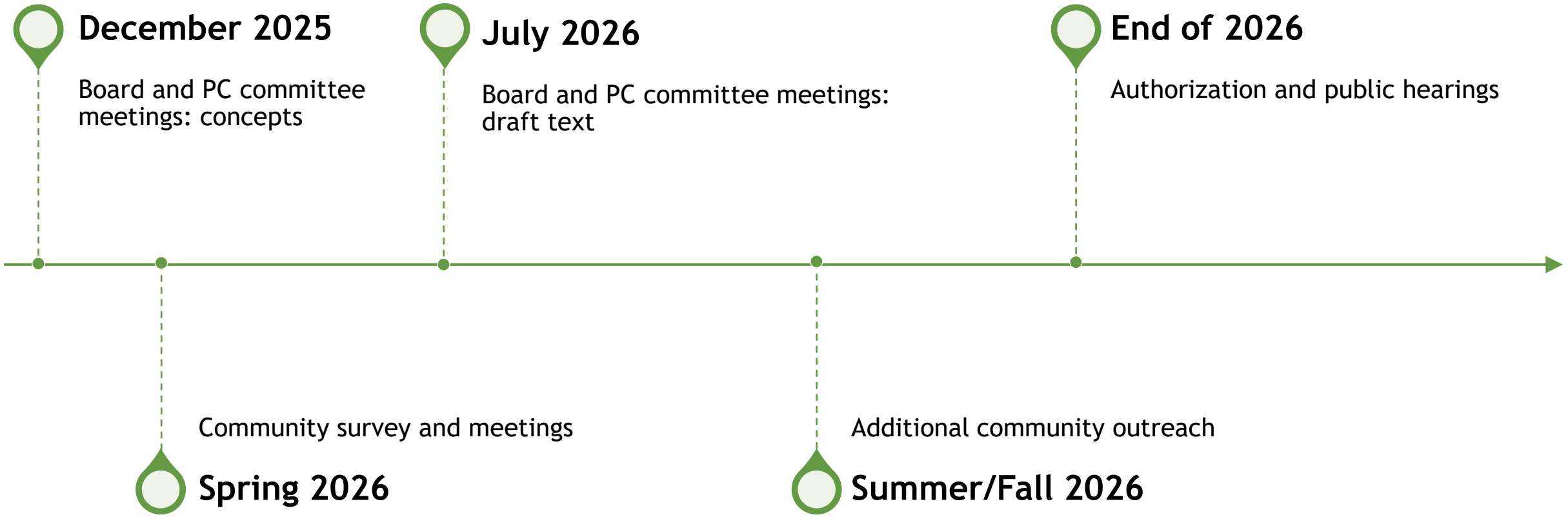


Accessory Living Units

Land Use Policy Committee
July 7, 2026

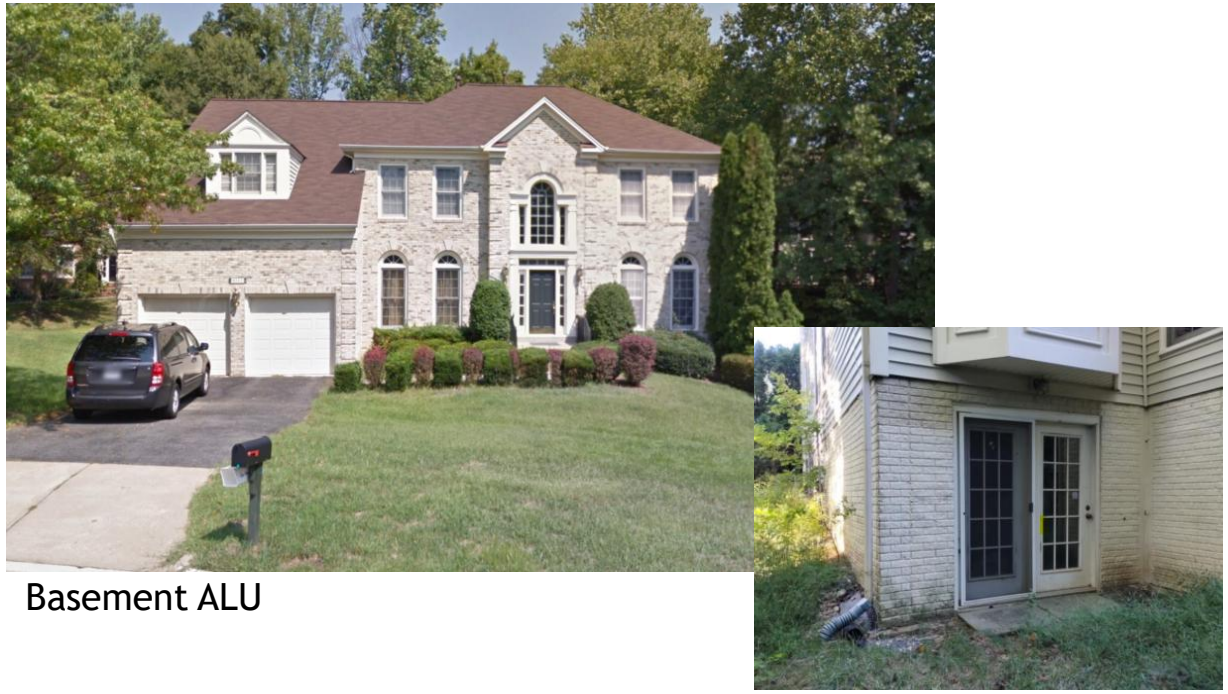
Carmen Bishop and Casey Judge
Zoning Administration Division

Project timeline



What is an accessory living unit (ALU)?

A secondary dwelling unit established in conjunction with and clearly subordinate to a **single-family detached** dwelling unit.



Basement ALU

Interior ALU addition



Detached ALU over garage



Goals of proposed amendment

- Align with the Housing Action Plan
  - Provide more housing options
  - Provide flexibility for older adults, young professionals, and caretakers
  - Support households wanting rental income
- Clarify and update the regulations to reduce the number of interpretations required
- Streamline the process and remove impediments



Nearby jurisdictions

	Administrative Approval		No min lot size (Detached)	Occupancy >2 persons	No renewal required	Allowed in duplex/town house
	Interior	Detached				
Fairfax Co.	✓	X	X	X	X	X
Alexandria	✓	✓	✓	✓	✓	✓
Arlington	✓	✓	✓	✓	✓	X
Fairfax City	✓	Under review	Under review	✓	✓	X
Falls Church	✓	✓	✓	✓	✓	✓
Loudoun	✓	✓	✓	✓	✓	✓
Montgomery Co. MD	✓	✓	✓	X (18+ yrs old)	✓	X

Approaches and staff recommendations

Streamline the process and reduce barriers

Topic	Options	Staff proposal
Administrative Permit (AP) process	**Current**: AP process for interior ALUs.	
	Option: Remove separate permit for interior ALUs and detached ALUs on lots 36,000 SF and larger. Zoning review would take place as part of any related building permit application or upon request.	✓
Owner occupancy	**Current**: Owner must live on the property, either in the principal dwelling or in the ALU.	
	Option: Remove owner-occupancy requirement.	✓
Renewal	**Current**: Renewal requirement with two years for initial renewal and up to five years for subsequent.	
	Option: Remove renewal requirement.	✓
Recordation	**Current**: Recordation requirement.	
	Option: Remove recordation requirement.	✓

Detached ALUs – reduce minimum lot size

Topic	Options	Staff proposal
Special Permit (SP) process and minimum lot size	**Current**: SP for all detached ALUs and 2-acre minimum.	
	Option: Allow detached ALUs by right/no AP on lots 36,000 SF and greater; allow a detached ALU on lots between 15,000 and 36,000 SF with SP approval.	✓

Sample R-2 lot with ALU



Detached ALUs - size and height

Topic	Options	Staff proposal
Maximum size of a detached ALU	**Current**: 1,200 SF.	
	Option: Keep the maximum size of 1,200 SF and add the maximum of 40% of the principal dwelling, whichever is less (consistent with an interior ALU); and add the ability for the BZA to approve a larger size.	✓
Maximum height of a detached ALU	**Current**: No specific height, except 20 feet for a freestanding accessory structure on lots 36,000 SF in size or less; the BZA may approve an increase in height.	
	Option: Apply the general standards for freestanding accessory structures (e.g., 20-foot height limit on lots less than 36,000 SF in size), with the ability to request a taller height with SP approval, and specify a maximum height of 35 feet and subordinate to the principal dwelling for lots larger than 36,000 SF.	✓

Size limits for interior ALUs

Topic	Options	Staff proposal
Maximum size of an interior ALU	**Current**: 800 SF or 40% of the principal dwelling, whichever is less; or entire basement existing as of May 10, 2023.	
	Option 1: Increase maximum size to 1,200 SF or 40% of the principal dwelling (whichever is less) and remove the construction date for use of the basement.	✓
	Option 2: Keep current size limits but remove the construction date for use of the basement.	

Consider allowing ALUs in townhouses

Topic	Options	Staff proposal
Single-family attached dwellings	**Current**: ALUs are not allowed with single-family attached dwellings.	✓
	Option: Allow interior ALUs in single-family attached dwellings.	



Revise occupancy limits

Topic	Options	Staff proposal
Maximum number of persons	**Current**: 2 people in an ALU.	
	Option: Allow up to 3 people (range: 2 – 4) in an ALU.	✓



Consider parking standards

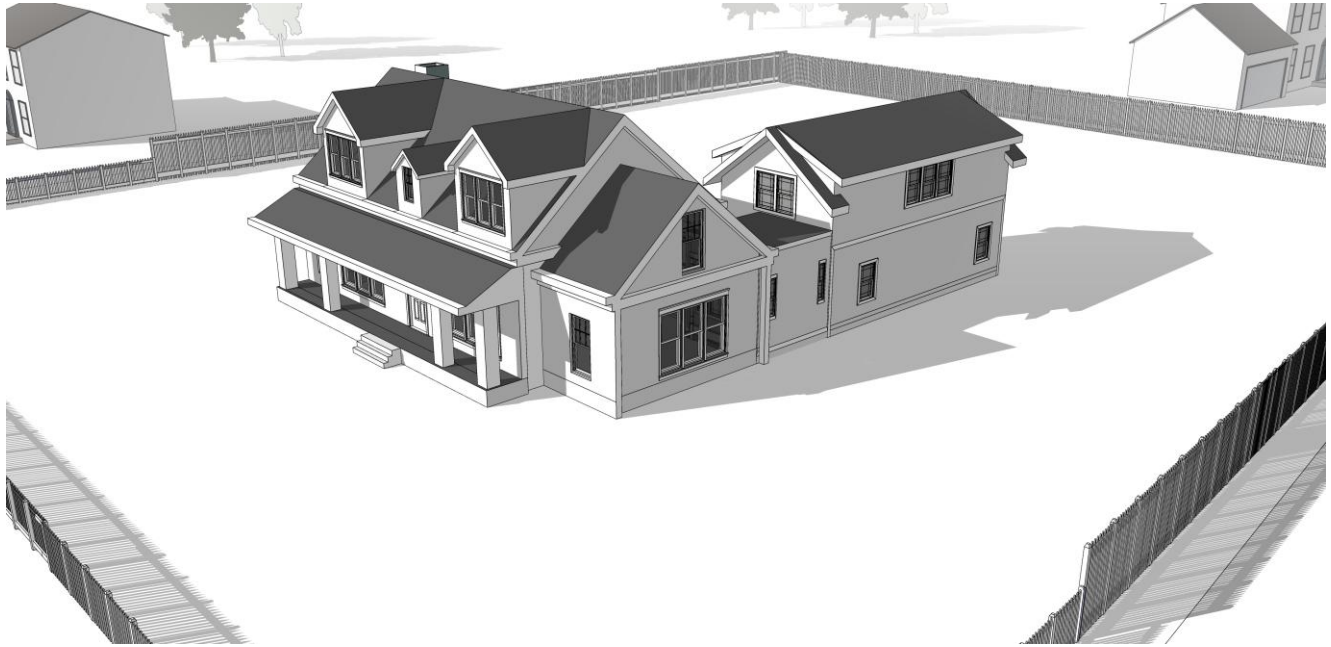
Topic	Options	Staff proposal
Parking	**Current:** The number of on-site parking spaces required for the principal dwelling plus 1 additional space.	
	Option 1: Remove parking standard for ALUs.	✓
	Option 2: The number of on-site parking spaces required for the principal dwelling (remove the requirement for 1 additional space.	



Other clarifications

- Add graphics to illustrate possible locations for an interior ALU
- Define a semi-detached ALU
  - 10’ or less connection considered an interior ALU
  - More than 10’ connection considered a detached ALU





PLANNING & DEVELOPMENT

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