

**Arlington County Planning Commission**

**11.30.2022 ZOCO Hybrid Meeting**

**Missing Middle Housing Study: Phase 3**

**Public Comments Received by 12:00pm on 11.30.2022**

**Public Comment #1**

- I am opposed to changes to SFH R-6 zoning. Not enough time has been allocated to studying the effects of changes to infrastructure, schools, parking, etc. I am a SFH owner of more than 20 years. I understand that there is a shortage of housing for first time buyers. Perhaps zoning and other commissions and County staff should look into condo conversions from rentals and new condo building versus more rental apartment building to provide for the gap that exists. rather than.

**Public Comment #2**

- Attached please find comments from Sustainable Mobility for Arlington County on the draft Missing Middle parking minimums (Attachment #1).

**Public Comment #3**

- I oppose any zoning change to SFH neighborhoods. By now you have heard enough reasons to know why this proposed zoning change is so horrible. You know very well that property taxes will rise and push out minorities and seniors. You also know that eventually housing prices will fall because literally no one wants a house next to even a small apartment size building. The fall in prices will hurt those who have lived in their homes a long time, sunk a lot of money for mortgage and improvements and now see their investment in their homes go up in flames. You are literally causing harm to people and helping no one. The county data shows the units created by MM will be expensive rentals.

**Public Comment #4**

- I am writing to express my strong objections to the up-zoning of single-family neighborhoods as part of the Missing Middle plan wherein Arlington will allow duplexes, four-plexes, six-plexes, and eight-plexes. Another description for those “plexes” is apartments. A four-plex will bring eight cars and eight bathrooms, a six-plex twelve cars and twelve bathrooms, and an eight-plex sixteen cars and sixteen bathrooms to our streets and county utilities along with the accompanying traffic and parking. Think of the effect of the quality of life on one of our streets if three or more six-plexes are built in close proximity. In addition, since these units will invariably be apartments, turnover of occupants will occur every few years instead of families moving into a single-family

home to raise their children for many years. This will negatively affect the character of the neighborhood. I have no objection to duplexes.

**Public Comment #5**

- The discussion between staff and committee members at the November 16 ZOCO meeting highlighted the stark divergence between "Missing Middle" as an aspirational concept and its practical application. Committee members advocated a "by right" lifting of the single-family housing zoning restriction across the county, while staff noted the local circumstances that would impede the construction of "affordable" three-bedroom multi-family complexes on many lots. Neither ZOCO nor the county board are capable of considering all the local circumstances that would pertain to construction of a multi-family complex in a particular neighborhood. Both entities should limit themselves to defining broad housing goals for the county. They should cede the right to approve multi-family complex project proposals to the civic associations, which know their neighborhoods' peculiarities best.

**Public Comment #6**

- I am hoping that the ZOCO will discuss trees before it moves to the Planning Commission. A brand new approach to tree canopy was introduced in the Oct 31 staff memo (Section 10.4.6.E Option A). This has not yet been discussed by ZOCO.

There are several items that need to be explored, in my opinion. We need to find a way to sustain Arlington's tree canopy for our health, our environment, and our storm water control.

1. Attorneys differ in their interpretation of whether the future SFH houses under MM will require 10% or 20% tree coverage. An interpretation from the State Attorney General would be prudent in order to resolve this issue definitively, and be included in the decision of how to move forward.
2. It is unclear whether 6A will result in more trees. Please ask staff to illustrate how this requirement will manifest itself in several examples, as they did with the buildings
3. We need the ability to bond these required trees. As things stand now, homeowners are not required to keep these required trees. Falls Church has the ability to bond their required trees. Arlington needs that ability as well. Please recommend that the Board put this on their legislative priority list.
4. As the FNRC has indicated, Arlington needs to reduce the allowed building coverage, and impermeable surface allowances. The current zoning has led to the McMansions, with their attendant decrease in tree coverage and increase in stormwater runoff. With MM using the same envelope, but accommodating more people, this situation will be

worse. As you discuss MM, please consider a decrease in main building coverage, and decrease in impermeable surface allowed.

Brooke Alexander  
1980 Master of Planning UVA  
Ashton Heights Tree Canopy and Native Plant Coordinator

**Public Comment #7**

- Committee Members,

Thank you for all your hard work on the MMHS issue. There are several questionable assumptions about a lack of housing supply underlying the MMHS and its conclusions that should be addressed.

It would be worthwhile to ask staff about the number of homeless people in Arlington, which is a real housing crisis; currently planned and approved units in Arlington; what would be the further housing unit development potential of transit corridors; what is the potential for housing development of underutilized or empty commercial properties; and how much of currently less expensive housing in Arlington would be lost due to further re-development.

At your Nov 16 meeting, one public commentator seemingly in support of the MMHS suggested there is a shortage of housing saying, “We have a crisis and so the number of units we can get anywhere we can get them even if they’re rental, even if they’re home ownership, even if they are small whatever they are we need thousands and thousands of units. So every unit is..is going to help our community.”

But the ZOCO should explore the question of a "crisis" with staff. County staff told the FNRC in May that the MMHS aspired to house some 1,500 people a year or ~150 people per year (p. 22 of presentation) However, the MMHS study aspirations of housing some 1,500 people over the next ten years seem to have already been addressed in development that is currently planned and approved, begging the question of why it is needed in the first place.

Tens of thousands of new units have been brought to market over the past couple of decades and over 12,000 are in the pipeline, according Arlington County’s “Development Tracking: Project Search Tool.”

Arlington County reports over 1,500 real affordable units were added to Arlington’s housing stock over the last year – the MMHS will not provide affordable housing by the current definition -- the largest increase in the last five years. (p. 5. Profile 2022)

And, it seems a good portion of general housing unit growth can still occur in the existing planning corridors (p. 19. Profile 2022)

If there is a crisis in housing, it is with our homeless population who lack a reliable roof over their heads. Thankfully, the number has been reduced, but the problem still needs to be addressed. In the spring the press reported that homelessness is down by more than half from a decade ago, but had seen a slight increase from 2021 to 2022 from 171 to 182. However, none of the MMHS proposals for housing address this crisis in homelessness in our community.

I hope you will ask the staff to provide this information so we can have a more well-rounded discussion on the merits, urgency and need of the MMHS proposals.

Thank you,  
Josh Handler

## **Arlington homeless count up slightly in new data**

- by SCOTT McCAFFREY, Sun Gazette Newspapers
  - May 18, 2022 Updated May 19, 2022

Though down by more than half compared to a decade ago, Arlington's homeless total rose from 2021 to 2022, according to new data.

"There's work to do," said Arlington County Board member Matt de Ferranti, parsing the new data during the May 17 board meeting.

The Metropolitan Washington Council of Governments' annual point-in-time homeless count (conducted Jan. 26 with data recently released) revealed a total of 182 people living in shelters and on the streets in Arlington, up 6 percent from 171 a year before. That compares to a regionwide decline of 8 percent from a year before, led by a large drop in the District of Columbia.

The annual count looks at nine jurisdictions across the region and totaled 7,605 people experiencing homelessness, down from 8,309 a year before. About 58 percent of them were in the District of Columbia, down from 62 percent a year before.

In Arlington, the number of people counted in shelters stood at 162, up from 144, and the number of those on the streets declined from 27 to 20.

While well down from the 479 people in the 2013 count, the 2021-to-2022 increase proves that “the picture of homelessness is complex,” County Board Chairman Katie Cristol said.

[https://www.insidenova.com/news/arlington/arlington-homeless-count-up-slightly-in-new-data/article\\_2305e3d6-d6e9-11ec-ba6d-339e51fc2d71.html](https://www.insidenova.com/news/arlington/arlington-homeless-count-up-slightly-in-new-data/article_2305e3d6-d6e9-11ec-ba6d-339e51fc2d71.html).

**Public Comment #8**

- (Attachment #2)

## SUSTAINABLE MOBILITY



## FOR ARLINGTON COUNTY

November 29, 2022

Honorable Katie Cristol, Chair, Arlington County Board  
 Ellen M. Bozman Government Center  
 2100 Clarendon Blvd, Suite 300  
 Arlington, VA 22201

RE: Missing Middle Housing Proposal Minimum Parking Requirements

Dear Chair Cristol:

On behalf of the Sustainable Mobility for Arlington County Board of Directors and our 500+ members, I am writing today to urge you to allow Missing Middle housing that is proximate to transit to be constructed without off-street parking, if desired by the owner.

The current draft ordinance language requires that 0.5 new off-street parking spaces be built for each Missing Middle housing unit constructed proximate to transit, even those a mere two or three blocks from a Metro Station, restaurants, grocery stores, and more. This will have detrimental effects on our tree canopy, shared on-street parking resources, housing affordability, traffic congestion, and ability to meet our climate goals.

### **Tree Canopy Impacts**

Unlike large multifamily housing, single-family homes, and most Missing Middle housing types rely on surface parking. Using lot space for parking and driveways to access parking leaves less space for planting or preserving existing trees. Retaining minimum off-street parking requirements is directly at odds with any attempt to increase tree canopy as part of Missing Middle development.

### **Shared Off-Street Parking Impacts**

Some existing lots that are likely to develop into Missing Middle housing types do not have off-street parking today – either because they are single-family homes built before the off-street parking requirement was included in the zoning ordinance, or because they are vacant lots today. Adding off-street parking to these lots will require the creation of a new driveway apron onto these lots to access the off-street parking. This new driveway apron, and the areas immediately to either side which need to remain clear to access the driveway, are now no longer shared curb space available for on-street parking. This reduces the supply of shared parking available to the neighborhood and replaces it with access to private, off-street parking access.

### **Housing Affordability**

Building parking is expensive. While surface parking is less expensive than structured or underground parking, it is still a significant expense that gets baked into the cost of our housing, making new housing less affordable. In addition to the direct costs, the space required for required off-street parking is often the limiting factor when determining how many units can be built on a particular lot. When a lot could

## SUSTAINABLE MOBILITY



## FOR ARLINGTON COUNTY

accommodate 8 new units, housing 8 new families, but cannot find a viable placement for the required 4 parking spaces the ultimate result is fewer homes built, reducing supply & driving up housing prices.

### Climate Goals & Traffic Congestion

These transit-proximate areas are the places in Arlington it is the easiest to live car-free. We should be encouraging the development of housing that would entice car-free people to come and live here, but the Missing Middle housing parking requirements as currently laid out would discourage the creation of that type of housing. Unnecessary parking mandates will mean more cars, more traffic, and more emissions clogging up the corridors that could best support more sustainable living.

### In Conclusion

The best policy, in truth, would be to eliminate the parking requirement for all Missing Middle housing and allow the market to decide the appropriate amount across the board, but we recognize the concerns of some of our neighbors about insufficient parking in the furthest reaches of the county. Therefore, we are asking you to make the sensible compromise: keep the draft minimum parking requirements for Missing Middle housing far from transit, but cease mandating new off-street parking for Missing Middle built near transit.

This will not result in zero parking being near transit, it will merely allow that option for owners who wish to exercise it – perhaps to save a tree, perhaps because their lot is particularly close to Metro, perhaps because they are building for themselves and they are car-free, or perhaps because on-street parking is abundant on that block (as it often is – [occupancy data taken during the RPP review](#) found that RPP-restricted blocks were generally “50%-or-less-occupied throughout the day, even when restrictions were not enforced”).

Thank you for your time. Please direct staff to advertise an ordinance option that would allow the Board to enact a parking ratio of zero for transit-proximate Missing Middle housing so that we can at least continue this conversation.

A handwritten signature in black ink that reads "Christopher G. Slatt".

Chris Slatt  
President, Sustainable Mobility for Arlington County

# General Land Use Plan (“GLUP”)

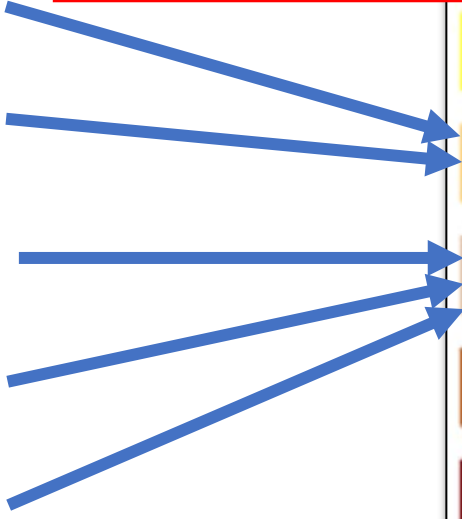
- Part of Arlington’s Comprehensive Plan, sets core goals
- Zones changed for Missing Middle: R-5, R-6, R-8, R-10, and R-20
  - **Currently:** all these zones fall into the “low” density GLUP category, zoned up to 10 units/acre.
  - **Missing Middle:** If rezoned for 8-plexes, density (units/acre) increases to “medium” and “low-medium” density, but the County is not changing the GLUP.



# Missing Middle Units Per Acre with 8-plex Zoning and Corresponding GLUP Categories

Zone	With 8-plexes under Missing Middle
R-20	17.4
R-10	34.8
R-8	43.6
R-6	58.1
R-5	69.7

**Current density**



Land Use Designation*	Range of Density/Typical Use	Zoning**
<b>Residential</b>		
Low	1-10 units per acre	R-20, R-10, R-10T, R-8, R-6, R-5
Low	11-15 units per acre	R2-7, R15-30T
Low-Medium	16-36 units per acre	R15-30T, RA14-26, RA8-18
Medium	Up to 37-72 units per acre	RA7-16, RA6-15, RA-H
High-Medium	Up to 3.24 F.A.R. (Floor Area Ratio) Residential	RA-4.8
High	Up to 4.8 F.A.R. Residential Up to 3.8 F.A.R. Hotel	RA-H-3.2, C-O Rosslyn

# County Says “Low” Density Designation Is Valid Until More Units per Acre are *Built*– Not Plausible

- CPHD Staff told the Long Range Planning Commission (11/9/2022) that GLUP designations are **unchanged**, because Missing Middle infill will be “**incremental**” and **geographically dispersed**.
  - This implies the cart drives the horse: the County is saying WHAT GETS BUILT *after the fact* determines the GLUP, not vice versa.
- County assertion would mean GLUP will change from day to day, as buildings convert from single-to multi-family on one block. Or one block could be medium GLUP, while the next block is low residential.
- Defies logic, consistency and predictability!

# Virginia's Zoning Law

**“Zoning ordinances and districts shall be drawn and applied with reasonable consideration for the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains”**

# Land Use Tools Must Be Applied Properly

- Virginia Supreme Court on zoning/land use: “action is presumed to be valid **so long as it is not unreasonable and arbitrary.**”

[Board of County Sups. of Fairfax County v. Carper, 200 Va. 653, 660, 107 S.E.2d 390 \(1959\)](#)

- **ASF asserts County’s current analysis on GLUP is unreasonable and arbitrary, and, even if legally valid, throws our zoning regime into chaos**

# CONCERNS Re Article 10.4 - Either Illegal or New Precedent removing Community and Board inputs

## Zoning Tool

*Preliminary approach: establish an optional, by-right development path*

- Precedents for optional development tools that apply broadly to specific zoning districts:
  - Unified Residential Development (requires use permit)
    - All R-5 to R-20 and R2-7 district are eligible
  - Residential Clusters (requires site plan)
    - All R-5 to R-20 districts are eligible
- Allows for tailored development standards
- Can apply to new construction or retrofits of existing buildings
- No changes to existing R district standards for single-detached housing and other permitted uses



**ASF recommends further review and community discussion on important land use issues**