



TOWN OF
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Memorandum

To: Vienna Town Council
 From: Jessica Plowgian, Chair of the Planning Commission *JPP*
 Meeting Date: November 13, 2024
 Re: Recommendation regarding draft amendments to Section 18 of the Town Code related to Accessory Living Units

Overview

On October 7, 2024, the Town Council referred to the Planning Commission a set of draft amendments to Section 18 of the Town Code related to Accessory Living Units (ALUs). We held a work session to review the draft amendments on October 29, 2024, and a public hearing on November 13, 2024. One member of the public attended the public hearing and spoke in favor of the amendments. We also received two written comments supporting the amendments and one written comment opposing the amendments.

Planning Commission Discussion

General

We spent significant time discussing the possible impacts that ALUs could have on the Town. We acknowledged our belief that any revisions to the Town Code that permit ALUs will likely result in widespread modifications in new home construction (so that such homes could accommodate ALUs). Some Commissioners expressed concerns with the impact that an increased population density from ALUs would have on Town infrastructure, including on our public schools and roads. However, we agreed that ALUs could provide useful diversity in housing for residents. We also believe it would be beneficial for the Town to have provisions governing ALUs in place in advance of any future State requirements that may require the Town to permit ALUs.

Agreement with Current Proposal

We reviewed the draft amendments referred to us by Town Council. We agree with the proposals that (i) limit ALUs to single-family lots, (ii) maintain all existing lot coverage and setbacks, (iii) require ALUs to be part of the principal structure, and (iv) require ALUs to conform with all zoning, building, safety, health, and sanitation requirements. We strongly recommend that these draft provisions remain in any final amendments considered by Town Council.

We spent significant time discussing Section 18-305(7), which provides that any separate external entrance added for the ALU must be located on the side or rear of the dwelling. We support this proposed language and recommend that an ALU should *not* be required to have a new external entrance.

Recommended Modifications to Current Proposal

Lease Term

We recommend that the minimum lease period for an ALU should be 12 months (instead of the 30 days included in draft Code amendment Section 18-306.5(11)). We believe that this approach might further the goal of ALUs accommodating long-term tenants, and limit possible negative consequences experienced by neighborhoods were there to be frequent turnover of ALU residents.

In-Home Daycare

We recommend that the Town prohibit an applicant for an ALU from operating an in-home daycare (for any number of children). This can be listed as a prohibition in Section 18-306.5 and should also be reflected in the Accessory Uses Table. We believe the additional traffic associated with having both an in-home daycare and an ALU on the same lot could have a negative impact on the surrounding neighborhood.

Parking

We support the draft Section 18-417(3) requirements with respect to additional parking for ALUs. We recommend that the Code be further revised to define the term “sleeping quarters” as well as the term “bedroom.” In addition, we considered Fairfax County’s requirement that “the driveway and curb cut must be the same as the one that serves the principal dwelling.” While we do not want to limit a home with a single car-width driveway from expanding to accommodate two car widths (should there be sufficient lot coverage to do so), we suggest that the Town Council consider language limiting new curb cuts to service the ALU, especially on corner lots.

Prohibition on Conversion

We recommend revising the amendment to affirmatively state that an ALU cannot be converted to a condominium.

PC Action and Concerns

The Planning Commission made a motion to recommend that the Town Council adopt the draft amendments to Chapter 18 of the Town Code, as proposed, with the changes recommended in this memorandum.

Motion: Commissioner Glassman

2nd: Commissioner Miller

Roll Call Vote: 7-0

Jessica Plowgian, Chair	Aye
Matthew Glassman, Vice Chair	Aye
Stephen Kenney	Aye
Keith Aimone	Aye
Deepa Chakrapani	Aye
David Miller	Aye
Douglas Noble	Aye