



Land Development News

Technical Memorandum

Subject: Affordable Dwelling Unit (ADU) and Workforce Dwelling Unit (WDU) **Date:** August 4, 2009 **No.:** 09-09

Summary: Prior to acceptance for review, information regarding ADUs and WDUs, as detailed herein must be included on all site plans, record plats and/or building plans for a development in which such dwelling units are required.

Prior to building permit approval, information regarding ADUs, WDUs and accessible units, as detailed herein, must be included on all building permit applications for a multiple family development in which such units are required.

Effective Date: Immediately.

Background: Information on ADUs and WDUs is required either by the Zoning Ordinance or by Board approval in accordance with the Board's Administrative Policy Guidelines on workforce housing and is necessary to determine compliance with the applicable provisions. Frequently, the required information is not included on the plats, plans and/or declaration, which has led to unnecessary delays for the builder/developer. As a result, an applicant has been required to correct these omissions prior to obtaining additional permits and before the County will execute the required offering agreement and the declaration of covenants.

Existing Requirements ADUs:

The Zoning Ordinance requires that specific ADU lots or units be designated on approved site plans and record subdivision plats, unless the development is a multiple family rental project. For multiple family rental projects, the number of affordable dwelling units by bedroom count and the number of market rate dwelling units by bedroom count shall be noted on the approved site plans and building plans to illustrate the number of bedrooms in the ADUs are at least proportional to the bedroom mix of market rate units. For condominium developments, the ADUs are to be specifically identified by unit number on the site plans, building plans and recorded condominium declaration. (See Sect. 2-806 and 2-807 of the Fairfax County Zoning Ordinance.)

The Zoning Ordinance further specifies that for multi-sectioned developments, if all of the ADUs are not provided in the first section of the development, the site plan and/or record plat for the first and each subsequent section shall contain information regarding the total number of ADUs approved to date on a site plan and/or for a subdivision and an indication of which section(s) the ADUs have or will be provided.

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Land Development Services**

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Existing Requirements WDUs:

For WDUs, the Board's October 15, 2007 Administrative Policy Guidelines specify that site plans and record plats shall designate the specific lots or units that are WDUs and also identify any associated bonus market rate units. In the case of a multiple family rental development, the specific WDUs need not be identified, but the site plan and/or record plats must identify the development as a rental project and note the total number of WDUs and associated market rate units provided. For all for-sale developments of any unit type, the floor area and bedroom count of each WDU and each associated bonus market rate unit shall be noted on the approved site plans and/or record plats and building plans. The Policy further specifies that for multi-sectioned developments, if all of the WDUs are not provided in the first section of the development, the site plan and/or record plat for the first and each subsequent section shall contain information regarding the total number of WDUs approved to date on a site plan and/or for a subdivision and an indication of which section(s) the WDUs have or will be provided.

Process for Compliance: Effective immediately, prior to acceptance for review by the Department of Public Works and Environmental Services, the following information must be included on all site plans, record plats and/or building plans for a development or portion of a development in which ADUs and/or WDUs are being provided:

For Site Plans, Preliminary Plans, Subdivision Construction Plans, Final Subdivision Record Plats and/or Building Plans for any development for single family attached dwellings, single family detached dwellings, and for-sale multiple family dwelling units: (*Note that this information is to be provided on all condominium declaration documents that are submitted to the State.)

1. Total number of ADUs and WDUs required for entire development
2. Number of ADUs and WDUs provided with current submission
3. Number of ADUs and WDUs provided with any previously approved or submitted site plan/subdivision plat, including plan/plat number
4. Number of ADUs and WDUs to be provided with any future submission of a site plan/subdivision plat, including section and block number, as appropriate
5. Unit number/street address for each ADU and WDU
6. Gross floor area for each WDUs provided in the development
7. Gross floor area for each bonus market rate unit achieved through the provision of WDUs
8. Total gross floor area of any bonus density achieved through the provision of WDUs

For Site Plans, Preliminary Plans, Subdivision Construction Plans, Final Subdivision Record Plats and/or Building Plans for any development for rental multiple family dwelling units:

1. A notation that the development will be a rental project
2. Total number of ADUs and WDUs required for entire development
3. Number of ADUs and WDUs provided with current submission
4. Number of ADUs and WDUs provided with any previously approved or submitted site plan/subdivision plat, including plan/plat number

5. Number of ADUs and WDUs to be provided with any future submission of a site plan/subdivision plat, including section and block number, as appropriate
6. The bedroom count for each ADU and the bedroom count mix for the market rate units within the development
7. The total number of bonus market rate units and/or the total bonus floor area achieved through the provision of WDUs

For Building Permit Applications for any development for for-sale multiple family dwelling units and for rental multiple family dwelling units:

The attached Multifamily Residential Use Permit Tracking Form must be submitted at the time of building permit application.

If you have any questions or need additional information, please contact:

- Zoning Administration Division, at 703-342-1314, TTY 711 for general questions on ADU & WDU requirements.
- Permit Application Center at 703-222-0801, TTY 711 for questions on multiple family building permit application requirements.
- Environmental Site Review Division at 703-324-1720, TTY 711 for questions on requirements for site-related plans.

Approved by:

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Department of Public Works and
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Eileen M. McLane
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