

# Accessory Dwelling Regulations Update

## Urban Forestry Commission

### September 28, 2017

# *Affordable Housing Master Plan*

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- Identified ADs as an existing tool to:
  - Provide an adequate supply of housing
  - Help older adults age in place
  - Provide a typically lower-priced housing alternative
  - Enable homeowners to receive additional income
- Recommended review of ordinance to encourage greater use
- Board directive during adoption was to look into adjustments over the next two years

## *Demographics*

- Older adult households are expected to grow three times faster than other households
- Many older adults want to remain in Arlington but worry about rising housing costs
- Average age of homeowner creating an AD in Arlington is 55
- Sharp decline in the number of market affordable housing units
- Affordable housing gap of 7,000 units
- Average rent charged for an AD in Arlington is \$1,000

## *Goals for revised zoning*

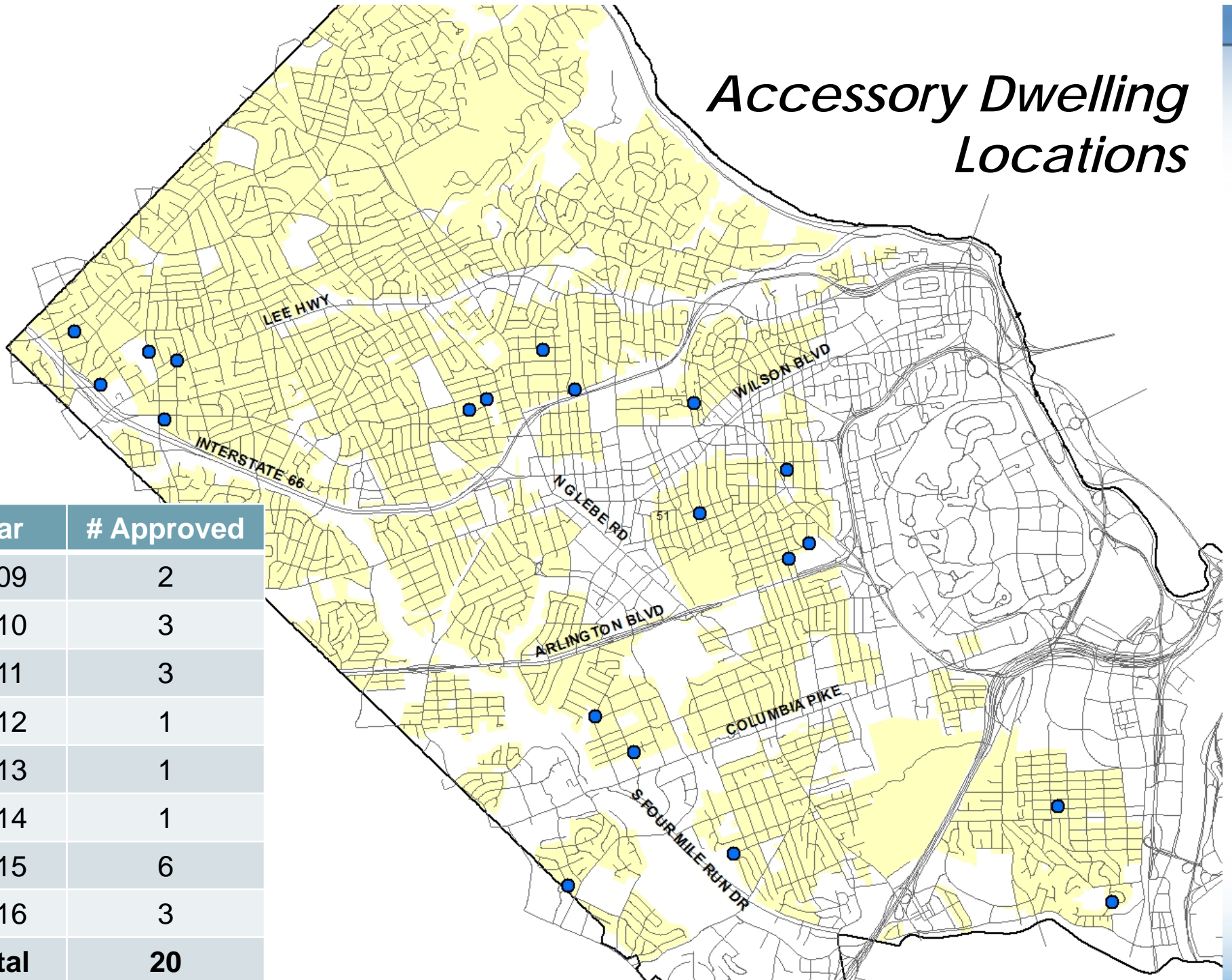
- Make it easier for residents to add accessory dwellings
- Maintain residential neighborhood character

# What is an Accessory Dwelling?

- In Arlington, an accessory dwelling (AD) is an independent dwelling unit that:
  - Has its own kitchen and bath
  - Is within a single family detached house
  - Is designed, arranged, used or intended for occupancy by not more than two persons
  - Has a separate entrance
- AD must meet building code requirements for a separate unit:
  - fire separation, fire egress, separate heating and air handling



# Accessory Dwelling Locations



Year	# Approved
2009	2
2010	3
2011	3
2012	1
2013	1
2014	1
2015	6
2016	3
<b>Total</b>	<b>20</b>

# *Process*

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## Staff and working group review (February-May 2017)

Working group comprised of staff, Housing Commission, Commission on Aging, Civic Federation and Alliance for Housing Solutions:

- Reviewed best practices
- Spoke with accessory dwelling applicants to identify barriers
- Reviewed current regulations and effectiveness
- Examined ordinance provisions that may limit usage
- Identified preliminary ideas for community discussion

# *Process*

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## Community engagement (2016-2017)

- Missing Middle Design Gallery (fall 2016)
- Affordable Housing Month materials (fall 2016)
- Arlington Home Show and Expo (April 2017)
- Accessory Dwelling Community Forum (May 2017)
- Community Survey (July 2017)



## *Best Practices*

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- Many communities across the country have ADs, with names like “granny flat” and “in-law suites”
- Many jurisdictions are reviewing or amending existing regulations for greater flexibility:
  - Allowing for larger accessory dwellings
  - Allowing for greater occupancy
  - Allowing both attached and detached accessory dwellings
- Some jurisdictions do not currently allow ADs, such as the City of Alexandria

## Lot Area/Width Requirements

Current	Proposed
Lot must meet minimum area requirements of district	Accessory dwelling allowed on lots that do not meet the minimum area requirement for the subject district
50-foot minimum lot width required	Accessory dwelling allowed on lots that do not meet the minimum lot width requirement for the subject district

## Maximum Size Requirements

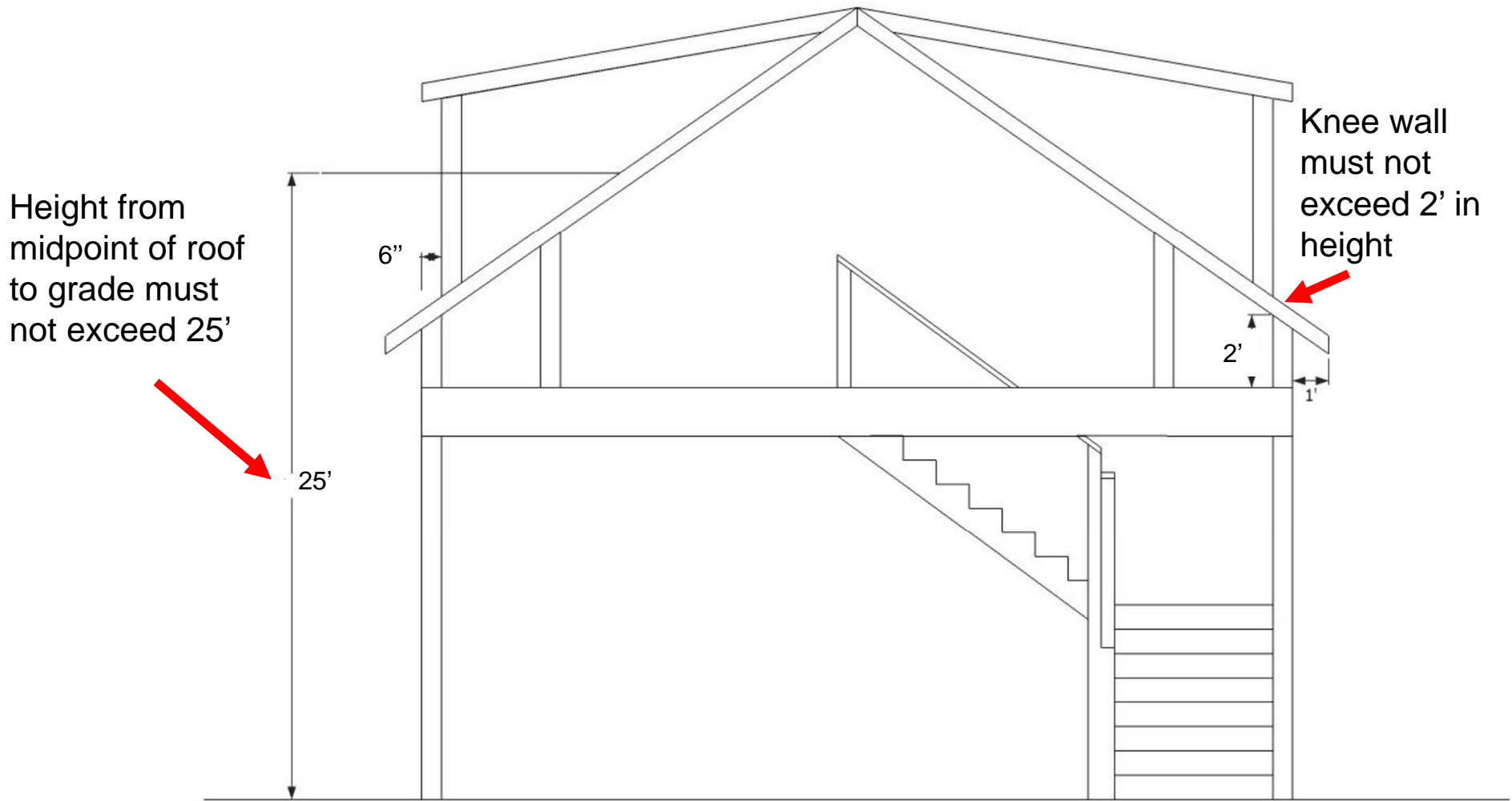
Type	Current	Proposed
Attached	1/3 of combined GFA up to maximum of 750 square feet	35% of GFA, up to maximum of 1,000 square feet (in basement)  35% of GFA, up to maximum of 750 square feet (when any portion of the accessory dwelling is above basement)
Detached	Not allowed	35% of GFA, up to maximum of 750 square feet

## Proposed Detached Accessory Standards

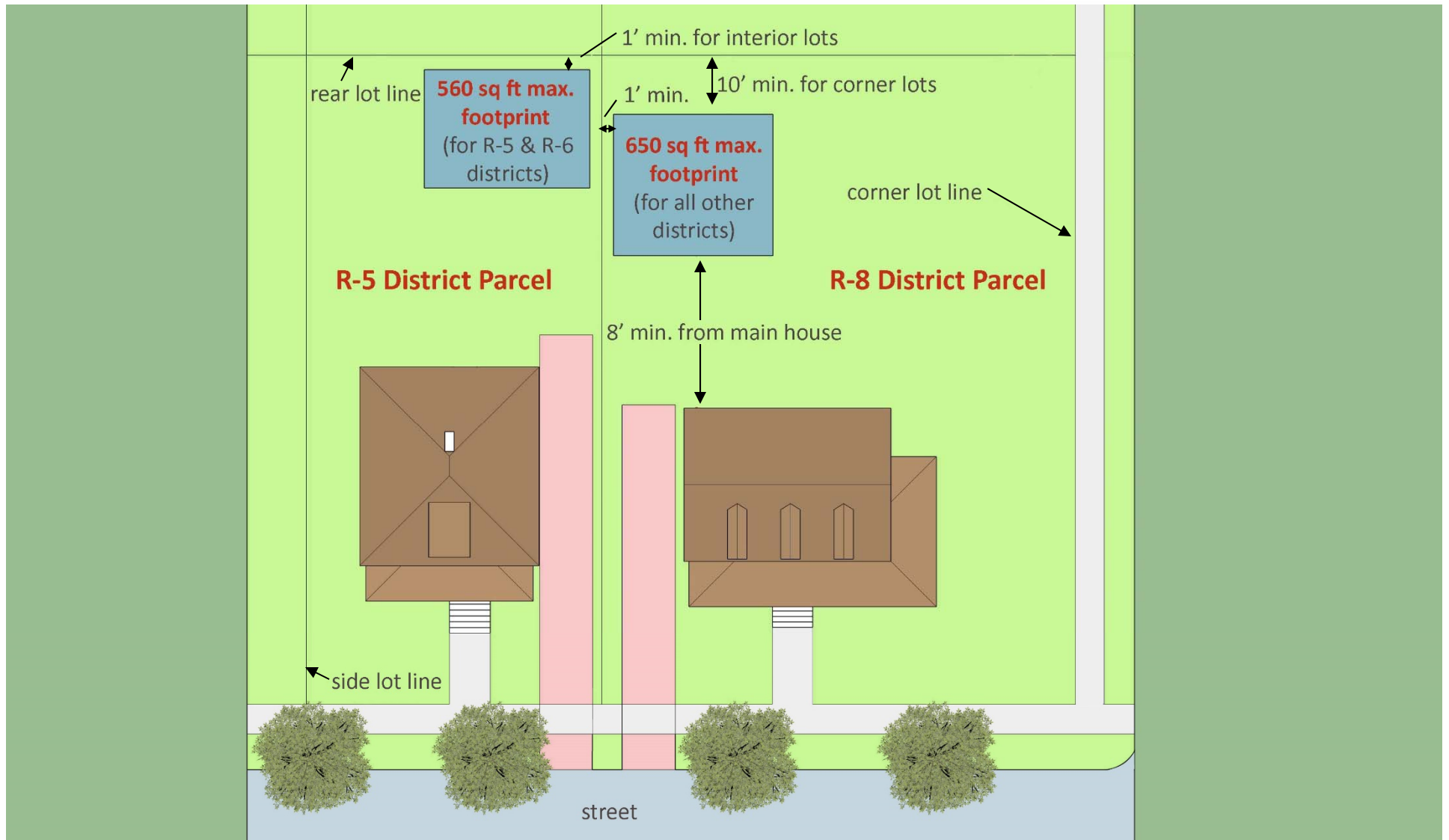
<b>Maximum accessory building height</b>	Smaller of: <ul style="list-style-type: none"> <li>▪ 1½ stories</li> <li>▪ 25 feet</li> </ul>	
<b>Placement</b>	Rear setback	Corner: 10' from lot line Interior: 1' from lot line
	Side setback	Corner: 1' from interior lot line Interior: 1' from lot line
	Other (front or street setback)	Corner: 25' from any street
	Setback from main dwelling	Interior and corner lots: 8'
<b>Maximum accessory building footprint</b>	<ul style="list-style-type: none"> <li>▪ R-5 and R-6 districts: 560 sf</li> <li>▪ All other R districts: 650 sf</li> </ul>	

**Proposed regulations are consistent with detached accessory buildings**

# *Illustration of height restriction for detached ADs*



# Illustration of maximum size and minimum setback for detached ADs - aerial



## Design Requirements

### Current

AD on a corner lot cannot have entrance visible from street

Entrance to AD may not be on same side of house as main entrance to main dwelling

AD with an entrance above the first floor cannot have exterior stairs visible from the street

### Proposed

Remove requirement

Main entrance and AD entrance may be on same side of house, as long as not facing same direction

Exterior stairs to a second story AD cannot be on the same side of house that faces a street

# *Illustration of Design Requirements*

Location of Front Door – Would be Allowed





# *Illustration of Design Requirements*

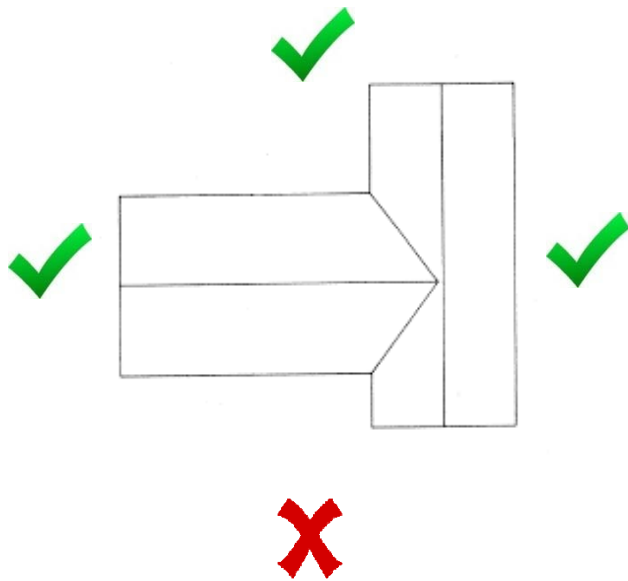
Location of Front Door – Would Not be Allowed



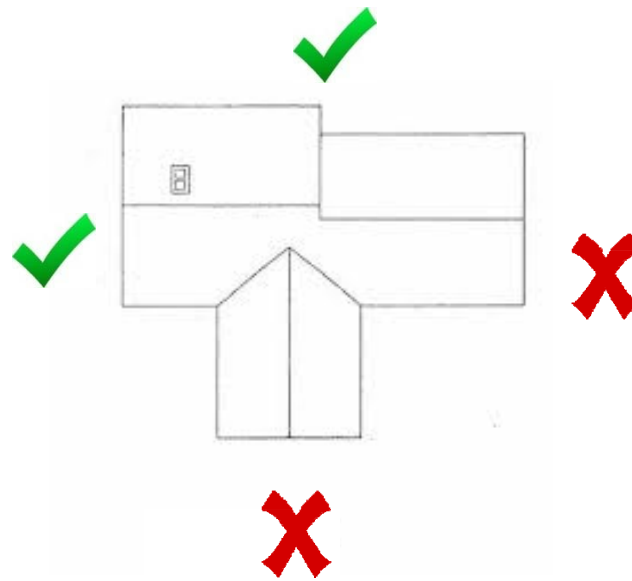
# *Illustration of Design Requirements*

## Location of Exterior Stairs

Interior Lot



Corner Lot



## Occupancy Requirements

<b>Current</b>	<b>Proposed</b>
Maximum occupancy 2 persons	Maximum occupancy 3 persons
Owner occupancy required	No change
Owner must live in house for a year before AD approval	No minimum time required prior to creating an AD
No home occupations for contractors or service businesses allowed	Remove restriction on home occupations

## Compliance Requirements

Current	Proposed
AD recorded on deed covenant	Require deed covenant
Affidavit of compliance is required at initial occupancy and whenever new tenant(s) move in	Affidavit of compliance required at initial occupancy only, for each new owner or when structural changes are made to the AD
Owner agrees to cooperate with Code Enforcement staff for annual inspections and for complaints	No change
Annual limit of 28 accessory dwellings	Remove limit

## Short-Term Residential Rentals

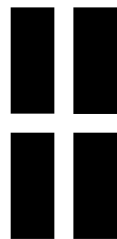
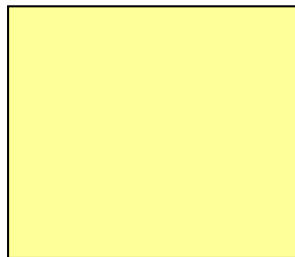
Current	Proposed
Accessory homestay is allowed in an attached accessory dwelling	No change
Accessory homestay is not allowed in a detached accessory building	Allow in a detached accessory building only when it is approved as an accessory dwelling

## Parking Requirements

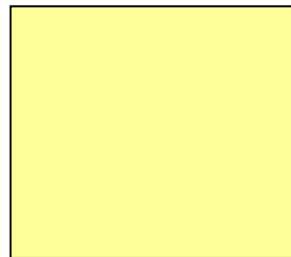
Current	Proposed
One existing parking space must be maintained Two existing parking spaces must be maintained	No change
If no existing parking spaces: <ul style="list-style-type: none"><li>• Create one on-site space; or</li><li>• Conduct parking survey (no parking requirement if block is &lt;65% parked)</li></ul>	No change
If two or more spaces that are not tandem, then at least two such spaces shall be maintained	Remove requirement

# Illustration of Parking Requirements

Existing Condition

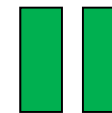
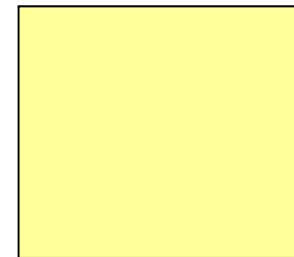


Option 1



or

Option 2



**Can maintain tandem or two with access to street**

# *Next Steps*

## **Anticipated Schedule**

- Urban Forestry Commission (September 28)
- Planning Commission (October 10)
- Housing Commission (October 12)
- Commission on Aging (October 16)
- Disability Advisory Commission (October 17)
- County Board Request to Advertise (October 21)
- Planning Commission final consideration (November 6)
- County Board action (November 18)





ARLINGTON  
VIRGINIA

