



Aurora Highlands Civic Association

## **AHCA Position on Accessory Dwellings**

The Aurora Highlands Civic Association (AHCA) asks the County Board to defer action on Accessory Dwellings.

We believe the County lacks important information to support the proposed policy changes on accessory dwellings. AHCA supports affordable housing and more housing options, but we question whether this proposal accomplishes those objectives and believe that many impacts of these zoning changes have not been adequately considered.

We also believe the County has had insufficient public engagement on an issue of such importance. The vagueness of the advertisement also gives cause for concern. It is disturbing and ironic that this decision is being fast-tracked at the same time that the County is trying to develop best practices for civic engagement. We therefore request greater opportunities for neighborhood input, including public hearings and more robust opportunities to provide feedback.

As a neighborhood with predominantly small R-5 single family zoning in close proximity to Metro, Aurora Highlands expects to be more affected by the Accessory Dwelling proposal than many Arlington neighborhoods. We are most concerned about:

1. The impact of detached units, whether used for short- or long-term rental. Proper setbacks are required for dwellings to create the single-family character of the neighborhood, and ADs should be no exception. Detached units in particular would also entail significant infrastructure for water, sewer, parking, walkways, and electrical connections that would compromise stormwater management, tree canopy, and county infrastructure.
2. The possibility that increasing the allowable size of units and permitting detached ADs will remove constraints that actually make rents more affordable.
3. The likelihood that ADs, especially in Metro-accessible neighborhoods, will be used primarily for short-term homestays, thus reducing the supply of affordable rental housing and actually leading to higher rents, as recent studies have suggested<sup>1</sup>.

Staff have provided insufficient or misleading analyses of these issues. We believe the County should both examine data from other cities and make informed projections about these impacts.

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<sup>1</sup> "How Airbnb Affects Home Prices and Rents," The Wall Street Journal, October 22, 2017, available at: <https://www.wsj.com/articles/how-airbnb-affects-home-prices-and-rents-1508724361>.



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For example, neighboring jurisdictions like Fairfax<sup>2</sup> and Montgomery<sup>3</sup> would not allow any detached ADs at all in the small Aurora Highlands zoning district lots, despite presentations to commissions suggesting otherwise. Recognized leaders such as Portland and Santa Cruz allow only much smaller detached structures with greater setbacks in these types of districts. Portland recently allowed ADs within 1' setbacks similar to an Arlington accessory building, but only for much smaller buildings of 15' or less in height, and with additional considerations to neighbors, such as requiring fencing or landscape screening and prohibiting neighbor-facing doors and windows<sup>4</sup>. And Seattle just began scoping for an Environmental Impact Analysis so they can study potential environmental impacts and determine possible measures to avoid them<sup>5</sup>.

Without a similar analysis, Arlington risks making a policy change that is under-informed and may have effects that are actually the opposite of the desired policy goal. Arlington has set ambitious goals for itself to reduce its carbon footprint and energy use, mitigate stormwater discharge, and increase tree canopy. Allowing accessory dwellings runs the risk of reversing gains on all fronts, and without triggering the usual monitoring by DES or Urban Forestry.

The County should take a more data-driven approach, with a more holistic view of the actual benefits and costs of the proposal, and defer the Accessory Dwelling Proposal at this juncture.

Sincerely,

Natasha Atkins  
President, AHCA

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<sup>2</sup> Fairfax Zoning Ordinance §8-918.1 <https://www.fairfaxcounty.gov/dpz/zoningordinance/articles/art08.pdf>

<sup>3</sup> Montgomery County Zoning Ordinance §3.3.3.C.2.iii [http://library.amlegal.com/nxt/gateway.dll/Maryland/montzon2014/chapter59montgomerycountyzoningordinance/article59-3usesandusestandards?f=templates\\$fn=altmain-nf.htm\\$q=\[field%20folio-destination-name:%273.3.3%27\]\\$x=Advanced#JD\\_3.3.3](http://library.amlegal.com/nxt/gateway.dll/Maryland/montzon2014/chapter59montgomerycountyzoningordinance/article59-3usesandusestandards?f=templates$fn=altmain-nf.htm$q=[field%20folio-destination-name:%273.3.3%27]$x=Advanced#JD_3.3.3)

<sup>4</sup> Portland Miscellaneous Zoning Amendments §33.110.250.b <https://www.portlandoregon.gov/bps/article/574333>

<sup>5</sup> Seattle City Council Accessory Dwelling Unit EIS, <https://www.seattle.gov/council/adu-eis>