

Draft Accessory Dwelling Unit (ADU) Policy

Below are proposed Draft Recommendations for ADU policy based on work and input to date. Refinement to these recommendations is anticipated based on feedback received and/or additional staff analysis. Final recommendations will be released no later than November 30, 2020. Planning Commission and City Council will consider final recommendations in December 2020.

After reviewing the draft recommendations below, please complete the questionnaire via [this link](#).

Recommendation #1: Permit ADUs City-wide

- Allow one ADU on any property developed with a house (single, two-family or townhouse)
- ADU may be either within an existing home, e.g., an “English basement” style apartment, or
- Within a detached structure, e.g., a “tiny house” or above a detached garage

Recommendation #2: General ADU Regulations

- Only one ADU shall be permitted on any lot
- Owner occupancy: the property owner shall reside in either the ADU or the main house
- Occupancy limit: only one family shall occupy the ADU
- Ownership: the ADU and main house shall be in common ownership

Recommendation #3: Require Administrative Permit for ADUs

- An applicant wishing to construct an ADU must submit an administrative permit to the Department of Planning & Zoning.

Recommendation #4: Follow Current City Policies Related to Short-term Rentals

- Short-term rentals of ADUs would be permitted, however
- Concurrent short-term rental of both the main house and ADU shall be prohibited

Recommendation #5: Off-street Parking

- Off-street parking shall not be required for ADU, but
- No required parking spaces shall be removed to accommodate ADU construction

Recommendation #6: ADU Height and Size Limits

- ADU height shall not exceed the height of the main house or 20 feet, whichever is less
- ADU size shall not exceed one-third of the main house’s square footage or 750 square feet, whichever is greater

Recommendation #7: ADUs and Floor Area Ratio (FAR)

Similar to how detached garages are excluded from floor area, ADUs will be eligible for exclusion as follows:

- For lots 2,500 square feet or larger, 350 total square feet of all accessory buildings shall be excludable
- For lots 8,000 square feet or larger, 600 total square feet of accessory buildings shall be excludable
 - For example, on a 2,500 square-foot property with a detached garage, shed or other accessory building totaling 350 square feet or more could not exclude any portion of the detached building containing an ADU. As another example, a 2,500 square-foot property with a 100 square-foot shed or other accessory building could exclude up to 250 square feet of a new, detached building containing an ADU.

Recommendation #8: ADU Setbacks

- Consistent with building code and existing Zoning Ordinance regulations related to detached garages, ADUs shall be setback at least one foot from side and rear lot lines. If the ADU has windows that face the nearest lot lines, the ADU shall be setback at least three feet from these lot lines. Dormers shall be required to meet standard zone setbacks.

11/30/2020

Alexandria Planning Commission

I first want to state that I am in favor of ADUs in principle, especially if they can help address the affordable housing problem the city faces. That said, I feel like this process has been rushed. The draft recommendations were clearly not well thought through and while I hoped to see the updated version before this meeting, nothing was made available online with the Docket nor on the city site.

My first concern is whether this actually addresses affordable housing. If the city allows Airbnb in ADUs, they will end up servicing that market and not be used as rentals because more money can be made. If the goal is to address housing, then ADUs should not be available for short term rentals. Secondly, the idea that ADUs will help someone stay in their house may be true for the current owner. However, when the house changes hands the extra income will be factored into the market price and the new owner will not benefit in the same way – so what benefit there may have been up front will quickly disappear.

My second concern is around runoff. By encouraging new construction on existing lots, the city seems to be encouraging more impermeable surfaces. Given the amount of flooding that we have seen in recent years it seems like malpractice not to study the effect that this increased runoff will have on neighbors and neighborhoods that are already experiencing flooding from the city's neglected infrastructure.

My third and related concern is that the draft seemed to be almost solely focused on new construction or tiny homes. A much more environmentally friendly ADU would be the basement or upstairs addition to existing structures that does not increase impervious surface footprint on a lot. However, as written, height rules would not allow a second story addition as an ADU. It is also not clear that the FAR exclusions would be applicable to additions as opposed to separate structures. I would suggest that ADUs as part of existing houses be subject only to existing zoning heights and explicitly called out as eligible for exclusion from the FAR requirements.

My final concern surrounds the requirement that the property owner reside in the main home or the ADU. While I think that such a limitation would be reasonable, it does not seem at all enforceable and marginally legal.

In conclusion, I think that the city should take time to more thoroughly think through the proposed policy and its impact on runoff and storm drainage before they are submitted to council.

Sincerely,

Mark Shiffer

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