

Accessory Dwelling Units: A Benchmarking Report

Presented to the Fairfax County
Affordable Housing Advisory Committee
March 28, 2008

Common Uses of Accessory Dwellings

- Garages, Carports, and Artists Studios
- Stables
- Apartments
- Separate Building



Attached ADU above garage.



Detached ADU above garage.



Inside ADU - lower level.

Photos Courtesy of ARCH Regional Coalition for Housing, Redmond, Washington, Permission Granted 10/26/2007

Background

- Emerging in the late 1940's and into the 1950's, accessory dwelling units presented a source of additional income to America's households
- Not only do they provide extra income to homeowners, the development of these units could contribute to the solution of the affordable housing crisis
- Affordable Housing Action Committee recommended that Accessory Units be explored for affordable housing purposes.

Source- Municipal Research and Services Center of Washington, 1995

Community Benefits

- Provides affordable housing option without public subsidy
- Encourages maximum use of existing housing stock

Community Concerns

- Neighbors may be concerned with:
 - Parking
 - Traffic congestion
 - Exterior appearance
 - Overcrowding
 - Impact on neighborhood character

Fairfax County Accessory Dwelling Unit Requirements

- Must be located within the structure of a single family detached dwelling
- Size restriction = $\leq 35\%$ of the gross floor size of the principal unit
- Occupancy restricted to up to two persons, not necessarily related by marriage
- One such unit per lot, with certain exceptions permitted
- Permits are good for only five years at a time

Loudoun County, VA

- Located within the principal single-family structure or as a separate unit on the lot
 - Minimum lot size = 20,000 ft²
 - Lot size restrictions do not apply in Rural Villages, Rural Hamlets and Countryside Villages
- Size restrictions range between lesser of 70% of gross floor area of principal residence and 2,500 ft²
- Occupancy permitted for anyone who meets the definition of “family” (related by blood, marriage, or adoption), plus two boarders; or four unrelated individuals
- One accessory dwelling unit per lot, with one additional unit permitted on a lot of 20 acres or more
- Permit runs with the land and expires only if the applicant fails to implement the use within one calendar year

Arlington County, VA

- Proposed accessory dwelling unit work group is currently developing a proposed ordinance
- The proposed ordinance will be submitted to the County Board, which in turn will initiate a community review process
- A similar proposal distributed for community review in the 1980s met with considerable opposition

Prince William County, VA

- Accessory Dwelling Units, as defined in Fairfax County, are not permitted in Prince William County
- Rooms leased to boarders must remain part of the single-family dwelling unit, with equal access to all dwelling facilities
- Accessory dwellings are permitted for farm employees on working farms

Newport News, VA

- Newport News has not adopted an accessory apartment ordinance, and as such they are not permitted in the city
- The city government has studied the matter, but the Planning Commission tabled the matter due to community opposition

District of Columbia

- Located within single family structure. Garage space may not be converted
- Size restriction = $\leq 25\%$ of single-family unit floor area
- Minimum lot size requirements ranging from 4,000 ft² to 7,500 ft², per zoning district
- Existing single family unit must have a minimum of 2,000 sft² of floor space
- Total combined occupancy between the original single-family home and the accessory dwelling unit must not exceed six (6) persons

Montgomery County, MD

- Accessory unit must be within the principal single-family unit, unless on a lot of more than one acre
- Size restriction = $\leq 1,200$ ft²
- Any number of related occupants, or up to five (5) unrelated occupants
- Limited to one such unit per lot
- One-year licensing period, renewable annually
 - New owners must apply for a new license

Town of Westport, CT

- Located within the principal single-family structure or as a separate unit on the lot
- Size restriction = lesser of 800 ft² or $\leq 25\%$ of total single-family floor area
- Occupancy restrictions: At least one of the dwelling units shall be occupied by a person 62 years of age or older or a person of any age with disabilities who is receiving Social Security disability payments
- One unit permitted per lot
- Annual certification, notarized

City of Santa Cruz, CA

- Located within the principal single-family structure or as a separate unit on the lot
- Size restrictions:
 - Lots 5,000 ft² – 7,499 ft²: up to 500 ft²
 - Lots 7,500 - 10,000 ft²: up to 640 ft²
 - Lots over >10,001 ft²: up to 800 ft²
- No occupancy restrictions other than that the owner must reside in either the principle single-family unit or the accessory unit
- One unit per lot
- Permit is valid in perpetuity, recorded via land use agreement

Manufactured Housing as Accessory Dwelling Unit

- Fairfax County: **No**
- Loudon County: **Yes**
- Arlington County: **N/A**
- Prince William County: **N/A**
- Newport News: **N/A**
- District of Columbia: **No**
- Montgomery County: **Possibly, but only if manufactured unit on a given lot prior to application for accessory designation.**
- Westport: **Yes**
- Santa Cruz: **Yes**

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- Questions
 - Discussion