



# Accessory Dwelling Units An Introduction

Department of Community Development  
Planning Commission Work Session  
February 8, 2021

# Presentation Topics

1. The housing challenge – the drive to provide
2. How accessory dwelling units can play a role
3. Accessory dwellings in Herndon – past and present
4. Changes in accessory dwelling unit legislation and attitudes

# The Housing Challenge

**Figure 2: Forecast of Employment, Households, and Calculated Housing Need**

	2020	2030	2045
Forecast Employment	3,361,000	3,774,000	4,274,000
Forecast Households	2,133,000	2,375,000	2,660,000
Households Needed for Jobs	2,182,000	2,450,000	2,775,000
Housing Shortfall (Approx.)	~49,000	~76,000	~115,000

Source: COG Round 9.1 Cooperative Forecasts

# Regional Housing Targets

**Regional Target 1:**

**AMOUNT**

At least 320,000 housing units should be added in the region between 2020 and 2030. This is an additional 75,000 units beyond the units already forecast for this period.

**Regional Target 2:**

**ACCESSIBILITY**

At least 75% of all new housing should be in Activity Centers or near high-capacity transit.

**Regional Target 3:**

**AFFORDABILITY**

At least 75% of new housing should be affordable to low- and middle-income households.



Metropolitan Washington  
Council of Governments

- Communitywide Housing Strategic Plan, Fairfax County goal:
  - Exceed development of 5,000 new homes that are affordable at **60% AMI** and below within the next 15 years
- Center for Housing Research at Virginia Tech
  - Total affordable housing gap in Fairfax County for low- and moderate-income renters (earning 80 percent of the area median income (AMI) and below) is approximately 31,630 units.
  - Over the next 15 years the need for affordable housing options will grow, as the county is projected to add 62,184 households, of which 18,622 are expected to earn 80 percent of AMI and below. (From HCD)

## MAXIMUM RENTS (excluding utilities)

Affordability Level	A	B	C	D	E	F
	60% AMI	70% AMI	80% AMI	90% AMI	100% AMI	120% AMI
Studio	\$1,103	\$1,286	\$1,470	\$1,654	\$1,838	\$2,205
1 Bedroom	\$1,339	\$1,562	\$1,785	\$2,008	\$2,231	\$2,678
2 Bedroom	\$1,575	\$1,838	\$2,100	\$2,363	\$2,625	\$3,150

## MAXIMUM HOUSEHOLD INCOME LIMITS

Affordability Level	A	B	C	D	E	F
	60% AMI	70% AMI	80% AMI	90% AMI	100% AMI	120% AMI
1 person	\$52,900	\$61,750	\$70,600	\$79,400	\$88,200	\$105,850
2 persons	\$60,500	\$70,600	\$80,650	\$90,750	\$100,800	\$121,000
3 persons	\$68,050	\$79,400	\$90,750	\$102,100	\$113,400	\$136,100
4 persons	\$75,600	\$88,200	\$100,800	\$113,400	\$126,000	\$151,200

**Note:** Income Limits and Maximum Rents charts effective July 31, 2020.  
Rents and income limit information are reviewed and updated annually.

Information from the Fairfax County Department of Housing and Community Development

## ■ Sworn Police Officer

- Average starting pay = \$60,500 under 5 years experience

## ■ Fairfax County Public School Teacher Starting Salaries

- 1 year of experience and a BA = \$50,000 - \$60,567
- 4 years of experience and a BA = \$56,243 - \$68,129
- 1 year of experience with an MA = \$55,000 - \$66,624
- 4 years of experience with an MA = \$61,867 - \$74,942



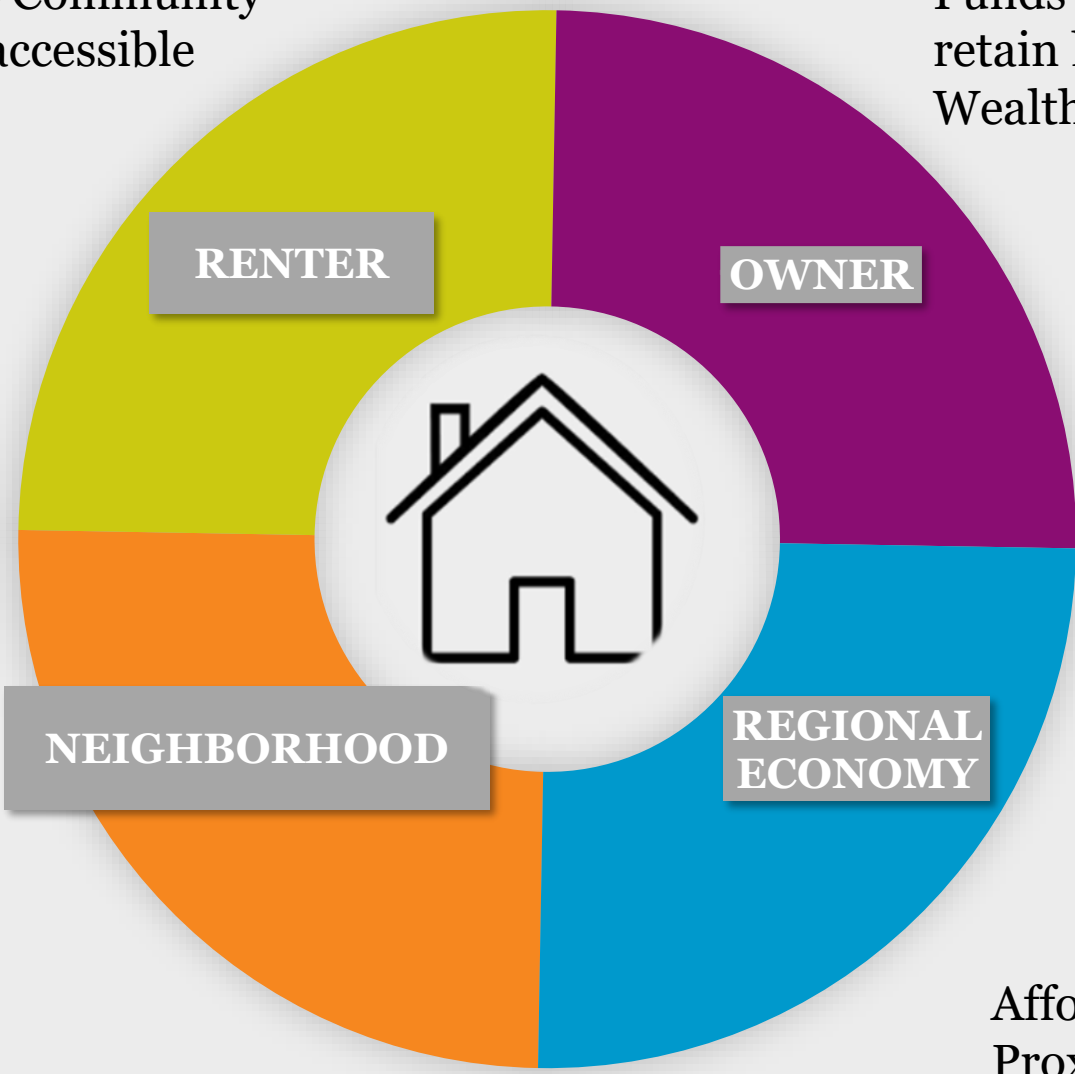
# The Accessory Dwelling Unit

- An “Accessory Dwelling Unit” (ADU) is an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence.
- As an “accessory” use it is secondary to the principal dwelling on the site and is owned by the property owner of the principal dwelling.
- Shared households or room rentals are not accessory dwelling units.

- Accessory dwellings in private homes were much more common in the late 19<sup>th</sup> and early 20<sup>th</sup> centuries.
- Suburbanization and zoning impacted this practice.
  - Post WWII nuclear family
  - Expansion of vehicle ownership
  - Differentiation of uses
  - Zoning
- Advent of the “Granny Flat” - 1965

Smaller units = less rent  
Neighborhood/Community  
not otherwise accessible

Family or unrelated  
Funds to maintain or  
retain home  
Wealth-building



Stability  
Upkeep  
Sense of Community

Affordable housing  
Proximity to jobs  
Stability

# Current Practices

## Herndon's 1983 Ordinance Amendment

- July 12, 1983, the Town Council adopted an amendment to the zoning ordinance allowing “accessory dwelling units.”
- Purpose “enabling elderly and handicapped persons to rent to tenants, thereby acquiring income, companionship, security and services, making it possible to remain in their homes and neighborhoods when they might otherwise not be able to for financial or health reasons.”

## Herndon's 1983 Ordinance Amendment

- Described as providing smaller less expensive residential units for rental to the elderly or those with disabilities, while protecting the character and integrity of residential neighborhoods.
- Required a Use Permit (Conditional Use/Special Exception)

- Generally, criteria associated with the 1983 amendment has been retained to this day.
  - Dependency on personal attributes leads to issues
    - Departure of the intended user
    - Sale of property
    - Cost and waste involved with removal of features
    - Duration of special exception process when health of individual is of concern
    - Inadvertent zoning violations
- Similar criteria of age, disability or health concerns are not uncommon among other jurisdictions with dated language.



- Nationwide movement towards loosening controls on accessory dwelling units.
- Local efforts
  - Arlington – Adopted
  - Alexandria – Adopted [last month]
  - Fairfax – In public hearing stage – part of zMOD [Zoning Ordinance Modernization Project]

	<b>Arlington</b>	<b>Alexandria</b>	<b>Fairfax Co.</b>
Adoption	5/2019 update of 2017 update of 2009 regulations	Adopted 1/23/2021 Previously not permitted	Still in Review
Approval Process	Zoning Administrator	Staff/ BZA for existing nonconformity	Staff / BZA for Special Permit
Unit Location	Attached and Detached	Attached or Detached	Detached
Age/Physical Attributes	No	No	Maybe
Short-term	Yes	No	No
Parking	Additional parking req. dependent upon factors	No additional to avoid excessive driveways	1 additional
Recordation	Yes + Affidavit	No	Yes
Size, Design Limitations	Yes	Yes	Yes
Limitation on # Residents	Yes	Yes	Yes
Owner Occupied	Yes	At time of establishment	Maybe

- Alexandria's process per the staff report dated 1/23/2021
  - Staff commenced the ADU study in 1/2020
  - Research and outreach support were provided by The Urban Institute, a nonprofit research organization focused on economic and social policy and practice to strengthen communities nationally.
  - Findings are based on a review of local and national ADU models and experiences, public feedback received during the study period as well staff analysis and recommendations made by the Urban Institute.
  - Intention, to allow for a low-impact, secondary dwelling unit to be located on a lot developed with a single-family, two-family or townhouse dwelling.
  - Permitting an incremental increase in housing supply while maintaining the established character of the City's neighborhoods.

	ADU permits issued	time period	ADUs as total share of housing stock
Arlington Co., VA	45	2009-2020	0.04%
Washington, DC	75	2016-2020	0.02%
Montgomery Co., MD	133	2013-2020	0.12%
Portland, OR	4,047	1995-2019	1.43%
Seattle, WA	2,597	1996-2020	0.75%

Data from Alexandria Staff Report ZTA #2020-00007, Accessory Dwelling Units, Dated 1/23/2021

- Impediments
  - Costs
    - Design
    - Permitting
    - Construction
    - Other
  - Homeowner reticence
  - HOA restrictions
  - Covenants

- Considerations for future discussion
  - Are changes warranted?
  - Is expansion of accessory dwelling units right for Herndon?
  - Recommendation to Town Council?
    - Additional study to determine answers to questions related to:
      - Community impact
      - New and old construction
      - Single family detached
      - Single family attached
      - Long-term vs. short-term
      - And more....



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