

## Board Testimony – Item 37 – May 20, 2008 - (*Larry Mayer*)

*(Suggested Actions – “advertisement changes” In Written material – referred to, but not spoken)*

Good evening, I am Larry Mayer, President of the Arlington County Civic Federation (ACCF). Today you are deciding on an advertisement for modifications to Family suite provisions and, zoning provisions for Accessory Dwelling units – my testimony is only to highlight areas where the advertisement might be modified.

**No** Civic Federation position should be construed from my statements. Our June 3<sup>rd</sup> General membership meeting will consider if, and what will be, the composition of a Civic Federation Position.

Please consider at least three Advertisement Provisions that might need alteration (These have already discussed with some Board members – some proposed language is in the written material, but I will not read it here):

1. **Change Family suite Caregiver "Maximum" Occupancy -**  
To two (2) versus the Manager's Report of one (1):

***Background*** – Since February, ACCF assumed there could be up to two (2) non-related occupants for the family suite with at least one providing "support" to the family for eldercare or other such support. This could cover a married couple where one provides caregiver or au-pair services OR a single parent with one child. Furthermore, our survey always assumed same limits for AD and "non-family" family suite occupancy. (Note 86% of survey respondents support no more than 1 or 2 people) The same total occupancy for Family and "non-family" occupancy makes enforcement easier.

***Suggested Action*** - Change Advertised ordinance language to:  
***or not more than two (2) persons who may be unrelated to the principal occupant of the dwelling, where at least one (1) of which provides care .....***"

2. **Change Family Suite Caregiver Definition** – Expand definition to include “other” support activities:

**Background** – We gave examples to Civic Federation members, listing cooks, drivers, and other support functions to the family in the main house. This type of support is in addition to the managers report provisions for childcare, eldercare and, support to the disabled. Using the ACCF survey responses to-date – fully 83% of respondents support live-in eldercare and, 81% support expanded definitions – with the given survey examples of au pairs, cooks, and drivers.

**Suggested Action** - Change Advertised ordinance language to: *“..., who provides care for one or more children under age thirteen (13) of the principal occupant of the dwelling or care for or assistance to an elderly or disabled occupant of the main dwelling or provide other care services (optional: more than XX hours per week) to one or more members of the main dwelling.*

3. **Consider** - Establish a “minimum” size for ADs.

**Background** - Late in the process some questioned the percentage of 50% of the gross floor area as applied to small existing homes. Staff in public discourse suggested a minimum consistent with Family suite provisions. Consequently our survey listed a 500 Square foot minimum and a 750 square foot maximum - which 73% of survey respondents supported. Furthermore Staff has said a rationale for an AD exists due to conversion of a Family suite – when there are no family members or caregiver services are not needed.

**Suggested Action** - Change Advertised ordinance language in (18d) to: *“ .....or fifty (50) percent of gross floor area of the main dwelling unit or the minimum size of a Family suite*

*Unit as provided in Section (5.A.8.b.2) whichever is less*  
..... " -- Or something to that effect.

Some other Advertisement "adjustment" Possibilities are apparent by reviewing survey results:

1. (We had been asked about) Non-conforming lots being restricted for ADs (Undersized and under-width) It should be noted that 73% of survey respondents support that restriction!
2. Notifications – while 75% wanted the AD information posted in the Real Estate database – NOTE 63% of Survey respondents wanted to be informed when nearby neighbors applied for an AD permit – (a consequence being a County process for review of neighbor "reactions")

Time precludes more. However survey results are indicative of some areas that might be considered – certainly even stronger enforcement provisions among others.

Thank you for your time – I will remain to answer questions or clarify the survey results