

Accessory Dwelling Comments Received Community Forum – May 13, 2017

Table 1: Size/Occupancy

Pros:

- Enable more flexibility by allowing a larger footprint for an accessory dwelling (8)
- Allowing service/contractor business creates consistency in use between main dwelling and accessory dwelling (5)
- Owner occupancy requirement discourages investors from creating multiple rental units for profit (5)
- Removing one-year minimum owner occupancy requirement helps reduce cost for homeowner when building accessory dwelling (6)
- Allowing 1,000 square feet is a more “reasonable” size for unit (4)

Cons:

- 1,000 square feet may still be limiting if home is larger (1)
- Allowing three occupants may add to school overcrowding (2)
- We should allow more than three occupants (3)
- Three occupants is too many (0)
- Permitting service/contractor uses would increase traffic and parking (1)
- Owner occupancy should not be required to allow flexibility if owner is deployed, etc. (1)
- Larger accessory dwelling would encourage more tear-downs (0)

Considerations:

- Size should be dependent (relative to) on size of existing structure, lot size, etc. with a maximum cap (9)
- Does the deed covenant limit the homeowner’s ability to not use the accessory dwelling in the future? (0)
- Contractor either in main dwelling or accessory dwelling (2)
- Number of occupants should be scalable to size of accessory dwelling (5)
- Define accessory dwelling occupants as related or not, adults or children (0)
- If not owner occupied, create an owner proxy (8)
- School crowding is inevitable (4)
- Should a business license be required? (1)
- If a home is less than 2,00 square feet allow greater GFA for accessory dwelling (40-50%) (2)
- How is this different from a duplex, is this an opportunity for them? (1)
- 1,000 square feet should be allowed above grade as well (2)

Table 2: Design

Pros:

- Emphasize good design over strictly conforming and entrances that look awkward (9)
- Support no requirement on lot width (9)
- Allows for health and safety (easier to put ramp on front; outside stairs allow for greater flexibility) (5)

Cons:

- Don't let requirements come at the expense of good design (4)
 - What is "good design" (eye of the beholder)
- Don't want entrances or stairs to make single-family house look like a duplex (3)
- Keep current minimum lot width to avoid "back door" way to build duplex (2)
- Keep current entrance and stair regulations (2)
- Minimum width needed for detached, ok for attached (0)
- Hardscaping – providing access to side and back stairs and entrances (2)

Considerations:

- What about nonconforming homes with existing multiple front/side entrances (and is that bad)? (2)
- Are there minimum requirements for safety that would allow for grandfather such as fire egress and fire separation? (see Toronto AD regulations) (9)
- What if ADA/universal design conflicts with regulations? (8)
- Non-visible entrances can be a security risk (3)
- Remove entrance rule (4)
- Remove corner lot rules (same rules for interior and corner lots) (4)
- Driveway considerations – circumventing existing pipe stem rule, increasing impervious surfaces (2)
- Neighbor objections/considerations (1)

Table 3: Compliance and Parking

Pros:

- Proposed ideas will increase homeowners' ability to provide affordable housing (5)
- Idea to allow three tenants (rather than just two) would probably not mean in increased need for parking, because that third person is probably a minor (4)
- Removal of the 28/year limit will make it more likely that existing, un-permitted units can be recognized (8)
- Removing the 28/year limit might not lead to a large increase in applications, due to other mitigating factors such as the cost of bringing a unit into compliance. (2)
- Someone supports the proposed parking changes. (1)
- Regarding the annual affidavits, County should clarify when a new owner needs to do what regarding an AD. (0)

Cons:

- If more than 28/year are allowed, there might be too many in a few areas. Perhaps there should be a limit by area. (4)
- 28/year limit should be kept – a surge in applications would lead to a rush to process, and therefore errors (1)
 - Especially if more detached ADs are allowed; there will be more applications because of that. (0)
- A deed covenant is a hurdle to establishing an AD. (4)

Considerations:

- Additional parking leads to the loss of tree canopy (1)
- More parking means more impervious surfaces (1)
- Can use of permeable pavers with any new parking spaces be incentivized? (4)
- When a parking study is done, does that include a “heat map” which reflects density and proximity to metro stations? (6)
- Increased demand for public parking spaces affects neighbors (0)
- There should be different parking requirements in zoned vs. non-zoned neighborhoods (0)
- We should consider if the parking rules apply to the AD owners or renters (0)
- Any new parking spaces should be accessible for persons with physical disabilities (3)
- Perhaps ADs should have a paid parking pass (0)
- We should study if parking restrictions for ADs could be applied to all types of housing. (0)
- The County should examine a reasonable number of cars per house, just in general. (1)
- There should be financial dis-incentives for more cars per property (1)
- There should be dedicated staff in the zoning office for ADs (5)
- The County should make it easier for people to come into compliance (5)
- Look at Toronto - Scott M. - HGTV – income property

- County should clarify rules for owner transfer (0)
- There should be more opportunities for neighbors of a proposed new AD to object to it (2)
- When a survey about ADs is done, County should learn age and rental/ownership status of respondents because opinions will differ (0)
- The Dillon Rule is important and we should think of it (2)
- How does the County learn when changes are made to ADs, either in their ownership or their layout? (0)

Table 4: Detached/Townhomes

Pros:

- Would allow mother-in-law to live with family (7)
- Maintain existing detached building (reinvest) (8)
- Would allow retirement (7)
- Would allow separation from primary residence (7)
- Would allow ADA compliance/universal design (3)
- Demand by owners (4)
- Increased tax revenue (3)
- Positive environmental impact (commuting) (4)
- Would allow existing illegal ADs to come into compliance (3)
- Would allow more supply... college kids, etc. (1)
- Consistency with accessory building regulations (2)
- Helping mitigate “missing middle” (2)
- Helping housing affordability (3)

Cons:

- Challenge on smaller lots (R-5 and R-6), setback and spillover if too close (3)
- Impact on single-family neighborhood – visibility and more people (0)
- Increased taxes, cost to owner (1)
- Increase impervious surfaces (1)
- Loss of tree canopy (1)
- Parking (0)

Considerations:

- Townhouses – conflict with homeowners’ associations, county policies, etc.? (1)
- Different parking requirements for townhouses? (2)
- Impact on community neighborhoods (character) (2)
- Separate regulations for detached – setbacks and size (1)
- Code violations for behavior and noise often happen after hours (1)
- Only allow over garages (0)
- Better for larger lots – lot coverage (0)
- How would this apply in historic districts? (2)
- What about legally non-conforming detached structures/historic structures? (2)
- Ability to grandfather existing detached structures (11)
- Building code considerations (to what degree)? (0)
- Would allow you to create with ADA requirements/universal design (3)
- What are the currently allowed uses? (0)
- Allow same rules for corner lots as interior lots (2)
- Compliance with accessory dwelling – resident (0)
- Firewall separation between uses? (0)
- Existing vs new (3)

Additional Considerations, Questions or Concerns

- If I currently have a unit that meets family/caregiver suite requirements which I am renting on Airbnb, what is my incentive to “do the right thing” and invest money to meet the increased requirements to make it add to the inventory of affordable housing in the County?
 - Do I have to add separate HVAC and eliminate the door between the main house and the accessory dwelling?
- Encourage, not require, HOAs to review rules on accessory dwelling to be consistent with the goals of the County
- Granny pod options (monitored, kit/prebuilts) similar to permanent RV with sewage and electrical requirements
- Provide incentives for creating accessory dwellings and for universal design in an accessory dwelling