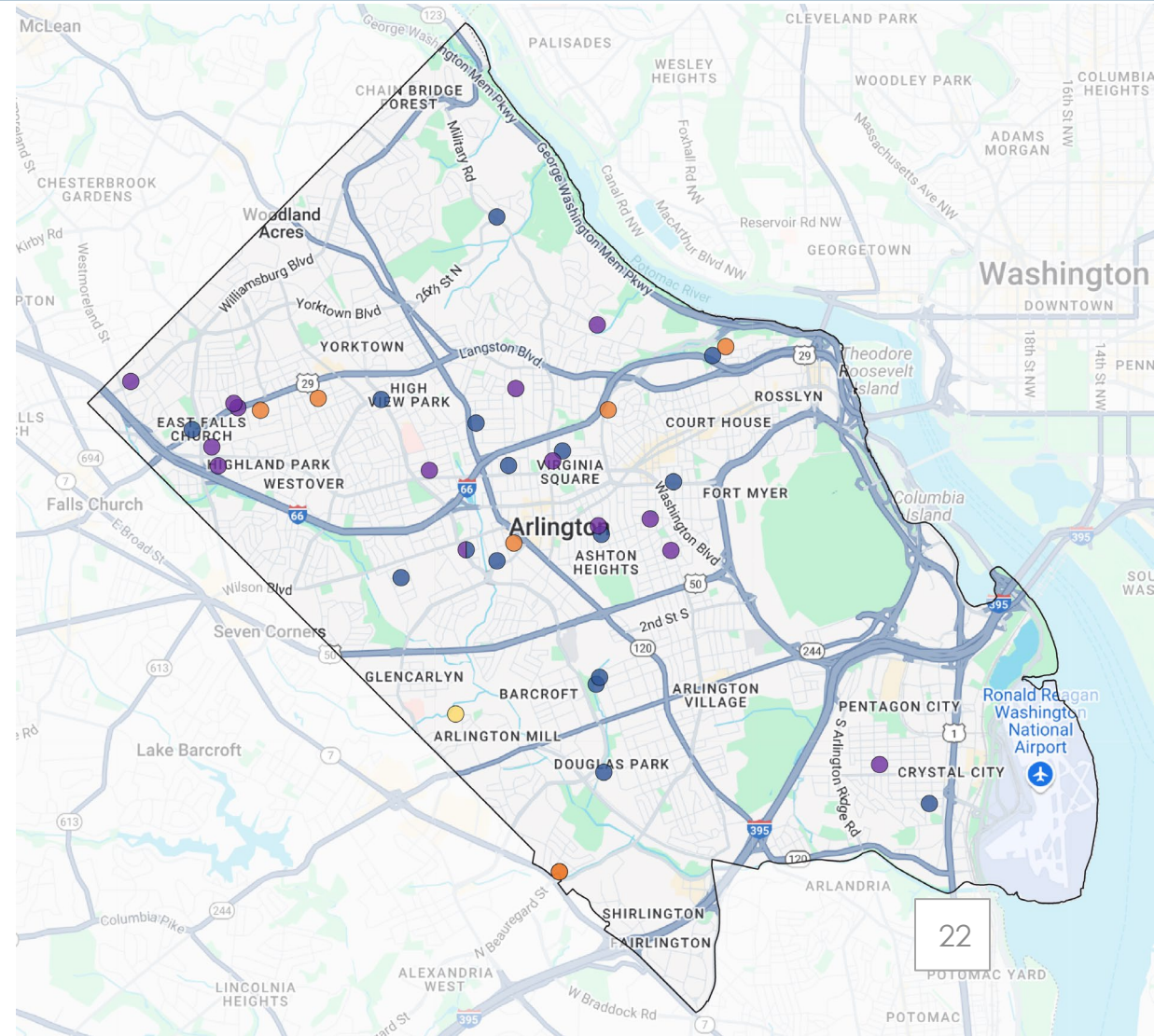
- Number of Approved Permits and Units
- Location of Approved Permits
- Permit approvals by month
- EHO Permit Approvals Relative to Permit Cap
- EHO Permits and Units by Building Type

Permitting Activity: Expanded Housing Option

FY 2024 EHO Zoning Permits:

- 37 zoning permits approved
- 145 total units
- 111 net new housing units
- Average 3.9 units per permit

Building Type	Permits
● Semidetached	6
● Duplex	1
● Townhouse	14
● Multifamily	16



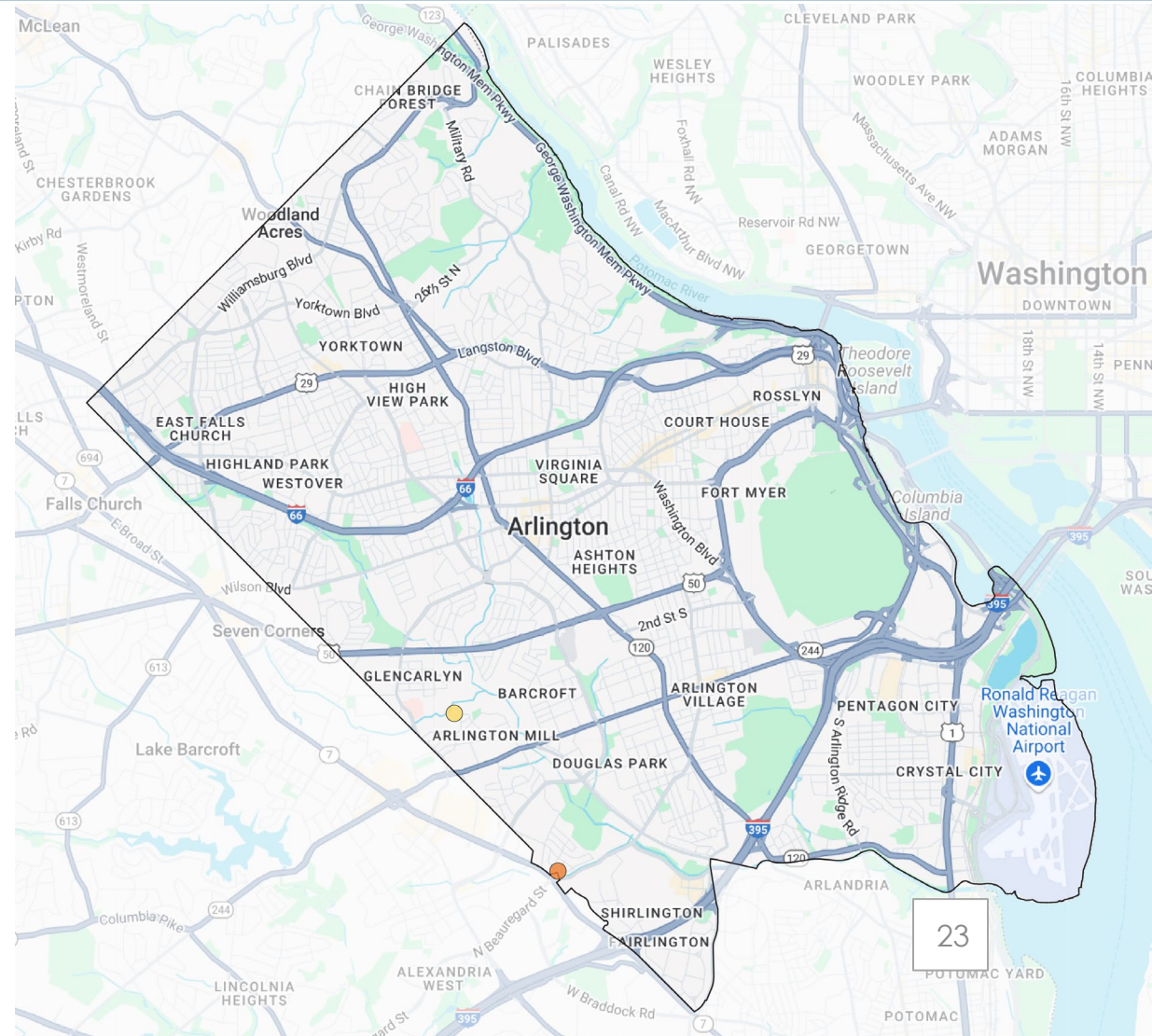
See pages 5-7 for status of EHO litigation and implications for approved permits

Permitting Activity: Expanded Housing Option

FY 2024 EHO Building Permits:

- 2 projects received building permits
- 4 total units
- 2 net new housing units
- Average 2 units per permit

Building Type	Permits
● Semidetached	1
● Duplex	1
● Townhouse	0
● Multifamily	0

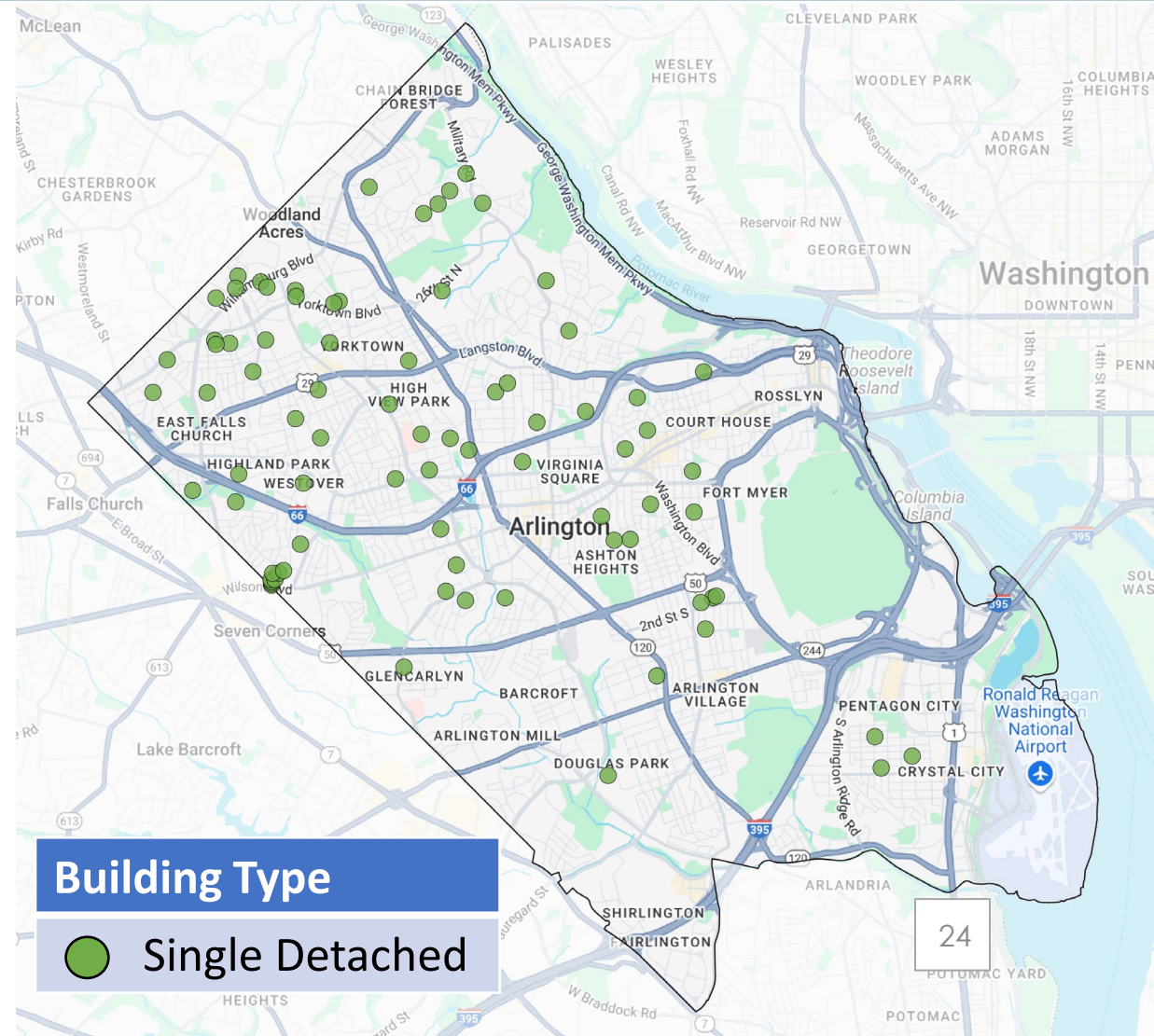


See pages 5-7 for status of EHO litigation and implications for approved permits

Permitting Activity: Single Detached

FY 2024 single detached building permits:

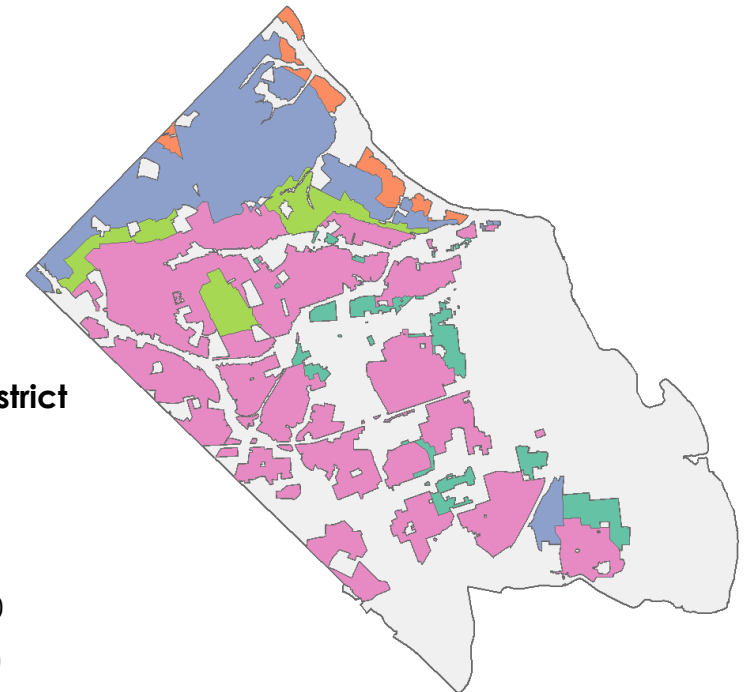
- 126 building permits issued in EHO-eligible zones
 - 46 issued for applications submitted prior to 7/1/2023 (FY 2023 or earlier)
 - 80 issued for applications submitted on or after 7/1/2023 (FY 2024)
- This report provides data on the **80 single detached permits** submitted and issued in FY 2024



Permitting Activity: Approved Permits

Approved Permits by Zoning District

Zoning District	EHO Zoning Permits FY 2024	EHO Building Permits FY 2024	Single Detached Building Permits FY 2024
R-5	7	0	8
R-6	27	2	47
R-8	0	0	8
R-10	3	0	17
R-20	0	0	0
Total	37	2	80



Approximately 2/3 of properties eligible for EHO are in the R-6 zone.

Permitting Activity: Yearly EHO Permit Cap

EHO Permits Approved by Calendar Year

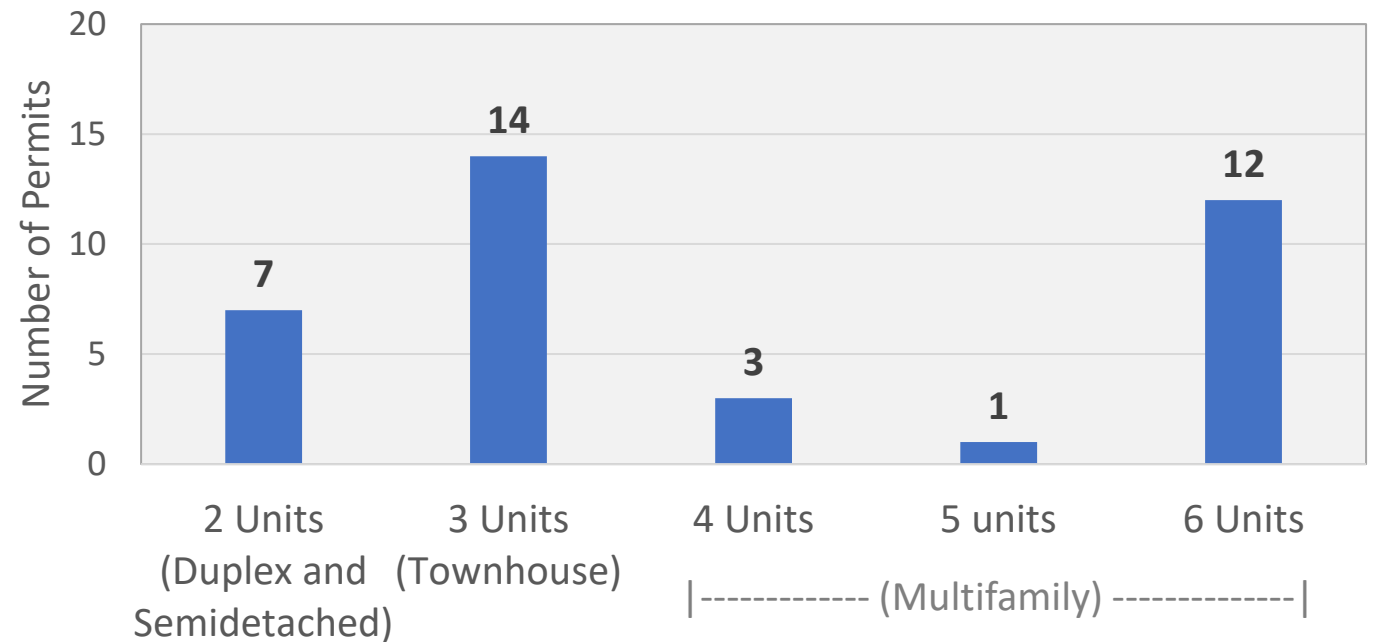
Zoning District	Maximum EHO permits per calendar year	July - December 2023	January - June 2024
R-5	7	5	2
R-6	30	20	7
R-8	21		
R-10			3
R-20			
Total	58	25	12

- EHO zoning regulations limit the number of permits that can be issued per calendar year
 - Based on zoning district (see table)
- 25 total EHO permits were approved from July through December 2023.
- 12 total EHO permits were approved from January to June 2024.
- Single detached permits are not limited

Permitting Activity: EHO Building Type (Permits)

EHO Permits by Building Type

Building Type	Number of Permits	Share of Permits
Duplex	1	3%
Semidetached	6	16%
Townhouse	14	38%
Multifamily	16	43%
3 units	-	-
4 units	3	8%
5 units	1	3%
6 units	12	32%
Total Permits	37	

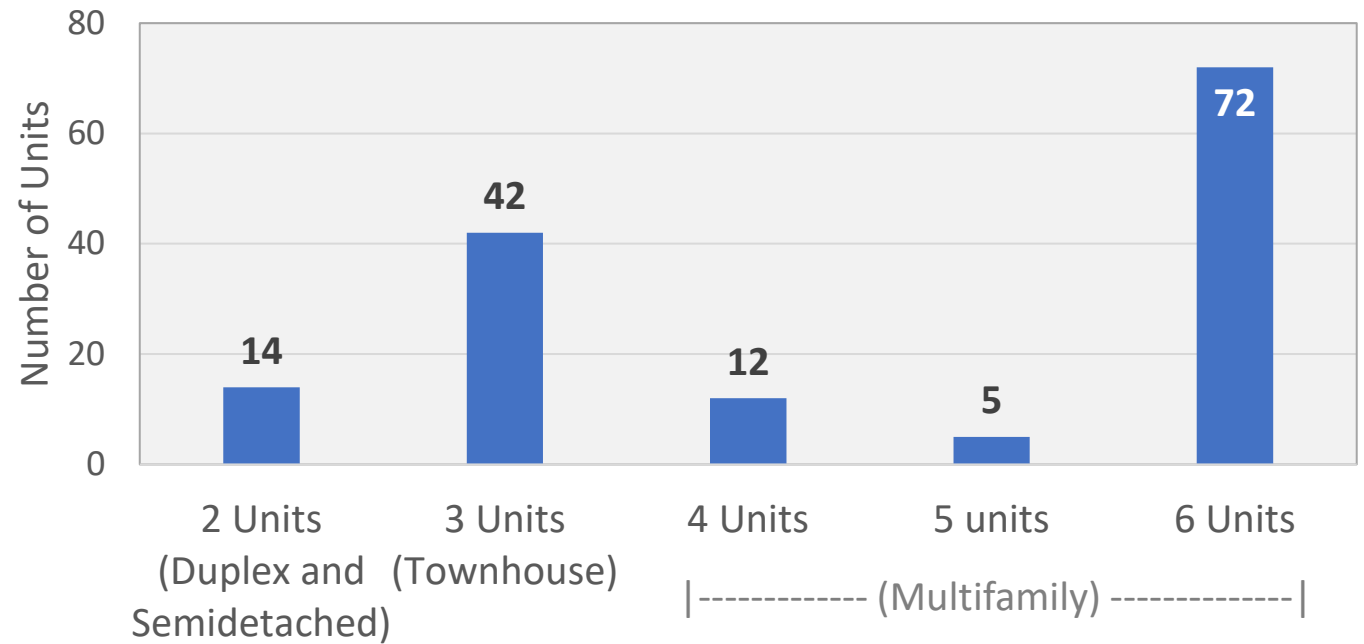


A majority of approved EHO permits are for 2- or 3-unit projects (57% combined for duplex, semidetached and townhouse).

Permitting Activity: EHO Building Type (Units)

Housing Units by EHO Building Type

Building Type	Approved Housing Units	Share of Total Units
Duplex	2	1%
Semidetached	12	8%
Townhouse	42	29%
Multifamily	89	61%
3 units	-	-
4 units	12	8%
5 units	5	3%
6 units	72	50%
Total Units	145	



A majority (61%) of approved **units** are in multifamily buildings.

Deeper Dive on Development Metrics



Overview of Development Metrics

- Construction Category
- Building Size:
 - Gross Floor Area
 - Building Height
- Unit Size:
 - Number of Bedrooms
 - Square Footage
- Site Statistics:
 - Site Area
 - Main Building Footprint
 - Lot Coverage
- Parking
- Housing Growth: Net New Units

Construction Category

Construction Category	EHO	Single Detached
Replacement of Single Detached	30	68
Replacement of Single Detached w/ AD	1	0
New Lot from Subdivision	2	9
Addition to Existing Structure	2	*
Reconfiguration of Existing Structure	1	*
Construction on Vacant Lot	1	3
Total	37	80

** This report's data set for single detached only includes new construction, not additions and alterations*

- Most EHO and new single detached development are replacing a single detached house
- 34 out of 37 EHO permits are for new construction
- 3 EHO permits are converting an existing house to another housing type through additions and/or alterations

Building Size: Gross Floor Area

Gross Floor Area of Main Building in Square Feet

Building Type	Average GFA	Maximum Allowed GFA	Average GFA as a Percent of Maximum GFA
Duplex	3,088 sq ft	4,800 sq ft	64.3%
Semidetached	4,843 sq ft	5,000 sq ft	96.9%
Townhouse	7,149 sq ft	7,500 sq ft	95.3%
Multifamily			
3 units	-	6,000 sq ft	-
4 units	6,084 sq ft	7,200 sq ft	84.5%
5 units	7,985 sq ft	8,000 sq ft	99.8%
6 units	7,394 sq ft	8,000 sq ft	92.4%
Single Detached	NA		

- Gross floor area (GFA) measures the total square footage of a building's floors, excluding areas used for parking.
- The Zoning Ordinance sets a maximum GFA for EHO development
- There is no maximum GFA for single detached development, so this metric is not provided for those building permits*

* Gross Floor Area is not an available data point included in building permit data for single detached. Real estate assessment data could be used in future reports, after units have been completed.

Building Size: Building Height

Building Height in Feet

Building Type	Average Height
Duplex	21.3
Semidetached	33.1
Townhouse	33.1
Multifamily	33.5
Average EHO Height	32.9

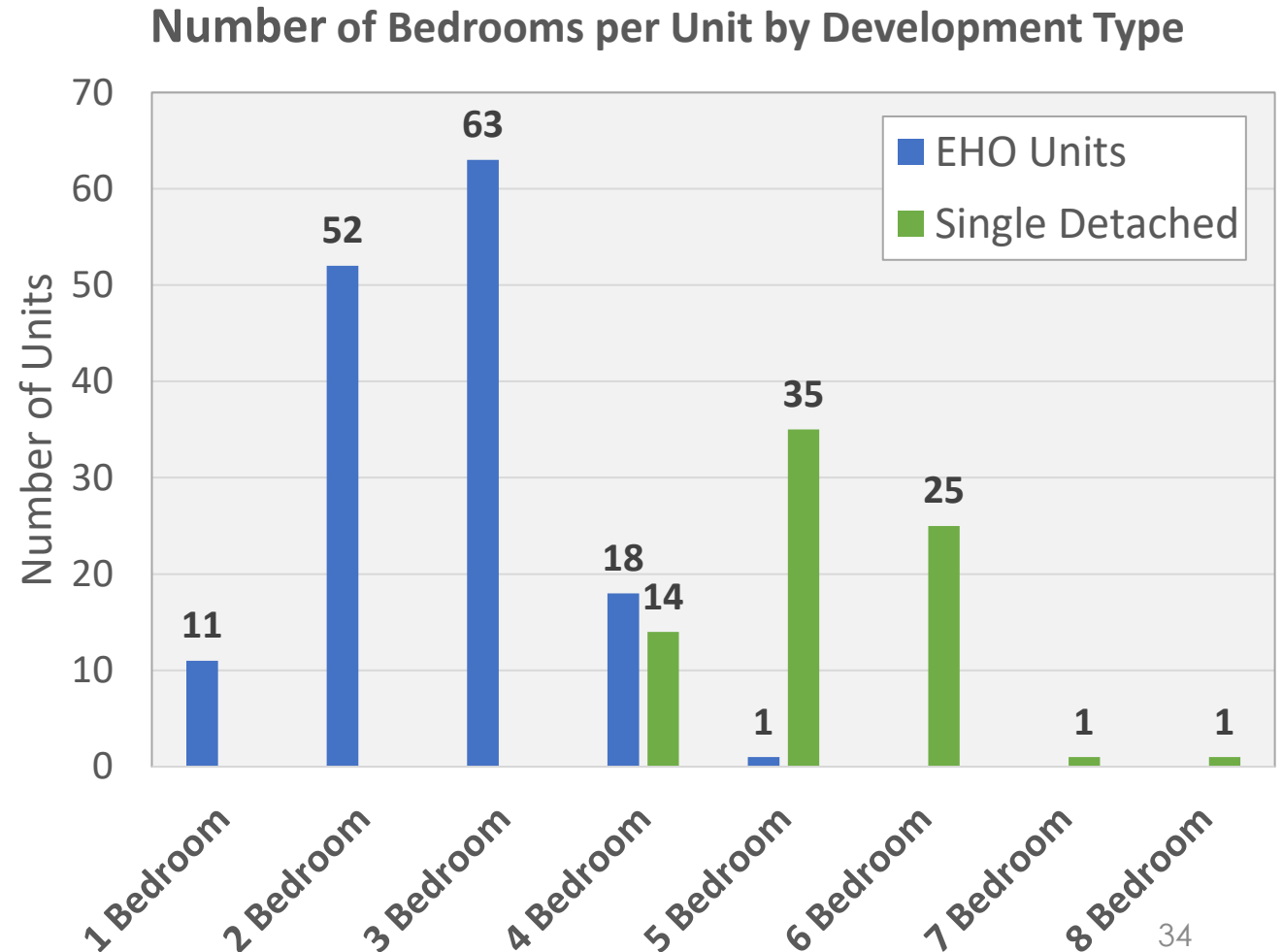
Single Detached	31.6
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- The maximum height allowed for both EHO and single detached buildings is 35 feet.

Unit Size: Number of Bedrooms

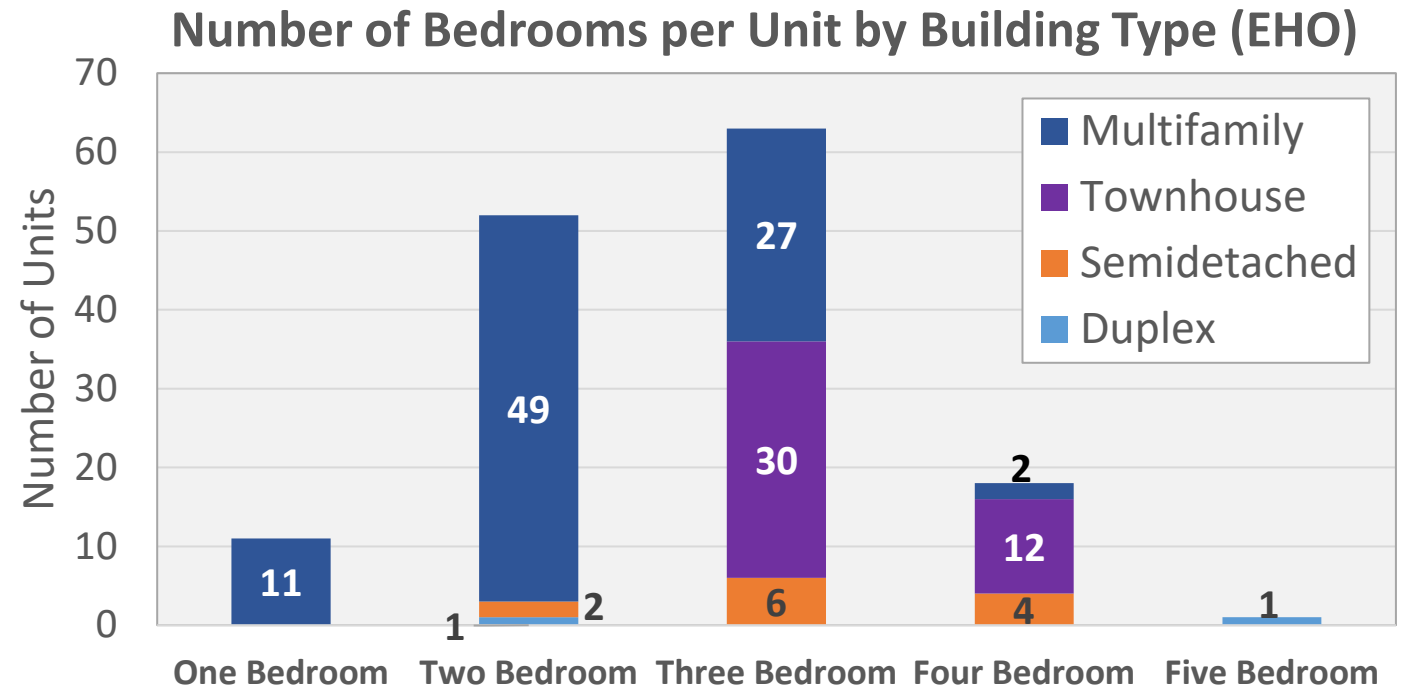
- Approved EHO developments provide units with one to five bedrooms
 - 3-bedroom homes are most prevalent
- Single detached developments range from four to eight bedrooms
 - 5-bedroom homes are most prevalent
- The average household size in Arlington is 2.1 persons, and the average family size is 2.96 persons.

Data Source: US Census Bureau, 2022 ACS



Unit Size: Number of Bedrooms

- For the 145 approved EHO housing units, 3-bedroom homes are the most common followed by 2-bedroom homes.
 - 3-bedroom homes can be found in multifamily, townhouse, and semidetached housing types



Unit Size: Square Footage

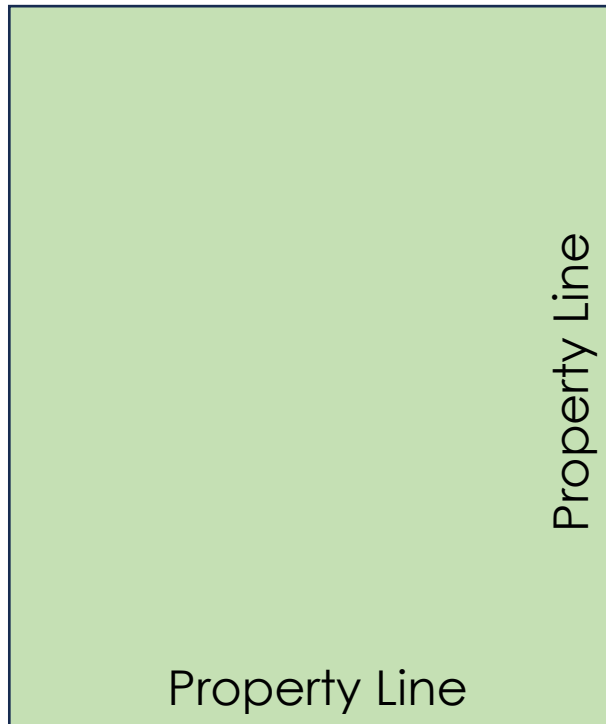
Average Unit Square Footage by Building Type and Number of Bedrooms

	Unit Square Footage by Number of Bedrooms in Unit						
Building Type	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom	5 Bedroom	6 Bedroom	7 Bedroom
Duplex		629 sq ft			1,420 sq ft		
Semidetached		2,276 sq ft	2,474 sq ft	2,419 sq ft			
Townhouse			2,294 sq ft	2,299 sq ft			
Multifamily	775 sq ft	1,167 sq ft	1,552 sq ft	1,770 sq ft			
Overall EHO Average	775 sq ft	1,199 sq ft	1,993 sq ft	2,267 sq ft	1,420 sq ft		
Single Detached*				3,724 sq ft	4,418 sq ft	6,028 sq ft	6,733 sq ft

- The average permitted EHO unit is 1,646 square feet.
- The average single detached unit is 5,259 square feet.*

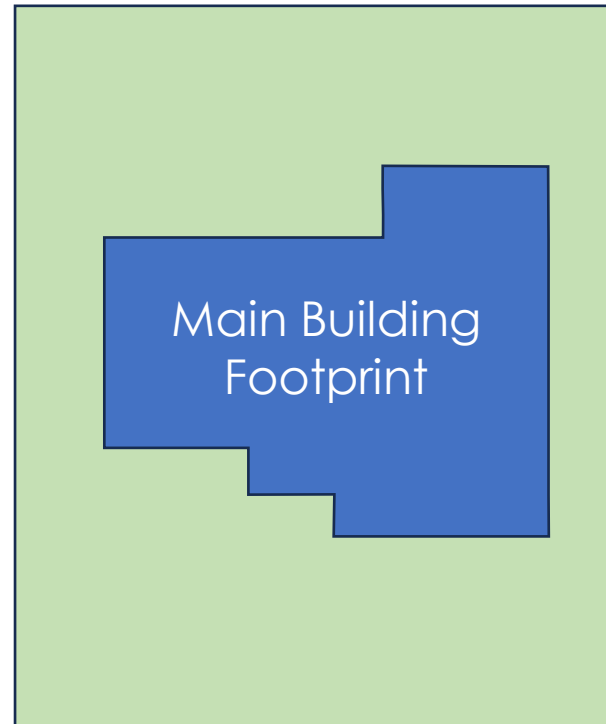
* Square footage data for FY 2024 single detached building permits is not available. Cited data is from BrightMLS sales data for single detached houses built between 2020 and 2024. Does not include custom-built homes that were not listed for sale.

Diagrams: Site Area, Main Building Footprint, Lot Coverage



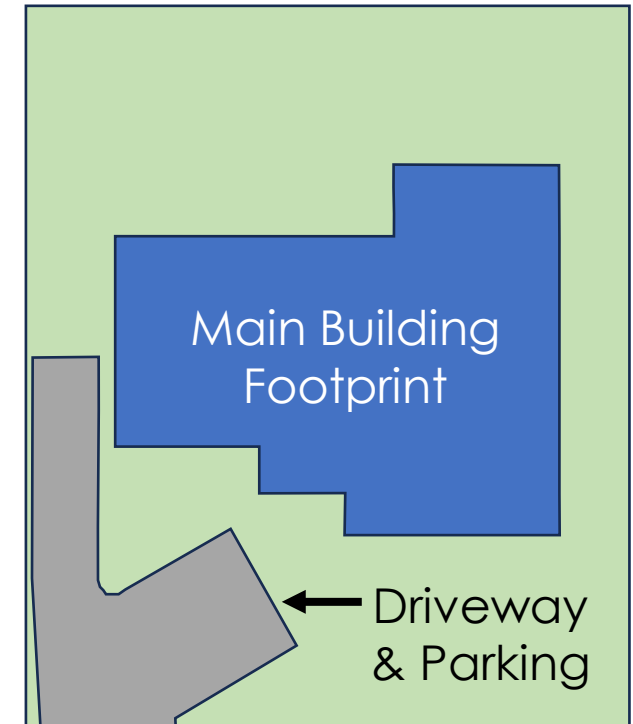
Site Area

Site area is the total land area within the property lines of a development (ACZO §3.1.1.D).



Main Building Footprint

The main building footprint (MBF) is the total area of land that a house or building sits on, including all parts of a building listed in ACZO §3.1.4.C.



Lot Coverage

Lot coverage is the percentage of site area covered by the main building footprint, accessory buildings over 150 sq ft, driveways, and parking pads, and other features listed in ACZO §3.1.4.A.

Site Area

Average Site Area by Zoning District

Zoning District	EHO		Single Detached	
	Average Site Area	Number of Permits	Average Site Area	Number of Permits
R-5	8,259 sq ft	7	7,183 sq ft	8
R-6	8,957 sq ft	27	7,533 sq ft	47
R-8	-	0	9,847 sq ft	8
R-10	11,307 sq ft	3	11,666 sq ft	17
R-20	-	0	-	0
All Zones	9,015 sq ft	37	8,608 sq ft	80

Site area is the total land area within the property lines of a development

- Minimum site area requirements vary by zoning district (e.g., 5,000 sq ft in R-5, 6,000 sq ft in R-6)
- On average:
 - EHO sites are larger than single detached development sites in **R-5** and **R-6**
 - Single detached sites are larger than EHO sites in **R-10**

Main Building Footprint

Average Main Building Footprint by Zoning District

Zoning District	EHO		Single Detached	
	Average MBF	Average MBF Coverage %	Average MBF	Average MBF Coverage %
R-5	2,292 sq ft	29%	2,174 sq ft	26%
R-6	2,306 sq ft	27%	2,012 sq ft	28%
R-8	-	-	2,513 sq ft	26%
R-10	2,641 sq ft	23%	3,014 sq ft	26%
R-20	-	-	-	-
Overall Average	2,331 sq ft	27%	2,291 sq ft	27%

The main building footprint (MBF) is the total area of land that a house or building sits on, including all parts of a building listed in ACZO §3.1.4.C.

Main building footprint coverage is the percentage of site area covered by the main building footprint.

- The average main building footprint (MBF) coverage for EHO **developments is comparable** to the average for single detached development.
- Maximum MBF and MBF coverage standards vary by zoning district (ACZO §3.2.5.A and §10.4.4.C.2.)

Lot Coverage

Average Lot Coverage by Zoning District

Zoning District	EHO		Single Detached	
	Average Lot Coverage Footprint	Average Lot Coverage	Average Lot Coverage Footprint	Average Lot Coverage
R-5	3,743 sq ft	45%	2,757 sq ft	39%
R-6	3,687 sq ft	41%	2,548 sq ft	35%
R-8	-	0%	3,087 sq ft	32%
R-10	3,740 sq ft	33%	3,685 sq ft	32%
R-20	-	0%	-	0%
Overall Average	3,702 sq ft	41%	2,864 sq ft	34%

- Lot coverage for EHO permits is typically **higher than** for single detached permits.
- Because the main building footprints are similar between each development type, the overall differences in lot coverage are likely due to EHO developments having more total parking spaces.

Lot coverage “footprint” is the total square feet of the main building footprint, accessory buildings over 150 sq ft, driveways, and parking pads, and other features listed in ACZO §3.1.4.A.

Lot coverage is the percentage of site area covered by these features.

Lot Coverage (Per Housing Unit)

Average Lot Coverage Footprint per Housing Unit

Building Type	Average Lot Coverage Footprint Per Unit
Semidetached	1,253 sq ft
Townhouse	1,212 sq ft
Multifamily	757 sq ft
Single Detached	2,864 sq ft

- Table shows lot coverage footprint for a site, divided by the number of units.
- On a per unit basis, the lot coverage footprint for single detached houses is more than double that of an EHO unit.

Tree Canopy Coverage

- Tree canopy coverage data is provided with Land Disturbing Activity (LDA) permits
 - LDA permits must be obtained prior to any construction that will disturb at least 2,500 square feet of land.
- Only one EHO development received LDA permit approval as of June 30, 2024.
 - A single data point is insufficient to demonstrate tree canopy results for EHO permits.
 - Tree canopy data for EHO and single detached development with approved LDA permits will be provided in future annual reports, if EHO development activity proceeds.
- All EHO development that meets the 2,500 square feet threshold for land disturbance must obtain an LDA permit prior to construction. As of June 30, 2024, many EHO projects had LDA applications under review.

Parking

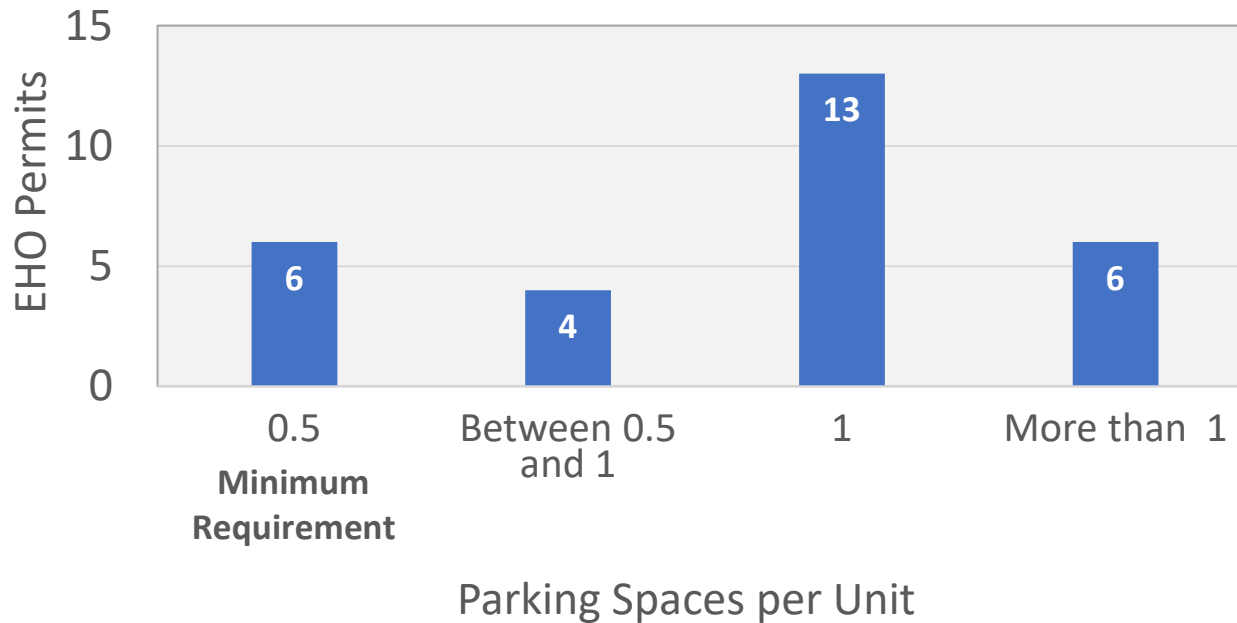
Proposed Parking Spaces by Location Within or Outside the Eligible Transit Areas

EHO Location	EHO Permits	Total Units	Minimum Required Parking Spaces per Unit	Average Parking Spaces Provided per Unit
Within Eligible Transit Area	29	119	0.5	0.94
Outside of Eligible Transit Area	8	26	1	1

- The EHO zoning standards vary parking requirements based on proximity to Metro stations and Premium Transit Network stops.
- 78% of approved EHO permits are within an eligible transit area, where the minimum requirement is 0.5 parking spaces per unit.
- Outside of eligible transit areas, the minimum requirement is 1 space per unit.
- Data on parking spaces for single detached development is not available.

Parking Ratio in Eligible Transit Areas

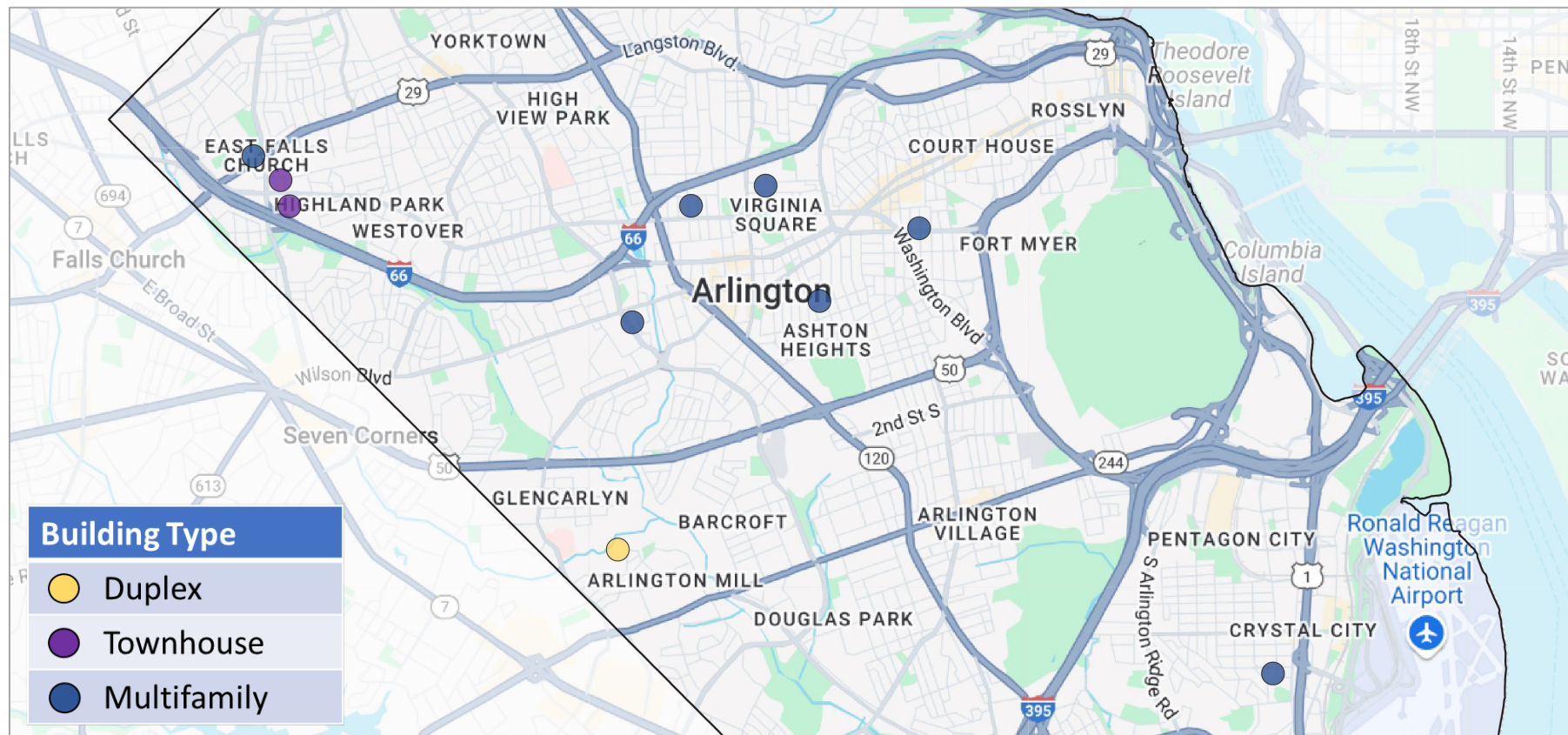
Parking Spaces per Unit for EHO Permits in Eligible Transit Areas



- 23 of 29 EHO permits located in eligible transit areas exceeded the minimum parking requirement of 0.5 spaces per unit (79%).
- 13 provided one space per unit, and 6 provided more than one space per unit (66% combined).

EHO Permits with < 1 Space per Unit

Location of 10 EHO permits with fewer than one parking space per unit



See pages 5-7 for status of EHO litigation and implications for approved permits

Housing Growth: Net New Units

	Units	% Increase
Existing Housing Units (July 1, 2024) R-5 to R-20 zones	28,239	--
Net Increase from Approved EHO Permits	111	0.39%
Net Increase from Approved Single Detached Permits	12	0.04%
Total Net Increase from Permitting	123	0.44%

If all FY 2024 permits are built, the resulting net increase in housing will be 123 units, or 0.44% of existing housing units in the five EHO-eligible zoning districts.

Information Sharing

- [EHO Webpage](#)
 - Includes Data Report Spreadsheets
- [EHO Trial and Appeal Information](#)
- [EHO Permit Dashboard](#)
- [EHO Zoning Amendments](#)
- [Summary of EHO Zoning Requirements](#)

What EHO Development Means for You

In March 2023, the Arlington County Board adopted Zoning Ordinance and General Land Use Plan amendments to allow for Expanded Housing Option (EHO) development for up to 6 units per residential lot in R-5, R-6, R-8, and R-10 zones.

Expanded Housing Option Zoning Application Process

To pursue expanded housing option (EHO) development, applicants must first obtain zoning approval for a project. Zoning staff recommend scheduling an optional consultation meeting before submitting applications. Contact: contactzoning@arlingtonva.us

1. Create and submit a zoning application for expanded housing option development in Permit Arlington. The application for an EHO permit must include floor plans, building elevations, existing and proposed plats of the property, as well as a survey of the building location, and landscaping and tree preservation plan.
2. Zoning plan reviewers review the application.
3. My Arlington - Permits

My Arlington - Permits

This listing shows the status of all zoning permits for Expanding Housing Option (EHO) developments, as allowed by ACZO §10-4 Expanding Housing Option Development. EHO permits are zoning entitlements which do not authorize construction or occupancy. Upon issuance of an EHO Permit, an applicant is required to obtain building and associated trades permits to start construction and obtain a certificate of occupancy to inhabit the EHO dwelling.

No more than 58 EHO Permits can be issued in any calendar year, with the following allocation by zoning district:

- R-5: 7 permits
- R-6: 20 permits
- R-8, R-10 & R-20: 21 permits (total)

<https://www.arlingtonva.us/Government/Programs/Building/Permits/EHO>

Filters:

- Status
 - Approved
 - Denied
 - Revisions Received
 - Revisions Required
 - Void
 - Withdrawn
- Zoning District
 - R-5
 - R-6
 - R-10
 - R-8
- Issued Year
 - 2023
 - 2024
- Civic Association
 - Select a civic association