

MEMORANDUM

TO: Chairman Rodriguez and Planning Commissioners
FROM: James Newman, Zoning Administrator
DATE: June 12, 2020 for the June 17th Planning Commission public hearing
RE: **Terry Coley SE2020-02** requests a special use permit to have an accessory dwelling unit at 1306 Graham Drive/GPIN 7768-97-1948. This property is located approximately 220 feet south-east of the intersection of Graham Road and Patrick Street, within the Idlewild neighborhood. The property is zoned Planned Development – Residential (PDR).

ISSUE

Proposed special exception request is for an accessory dwelling unit.



RECOMMENDATION

Recommend to the City Council approval of the SUP subject to the following conditions:

1. Together, the occupancy of the principal dwelling unit and the accessory dwelling unit shall not exceed the definition of a 'family', as defined in City Code.
2. The Accessory Dwelling Unit shall be located entirely within the existing square footage of the house.

Note: The current definition of a Family, as defined in City Code §72-84 is: *One person or two or more persons related by blood, adoption or marriage, living and cooking together as a single*

housekeeping unit, with no more than two boarders; or a group of not more than three unrelated persons living together as a single housekeeping unit.

PROPOSED SPECIAL EXCEPTION REQUEST

The applicant seeks exceptions to the following Code Section:

- a. 72-42.5, to permit an accessory dwelling unit within a PD-R Zoning District.

GENERAL BACKGROUND

The applicant, Ms. Coley, wishes to have an accessory dwelling unit (ADU) within the same structure as the primary dwelling unit. The purpose of the ADU is to provide living quarters for her mother. The State's residential building code defines a dwelling unit as:

“A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.”

City Code §72-82.4 defines a **Dwelling** as

A building or portion thereof, but not a mobile home, designed or used for residential occupancy. The term shall not be construed to mean a motel, rooming house, hospital, or other accommodation used for transient occupancy.

The same Code Section defines an **Accessory Dwelling Unit** as

A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether part of the same structure as the principal dwelling unit, or as a detached structure on the same lot.

City Code §72-42.5 ‘*Table of Common Accessory Uses*’ identifies several accessory uses and the various districts wherein they are permitted. *Accessory Dwelling Unit* does not appear on the list of common accessory uses. That same code section states “*The Zoning Administrator shall evaluate potential accessory uses that are not identified in Table 72-42.5, Table of Common Accessory Uses, on a case-by-case basis, as an Interpretation*”. In the past year there have been several requests for Accessory Dwelling Units. So far in 2020 alone there have been 4 requests for accessory dwelling units. Using this code section to approve them would no longer be a case-by-case review but rather a frequent review. This issue of a recurring request for a use not listed in the Ordinance is best addressed by City Council through a text amendment. In the interim, Special Exceptions are the process to use. A draft text amendment is included.

The structure is a single-family detached house. It is 3,229 sq. ft. in area, with a finished basement area of 1,170 sq. ft. The proposed ADU would occupy the basement. The creation of a bedroom for her mother, a separate living room, a separate bathroom, and an additional dining space are all permitted. The applicant, by requesting an accessory dwelling unit, is affectively asking for approval to add a second kitchen. Currently, citizens who wish to add an accessory dwelling unit may add additional living, dining, eating, and sanitation rooms to their house. The addition of a second kitchen (specifically a 120 or 220 volt outlet for a full cooking range unit) combined with those other elements, is what constitutes an additional dwelling unit.

Two conditions are recommended: first, that the combined occupancy of the dwelling unit and accessory dwelling unit meets the definition of a ‘family’. Using this definition prevents overcrowding by limiting occupancy. The current definition is: *One person or two or more persons related by blood,*

adoption or marriage, living and cooking together as a single housekeeping unit, with no more than two boarders; or a group of not more than three unrelated persons living together as a single housekeeping unit.

The second condition would limit the accessory dwelling unit to the existing square footage of the house. Any additions onto the house would not be permitted for use of the ADU.

SPECIAL EXCEPTION ANALYSIS

Unified Development Ordinance (UDO) §72-22.7 contains review criteria that the Planning Commission and City Council shall use when evaluating an application for a Special Exception. These criteria are:

1. Consistency with the Unified Development Ordinance

The purpose of the Planned Development Residential (PD-R) Zoning District is:

“to encourage innovative and creative design, to facilitate use of the most advantageous construction techniques, and to protect watercourses, stream valleys, forest cover in watersheds, and areas with scenic vistas. The district is designed to permit a greater degree of flexibility in terms of layout, design and construction of planned development than is found in conventional zoning classifications. It will permit planned mixed use communities comprising residential, commercial, office and service uses...”

The applicant seeks to convert a portion of an existing structure into an accessory dwelling unit for her mother. This additional unit will provide flexibility in residential housing choice.

2. Conformance with the Comprehensive Plan

The property lies within Land Use Planning Area 3: Plank Road/Route 3. The Future Land Use map identifies this area as Transect-3 (Sub-Urban). This category states: *“The Idlewild neighborhood is designated as a T-3. It contains a mix of house types and scales including both attached and detached single-family housing. The neighborhood has a strong inclusion of public shared open space and values their connection to the designated trails as part of the T-1 space surrounding the neighborhood.”*

The requested special exceptions and associated development are in accordance with goals of the Comprehensive Plan:

Environmental Protection Goals – pg. 1-8

Goal 6. Livability

“Strengthen existing policies and develop new ones to actively promote a sustainable future by promoting clustered and compact development, which would be balanced by additional open space, and redevelopment of land and repurposing of structures”.

Residential Neighborhoods – pg. 1-10

Goal 2. Neighborhood Quality

“Enhance the quality of the City’s residential areas, to promote livability and a sense of community. Livability is defined as safe and walkable, with a variety of housing choices and ready access (walking, biking, transit, automobile) to work, shopping, and services.”

Goal 5. Enhanced Connections

“Support inclusive neighborhoods for the elderly and persons with disabilities, through multi-modal transportation that enhances connections between affordable and accessible housing, places of employment, other neighborhoods, and services.”

Goal 7. Affordable Housing

“All persons who live and work in Fredericksburg should have the opportunity to rent or purchase safe, decent, and accessible housing within their means.”

Goal 8. Variety of Housing

“Provide a variety of housing opportunities throughout the City that respect the character of the community.”

3. Whether there has been a sufficient period of time for investigation and community planning with respect to the application.

The Technical Review Committee has completed its review and had no comment. If approved, work would be required to be performed in accordance with all Building Code requirements.

4. Whether the special exception is consistent with the principles of good zoning practice, including the purposes of the district in which the special exception would be located, existing and planned uses of surrounding land, and the characteristics of the property involved.

Section 72-12 of the UDO states that *“The City Council has adopted this chapter to promote the health, safety, convenience, and general welfare of the public, to plan for the future development of the community, and to accomplish the objectives of the Code of Virginia and the City of Fredericksburg Comprehensive Plan”*. As stated in that Code Section, zoning is intended to be a tool that provides for, amongst other things:

- A. ...Adequate light, air, convenience of access, and safety from fire, flood, impounding structural failure, crime, and other dangers;*
- C. To facilitate the creation of a convenient, attractive, and harmonious community;*
- G. To encourage economic development that provides desirable employment, including high wage jobs, and enlarge the tax base;*
- J. To implement the Fredericksburg Comprehensive Plan and any special area plan adopted by the City;*

The property is not located within a floodplain or floodway. The development will occur within the existing structure and not add to the footprint of the structure. It will permit a family to live together and support each other, and meets stated goals of the Comprehensive plan.

5. Whether the proposed use or aspect of the development requiring the special exception is special, extraordinary or unusual.

The applicant wants to provide independent living space for her mother within the confines of the existing home.

6. *Whether the proposed exception potentially results in any adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts.*

The proposed condition would limit occupancy to what is currently permissible: one family. Any impacts would be in line with those of a family. The applicant's mother does not have a car, so there would be no initial impact for traffic. Even if the applicant were to move and a new owner to take occupancy, the limit of the accessory dwelling unit to a 'family' would ensure no impacts beyond what is typical of a family.

CONCLUSION

This is a proposal for a special exception to permit an accessory dwelling unit within an existing single-family detached house. The use is compatible with the surrounding neighborhood and meets the goals of the Comprehensive Plan. The Planning Commission should recommend approval to City Council.

ATTACHMENTS

1. Resolution (not included with this work session memo)
2. Application
3. Draft text amendment



Application #SE: 2020-02
Date: 2-26-20
Fee/Check#: VISA \$900⁰⁰
\$750.00 + \$150.00 Per Acre

**APPLICATION
SPECIAL EXCEPTION**

APPLICANT NAME: Terry Coley

MAILING ADDRESS: 1306 Graham Drive

TELEPHONE: 919-39 223-7799 E-MAIL: tcoley1306@gmail.com

THE UNDERSIGNED HEREBY APPLIES FOR AN EXCEPTION FOR: Accessory Dwelling Unit for Mother In-law Suite

THE SUBJECT PROPERTY IS DESCRIBED AS FOLLOWS:

Property Location 1306 Graham Drive Fredericksburg, VA 22401

Property Owned By Terry L. Coley

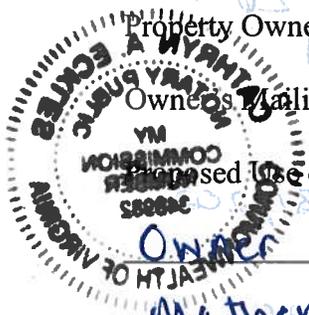
Owner's Mailing Address 1306 Graham Drive Fredericksburg, VA 22401

Proposed Use of Property (be specific) Owner Residence and Accessory dwelling for my Mother (A.K.A. in-law Suite)

HOURS OF OPERATION N/A NUMBER OF EMPLOYEES N/A

Anticipated Number of Patrons or Clients NA

Description of the development's impact on neighboring and adjacent properties, please be specific (attach additional sheet if necessary):



PUBLIC NOTIFICATION REQUIREMENTS

Written Notice: Written notice of an application initiated by a property owner or contract purchaser shall be provided to adjacent property owners by certified return receipt mail by the applicant **at least 14 days prior** to the hearing (not counting the date of the hearing) and **not more than 21 days prior to the public hearing**. Applicants may use the notice form supplied with the application forms. In the event the application is deferred indefinitely, notification shall be given when the application is rescheduled.

Evidence of the receipt of such notice shall be provided to the Zoning Administrator prior to the public hearing. In the case of a condominium or a cooperative, the written notice may be mailed to the unit owners' association or proprietary lessees' association, respectively, in lieu of each individual unit owner.

The following notice documents must be submitted to the office of the Zoning Administrator at least 5 days prior to the public hearing:

1. a copy of the notice letter sent
2. a list of the names and addresses of those persons to whom notice was sent
3. a copy of the post office receipts for the certified or return receipt mail
4. "Certification of Notice" form found at the back of this application

Posted Notice: The applicant shall post a sign provided by the Zoning Administrator on each parcel of land involved in an application for zoning map amendment (when 25 or fewer parcels are affected), **Posted notice shall be erected at least five days before the Planning Commission public hearing and before the City Council public hearing.**

Failure to send accurate or correct notices will result in deferral of the application to a later hearing date. Property ownership information is to be obtained from the City Real Estate Office, Room 107, City Hall, 715 Princess Anne Street or online at Fredericksburgva.gov

Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

Property Address		
Owner Name		GPIN NUMBER
Mailing Address		
City, State, Zip		

ATTACH ADDITIONAL SHEETS IF NECESSARY

NOTE: Applicant to return all notice documents at least five days or prior to the public hearing to: Office of the Zoning Administrator, 715 Princess Anne Street, Fredericksburg, VA 22401

SIGN POSTING PROCEDURES

Instructions

It is the applicant's responsibility to ensure that the sign(s) remain on the project site for the required time and are maintained in good/legible condition until after the public hearing date.

Site Posting Procedure

Sign(s) shall be posted at least five (5) business days before the public hearing/meeting. The applicant shall complete a notarized affidavit stating the sign(s) shall be posted in accordance with these procedures. Within three (3) days of posting the sign the applicant shall provide a photograph of the posted sign to the Community Planning and Building Department. **Failure to submit a notarized affidavit and/or photograph of the posted sign may result in the removal of the application from the scheduled meeting agenda.**

Information required on the sign(s) shall be completed by a member of the planning staff and provided to the applicant for posting. Signs shall be removed within three (3) days of the public hearing/meeting. Sign(s) should **not** be returned to the Community Planning & Building Department.

A minimum of one sign shall be placed along any adjacent arterial street. Signs should be posted every 600 feet when a street frontage adjacent to a project exceeds that distance. Sign(s) shall be placed parallel to the roadway.

Sign(s) shall be placed on the property in the most visible location available in such a manner that landscaping or other obstructions do not impair the visibility of the sign(s) from the street. The sign(s) shall not be placed on the public street right-of-way. The sign(s) should not be placed more than 10 feet behind the property line adjacent to the street.

The Community Planning and Building Department may vary any of the above guidelines where there are special circumstances in order to ensure that the sign(s) will be visible to the general public.

The undersigned acknowledges that he/she has read this procedure and understands how and where to post the required sign(s).

Applicant Signature

Date

Checklist for Special Exception

1	Application, fee, and background materials loaded to the City's FTP website.	
2	Per §72-21.6.A.(5), the applicant shall provide satisfactory evidence that any delinquent real estate taxes, nuisance charges, stormwater management utility fees, and any other charges that constitute a lien on the subject property, that are owed to the locality and have been properly assessed against the subject property, have been paid.	
3	<p>A notarized affidavit, signed by the applicant and containing the following:</p> <ul style="list-style-type: none"> a. A listing of the names and addresses of all applicants, title owners, contract purchasers, and lessees of the land described in the application, and, if any of such persons is a trustee, each beneficiary having an interest in such land, and all attorneys, real estate brokers, architects, engineers, planners, surveyors and other agents who have acted or will act on behalf of any of such persons with respect to the application. If any of the applicants, title owners, contract purchasers, or beneficiaries is a corporation, then the application shall also contain a listing of all shareholders who own ten percent or more of any class of stock issued by the corporation and, where such corporation has ten or less shareholders, a listing of all shareholders. The application shall also contain a listing of all partners, both general and limited, in any partnership with an ownership interest in the property. b. A statement indicating whether or not any member of the City Council or the Planning Commission or any member of their immediate household or family owns or has any financial interest in such property or has any financial interest in the outcome of the decision. 	
4	For any application filed by an agent, contract purchaser or lessee of the property, a written statement signed by each title owner confirming the applicant's status as the owner's agent or contract purchaser and indicating his endorsement of the application.	
5	<p>Certified boundary survey of the property signed and sealed by a professional surveyor, engineer, and/or architect showing the following:</p> <ul style="list-style-type: none"> a. The metes and bounds of all boundary lines of the subject property, and the bearings and distances of each zoning district crossing or adjacent the property. b. The total area of the property, presented in either square feet or acres. c. A scale and north arrow. d. The location and dimensions of all existing buildings, and easements of record. e. The names and route numbers of all boundary roads or streets and the width of existing rights-of-way. f. The signature and seal of the person preparing the plat. g. The location, names of owners, and GPIN of adjacent properties. 	

7	<p>A written statement that addresses the following:</p> <ul style="list-style-type: none"> a. The proposed use including, but not limited to, ownership, hours of operation, proposed number of employees, operator's qualifications, b. How the request is consistent with the City's Comprehensive Plan (cite specific section and page number). c. How the request is consistent with the goals, purposes, and standards of the City's UDO. d. Description of the development's impact on adjacent and neighboring properties. e. How the request is consistent with the principles of zoning and good zoning practice, including the purposes of the zoning district, the characteristics of the property involved, and whether there are adverse impacts of the proposed use. 	
8	<p>A list of all adjacent property owners, including those located across the street, to include the names, Geographic Parcel Identification Numbers, and mailing addresses.</p>	
9	<p>The Zoning Administrator may request additional information applicable to the specific nature of a given structure or use as deemed necessary to fully evaluate the Special Exception.</p>	

Legend

- City Boundary
- WVS Centerlines Back (12,000)
- Interstate
- US Highway
- VA Primary
- Others
- WVS Centerlines Back (12,000)
- Interstate
- US Highway
- VA Primary
- Others
- Parcels

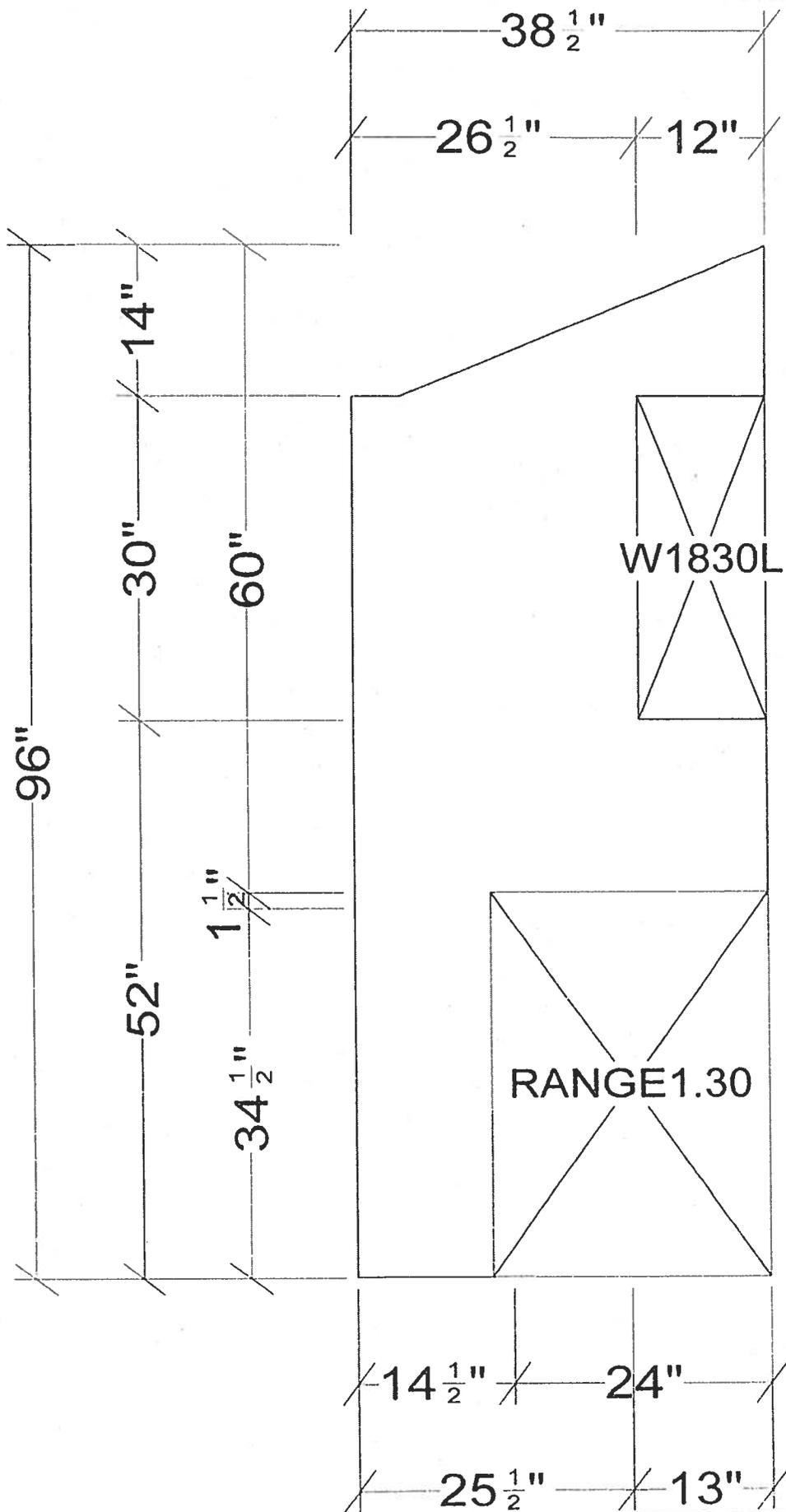


Title:

Date: 2/26/2020



DISCLAIMER: All information depicted on this map shall be treated as confidential information and shall only be used for the sole purpose for which it was provided. Any other use of this map or the information contained therein is prohibited. The data shown on this map is for general purposes only and shall not be used for any specific legal or financial purposes. The City of Frederickburg makes no representation or warranty as to the accuracy of the map or the information shown hereon. This map may not be copied or otherwise made available to any other party in paper or electronic format without written consent from the City of Frederickburg.

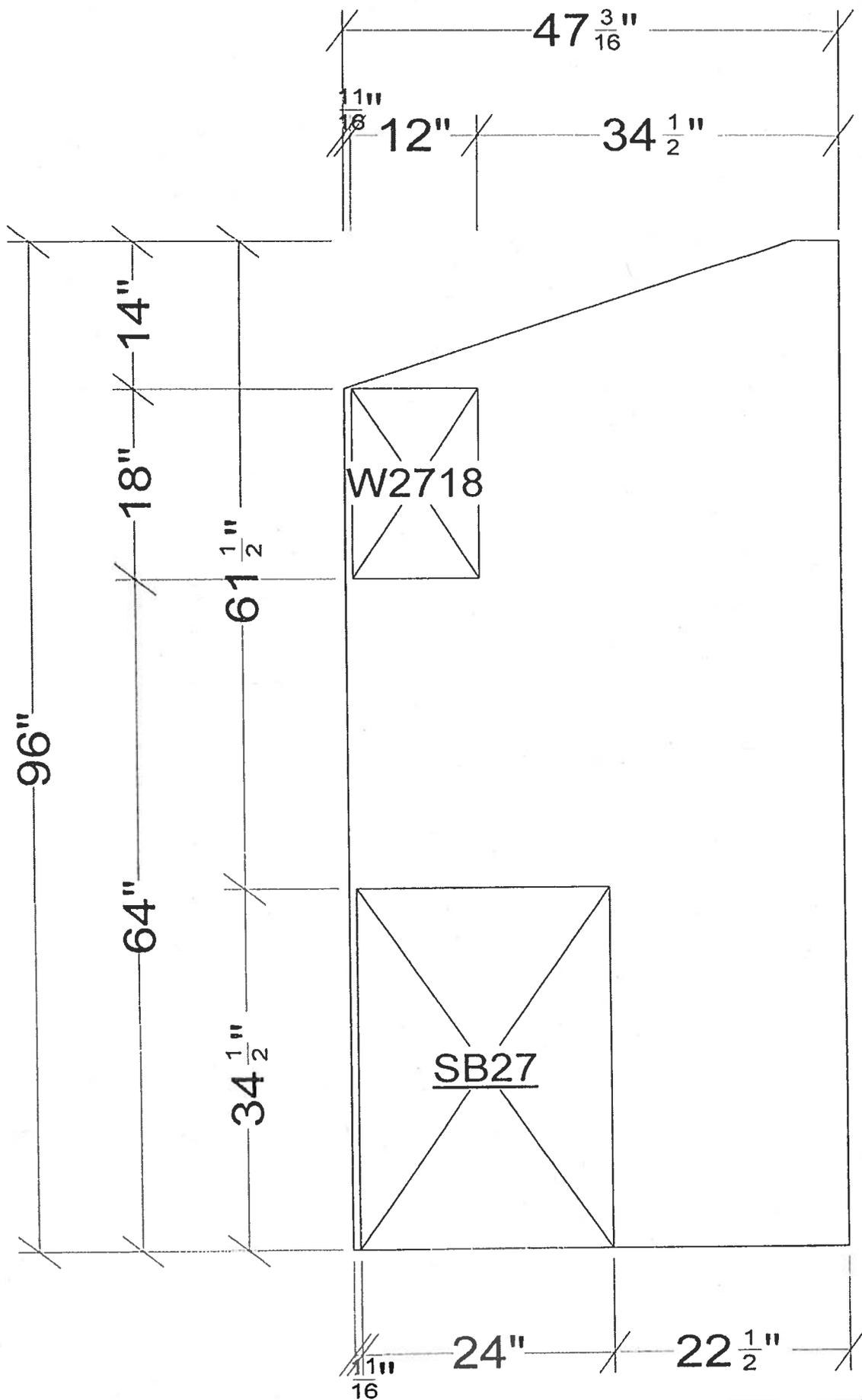


All dimensions, size designations given are subject to verification on job site and adjustment to fit job conditions.

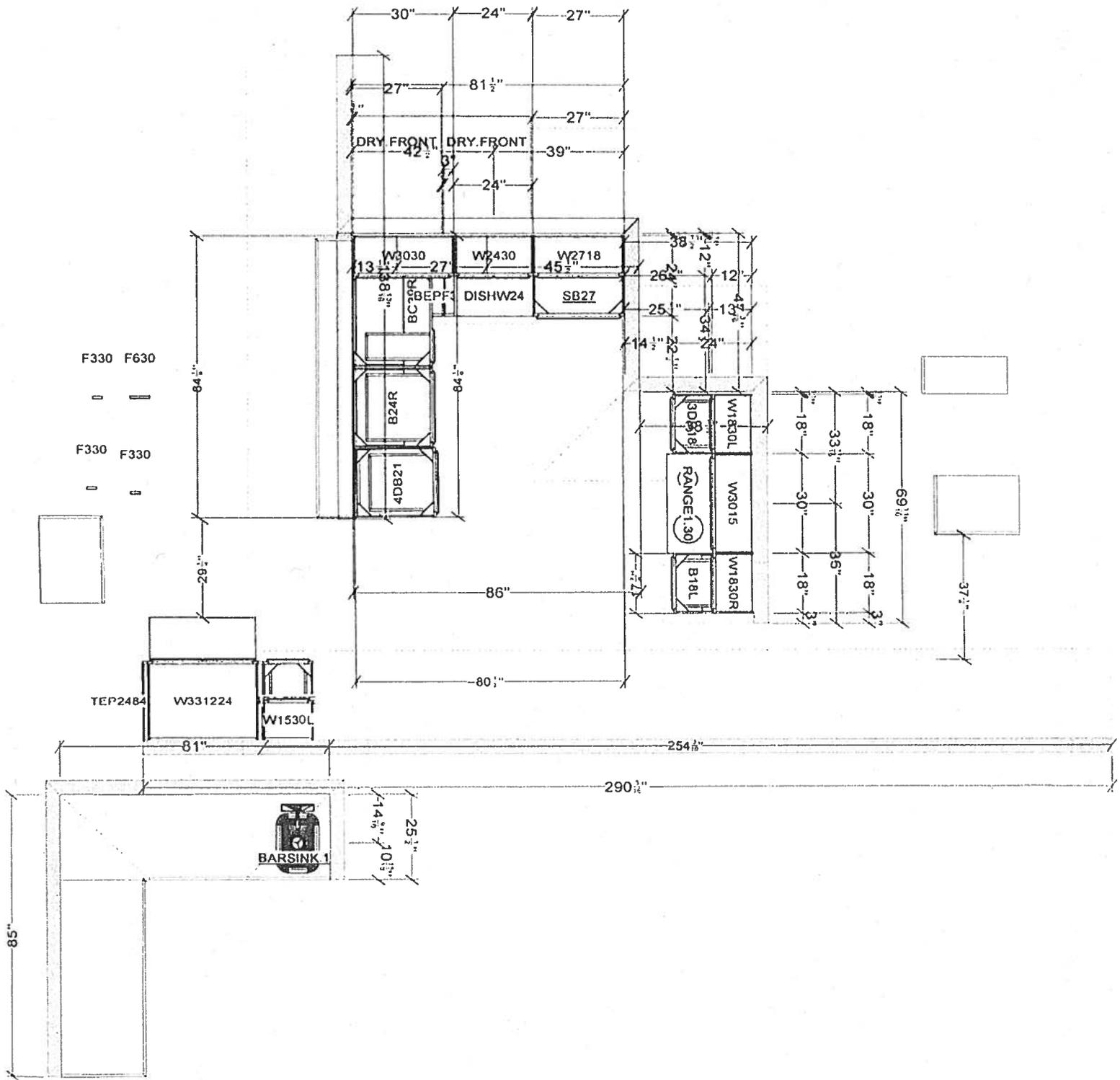
2020

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

Designed: 10/25/2019
Printed: 12/18/2019



<p>All dimensions, size designations given are subject to verification on job site and adjustment to fit job conditions.</p>	<p>2020</p>	<p>This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.</p>	<p>Designed: 10/25/2019 Printed: 12/18/2019</p>
<p>td2coley</p>	<p>E1 W4</p>	<p>Drawing #: 1 No Scale.</p>	

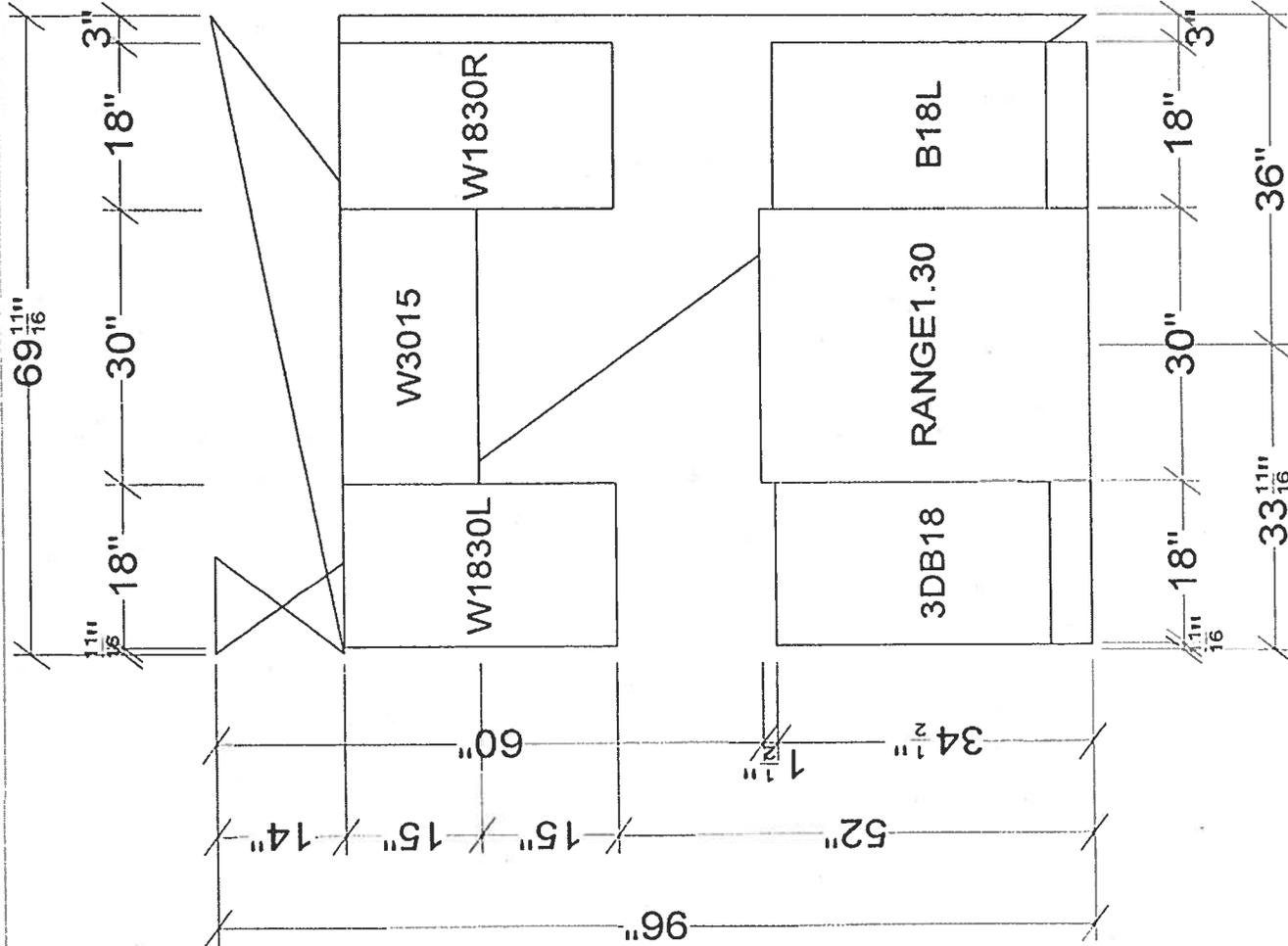


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2020

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Designed: 10/25/2019
 Printed: 12/18/2019

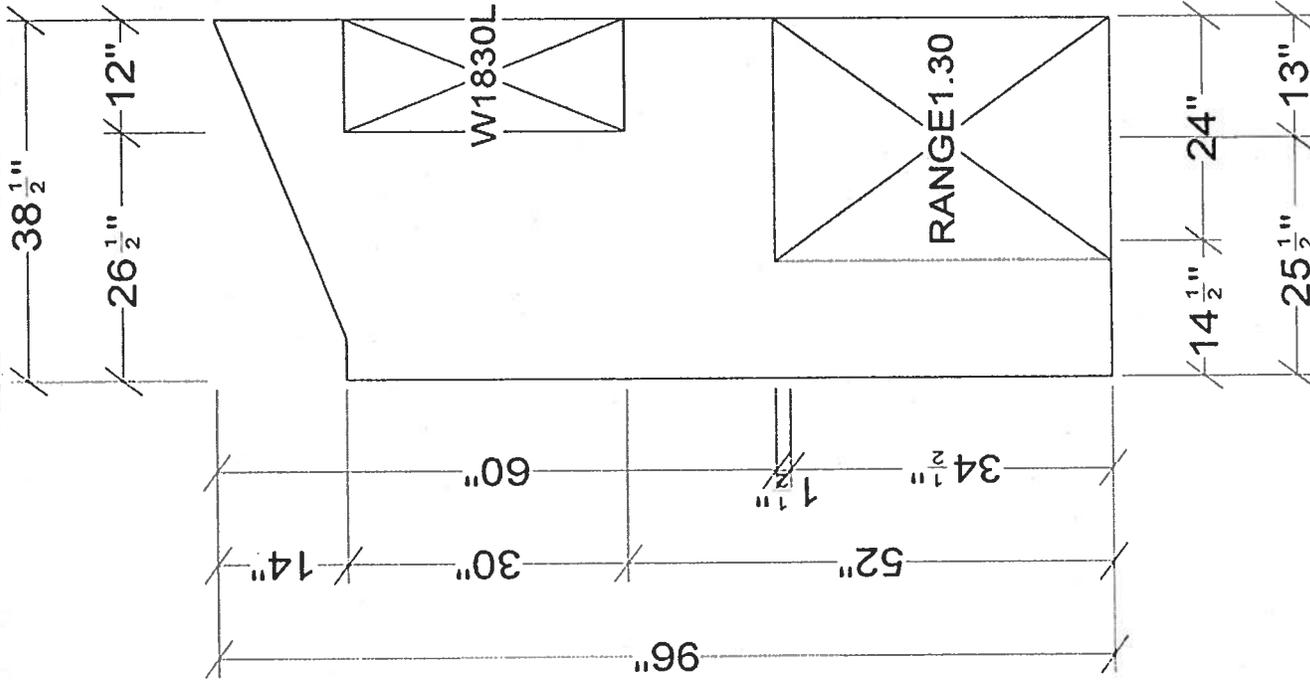


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2020

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Designed: 10/25/2019
Printed: 12/18/2019

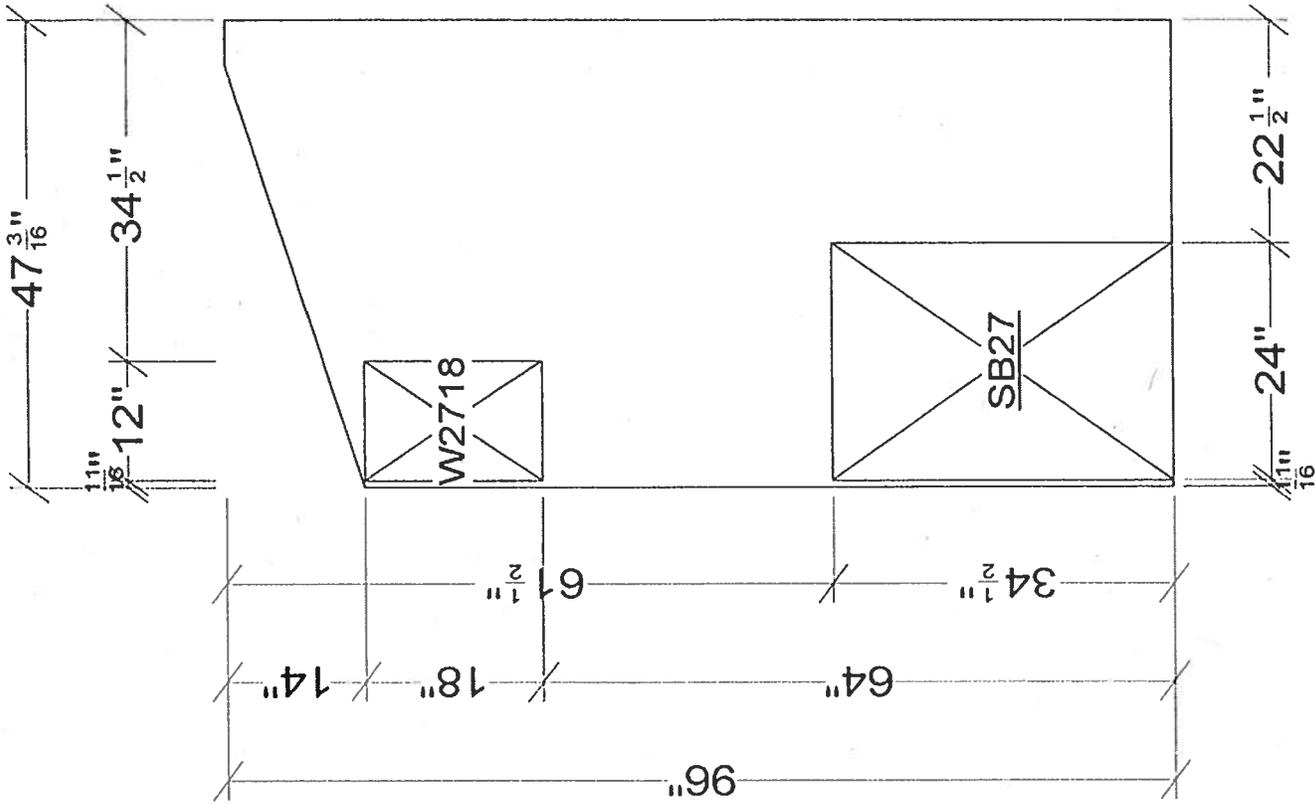


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2020

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All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.	This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.	Designed: 10/25/2019 Printed: 12/18/2019
		Drawing #: 1 No Scale.
<h1>2020</h1>		EI 1/4
id2colcy		Drawing #: 1 No Scale.

Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 1



Memo

To: Terry L. Coley

From: Linda Reichard *LR*

Date: 3/13/20

Subject: Real estate taxes for 1306 Graham Dr. Fredericksburg VA 22401

Real estate taxes for 1306 Graham Dr. with the GPIN 7768-97-1948 are paid in full through December 31, 2019.
Your next real estate tax bill will be due May 15, 2020.

Exhibit 1

Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 2

CITY OF FREDERICKSBURG
 FREDERICKSBURG VA 22404 7447
 LIEN AGENT: -

PLUMBING 2: RESIDENTIAL

PERMIT NUMBER: 0006931 - 2007
 USBC: 2008
 APPLICATION DATE: 10/18/2007
 ISSUANCE DATE: 2/25/2008
 RENEWAL DATE:
 DATE: 2/25/2008

OWNER NAME/ADDRESS	SITE ADDRESS	CONTRACTOR NAME/ADDRESS
TAYLOR JEFFREY C & TONYA M 1306 GRAHAM DR FREDERICKSBURG VA 22401	1306 GRAHAM DRIVE LOT: 6496 SQ FT 00001	OWNER PHONE: 000 000 0000

RE ACCOUNT#:	7831	DESCRIPTION OF CONSTRUCTION LOCATION
PAX MAP NO.:	315 KL275	LOT: BLOCK: SECTION: BLDG NO.:
SET-BACKS:	HEALTH PERMIT NO.:	DISTRICT:
FRONT: BACK:	FLOODPLAIN: N	SUB-DIVISION:
RIGHT: LEFT:	AREA:	ZONE: PLANNED DEVELOPMENT-RESIDENTIAL
CNTR: FRTGS:	RIGHT-OF-WAY:	S/E CUE NO.: SITE PLAN:

DIRECTIONS TO SITE:

USE GROUP: RESIDENTIAL	USE CODE: SF DWELLING - DETACHED	30 FEET:
CONSTR. TYPE:	NATURE/WRK: INTERIOR ALTERATIONS TO FINISH THE BASEMENT OF AN EXISTING RESIDENCE AND ADDING 1 ADDITIONAL BEDROOM (2003 IRC)	

PLUMBING 2: RESIDENTIAL	WATER SERV	SEWER SERV	OTHER	AMENDING ORIGINAL PERMIT
4 FIXTURES 1.5" BAR SINK	SIZE	SIZE		
13KPLW PRV	MATERIAL	MATERIAL		
OTHER TO INCLUDE A BAR SINK	NOTE		NOTE	

JOB VALUE:	50.00
PERMIT FEE:	10.00
ADM FEE:	
1.75% SURCHARGE:	.88
DEPOSIT:	
TOTAL FEES:	60.88

INTERNATIONAL RESIDENTIAL CODE OR INTERNATIONAL PLUMBING CODE

REQUESTS FOR INSPECTIONS SHALL BE MADE BY THE PERMIT HOLDER AT LEAST 24 HOURS IN ADVANCE AND SHALL BE DIRECTED TO THE BUILDING AND DEVELOPMENT SERVICES DEPARTMENT (340) 372-1000 BEFORE 3:30 P.M.

WORK MUST COMMENCE WITHIN A 6 MONTH PERIOD OR PERMIT IS VOID UNLESS RENEWED.

REQUIRED SIGNATURES

CODE OFFICIAL _____ DATE _____

permits total: 8600

Exhibit 2

CITY OF FREDERICKSBURG
 FREDERICKSBURG VA 22404 7447
 LIEN AGENT:

BUILDING : RESIDENTIAL

PERMIT NUMBER: 0000931 - 2607
 USEC: 2003
 APPLICATION DATE: 10/18/2007
 ISSUANCE DATE: 10/18/2007
 RENEWAL DATE:
 DATE: 10/18/2007

OWNER NAME/ADDRESS	SITE ADDRESS	CONTRACTOR NAME/ADDRESS
TAYLOR JEFFREY C & TONYA W 1306 GRAHAM DR FREDERICKSBURG VA 22401	1306 GRAHAM DRIVE LOT: 6496 SQ FT 00001	OWNER PHONE: 000 000 0000

RE ACCOUNT#:	7831	DESCRIPTION OF CONSTRUCTION LOCATION
TAX MAP NO.:	315 KL275	LOT: BLOCK: SECTION: BLDG NO.:
SET-BACKS:	HEALTH PERMIT NO.:	DISTRICT:
FRONT: BACK:	FLOODPLAIN: N	SUB-DIVISION:
RIGHT: LEFT:	AREA:	ZONE: PLANNED DVLPMNT-RESIDNTL
CNTR : FTGS:	RIGHT-OF-WAY:	S/E CUP NO.: SITE PLAN:

DIRECTIONS TO SITE:

USE GROUP: RESIDENTIAL	USE CODE: 3F DWELLING - DETACHED	30 FEET: 1170
CNST. TYPE:	NATURE/WRK: INTERIOR ALTERATIONS TO FINISH THE BASEMENT OF AN EXISTING RESIDENCE AND ADDING 1 ADDITIONAL BEDROOM (2003 IRC)	

BUILDING : RESIDENTIAL			
4 STORIES	MANF TRUSS	1 FLR SQFT	DECK SQFT
4 BEDROOMS 1/ADDING	FRONT TYPE	2 FLR SQFT	GARAG SQFT
4 FULL BATH 1/ADDING	WALL TYPE	3 FLR SQFT	_____ SQFT
3 HALF BATH	SIDING TYPE	BSMNT SQFT 1170	_____ SQFT
4 FIREPLACE	FLOOR TYPE	MOBILE HM	
PCOL	NOTE	BASEMENT FINISH	

JOB VALUE: 7,500.00

PERMIT FEE: 117.00
 ADM FEE:
 CERT OF OCCUP: 20.00
 1.75% SURCHARGE: 2.40
 AMMENDMENT FEE:
 1.75% SURCHARGE:

TOTAL FEES: 139.40

THIS PERMIT IS ISSUED IN ACCORDANCE WITH CHAPTER 18 OF THE CODE OF THE CITY OF FREDERICKSBURG, VA. THE PERMIT HOLDER AGREES TO COMPLY WITH ALL APPLICABLE PROVISIONS OF THE VIRGINIA UNIFORM STATEWIDE BUILDING CODE AND THE ZONING AND SUBDIVISION ORDINANCES OF THE CITY OF FREDERICKSBURG, VA. WORK MUST COMMENCE WITHIN 6 MONTHS OR PERMIT IS VOID AND MUST BE RENEWED. REQUESTS FOR INSPECTIONS SHALL BE MADE BY THE PERMIT HOLDER AT LEAST 24 HOURS IN ADVANCE AND SHALL BE DIRECTED TO THE BUILDING & DEVELOPMENT SERVICES DEPARTMENT(540) 372-1080 BEFORE 3:30 P.M.

REQUIRED SIGNATURES

CODE OFFICIAL

ZONING ADMINISTRATOR

10/19/07
 DATE

CITY OF FREDERICKSBURG
FREDERICKSBURG VA 22404 7447
LIEN AGENT:

ELECTRICAL : RESIDENTIAL

PERMIT NUMBER: 0000931 - 2007
USBC: 2003
APPLICATION DATE: 10/18/2007
ISSUANCE DATE: 10/18/2007
RENEWAL DATE:
DATE: 10/18/2007

OWNER NAME/ADDRESS	SITE ADDRESS	CONTRACTOR NAME/ADDRESS
TAYLOR JEFFREY C & TONYA N 1306 GRAHAM DR FREDERICKSBURG VA 22401	1306 GRAHAM DRIVE LOT: 6496 SQ FT 00001	OWNER PHONE: 000 000 0000

RE ACCOUNT#:	7831	DESCRIPTION OF CONSTRUCTION LOCATION
TAX MAP NO.:	315 KL275	LOT: BLOCK: SECTION: BLDG NO.:
SET-BACKS:	HEALTH PERMIT NO.:	DISTRICT:
FRONT: BACK:	FLOODPLAIN:, N	SUB-DIVISION:
RIGHT: LEFT:	AREA:	ZONE: PLANNED DVLPMNT-RESIDENTL
CNTR : PRTEGE:	RIGHT-OF-WAY:	S/E CUP NO. : SITE PLAN:

DIRECTIONS TO SITE:

USE GROUP: RESIDENTIAL	USE CODE: SF DWELLING - DETACHED	SQ FEET:
ONST.TYPE:	NATURE/WRK: INTERIOR ALTERATIONS TO FINISH THE BASEMENT OF AN EXISTING RESIDENCE AND ADDING 1 ADDITIONAL BEDROOM (2003 IRC)	

ELECTRICAL : RESIDENTIAL	
# RECEPTCLS 32	SERV UPGRD MOBILE HM
# LIGHTS 12	SERV AMPS
# SWITCHES 4	SERV RECWT
# FANS 1	TEMP SERV
#HVAC UNIT	POOL BOND
OTHER	OTHER
NOTE	NOTE

JOB VALUE:	300.00
PERMIT FEE:	74.50
ADM FEE:	
1.75% SURCHARGE:	1.30
AMMENDMENT FEE:	
1.75% SURCHARGE:	
TOTAL FEES:	75.80

INTERNATIONAL RESIDENTIAL CODE OR INTERNATIONAL ELECTRIC CODE

REQUESTS FOR INSPECTIONS SHALL BE MADE BY THE PERMIT HOLDER AT LEAST 24 HOURS IN ADVANCE AND SHALL BE DIRECTED TO THE BUILDING AND DEVELOPMENT SERVICES DEPARTMENT (540) 372-1080 BEFORE 3:30 P.M.

WORK MUST COMMENCE WITHIN 6 MONTHS OR PERMIT IS VOID UNLESS RENEWED.

REQUIRED SIGNATURES


CODE OFFICIAL

10/19/07
DATE

CITY OF FREDERICKSBURG
FREDERICKSBURG VA 22404 7447
LIEN AGENT:

MECHANICAL : RESIDENTIAL

PERMIT NUMBER: 0000931 - 2007
USBC: 2093
APPLICATION DATE: 10/18/2007
ISSUANCE DATE: 10/18/2007
RENEWAL DATE:
DATE: 10/18/2007

OWNER NAME/ADDRESS	SITE ADDRESS	CONTRACTOR NAME/ADDRESS
TAYLOR JEFFREY C & TONYA H 1306 GRAHAM DR FREDERICKSBURG VA 22401	1306 GRAHAM DRIVE LOT: 6496 SQ FT 00001	OWNER PHONE: 000 000 0000

RE ACCOUNT#:	TAX MAP NO.:	DESCRIPTION OF CONSTRUCTION LOCATION
7931	315 KL275	LOT: BLOCK: SECTION: BLDG NO.:
SET-BACKS:	HEALTH PERMIT NO.:	DISTRICT:
FRONT: BACK:	FLOODPLAIN:, N	SUB-DIVISION:
RIGHT: LEFT:	AREA:	ZONE: PLANNED DVLPMNT-RESIDENTL
CNTR : FTGCE:	RIGHT-OF-WAY:	S/E CUF NO. : SITE PLAN:

DIRECTIONS TO SITE:

USE GROUP: RESIDENTIAL	USE CODE: SF DWELLING - DETACHED	SQ FEET:
CNST.TYPE:	NATURE/WRK: INTERIOR ALTERATIONS TO FINISH THE BASEMENT OF AN EXISTING RESIDENCE AND ADDING 1 ADDITIONAL BEDROOM (2003 IRC)	

MECHANICAL : RESIDENTIAL	
#HVAC UNIT	#WOOD STOV GAS PIPE
#SPACE HTR	#PREFAB PF DUCT WORK ALTERATION
# BOILERS	#GAS LOGS MISC EQUIP
#HTWR HTR	#SPKLR HD
#ELEVATORS	OTHER
OTHER	NOTE

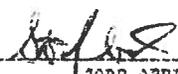
JOB VALUE:	50.00
PERMIT FEE:	50.00
ADM FEE:	
1.75% SURCHARGE:	.88
AMMENDMENT FEE:	
1.75% SURCHARGE:	
TOTAL FEES:	50.88

INTERNATIONAL RESIDENTIAL CODE OR INTERNATIONAL MECHANICAL CODE

REQUESTS FOR INSPECTIONS SHALL BE MADE BY THE PERMIT HOLDER AT LEAST 24 HOURS IN ADVANCE AND SHALL BE DIRECTED TO THE BUILDING AND DEVELOPMENT SERVICES DEPARTMENT (540) 372-1080 BEFORE 3:30 P.M.

WORK MUST COMMENCE WITHIN 6 MONTHS OR PERMIT IS VOID UNLESS RENEWED.

REQUIRED SIGNATURES


CODE OFFICIAL

10/19/07
DATE

CITY OF FREDERICKSBURG
FREDERICKSBURG VA 22404 7447
LIEN AGENT:

PLUMBING : RESIDENTIAL

PERMIT NUMBER: 0000931 - 2007
USBC: 2003
APPLICATION DATE: 10/18/2007
ISSUANCE DATE: 10/18/2007
RENEWAL DATE:
DATE: 10/18/2007

OWNER NAME/ADDRESS	SITE ADDRESS	CONTRACTOR NAME/ADDRESS
TAYLOR JEFFREY C & TONYA M 1306 GRAHAM DR FREDERICKSBURG VA 22401	1306 GRAHAM DRIVE LOT: 6496 SQ FT 00001	OWNER PHONE: 000 000 0000

RE ACCOUNT#:	7831	DESCRIPTION OF CONSTRUCTION LOCATION
TAX MAP NO.:	315 KL275	LOT: BLOCK: SECTION: BLDG NO.:
SET-BACKS:	HEALTH PERMIT NO.:	DISTRICT:
FRONT: BACK:	FLOODPLAIN: N	SUB-DIVISION:
RIGHT: LEFT:	AREA:	ZONE: PLANNED DVLPMNT-RESIDENTL
CNTR : FRTGE:	RIGHT-OF-WAY:	S/E CUR NO. : SITE PLAN:

DIRECTIONS TO SITE:

USE GROUP: RESIDENTIAL	USE CODE: SF DWELLING - DETACHED	SQ FEET:
CNST.TYPE:	NATURE/WRK: INTERIOR ALTERATIONS TO FINISH THE BASEMENT OF AN EXISTING RESIDENCE AND ADDING 1 ADDITIONAL BEDROOM (2003 IRC)	

# FIXTURES	WATER SERV	PLUMBING : RESIDENTIAL		SEWER SERV
		SIZE	SIZE	
18K7LW PRV	MATERIAL			MATERIAL
OTHER	NOTE	OTHER	SHOWER STALL, LAV, TOILET	NOTE

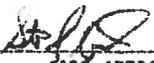
JOB VALUE:	700.00
PERMIT FEE:	55.00
ADM FEE:	
1.75% SURCHARGE:	1.14
TOTAL FEES:	66.14

INTERNATIONAL RESIDENTIAL CODE OR INTERNATIONAL PLUMBING CODE

REQUESTS FOR INSPECTIONS SHALL BE MADE BY THE PERMIT HOLDER AT LEAST 24 HOURS IN ADVANCE AND SHALL BE DIRECTED TO THE BUILDING AND DEVELOPMENT SERVICES DEPARTMENT (540) 372-1080 BEFORE 3:30 P.M.

WORK MUST COMMENCE WITHIN A 6 MONTH PERIOD OR PERMIT IS VOID UNLESS RENEWED.

REQUIRED SIGNATURES


CODE OFFICIAL

10/19/07
DATE

Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 3

CITY OF FREDERICKSBURG
 FRÉDERICKSBURG VA 22404 7447
 LIEN AGENT:

ELECTRICAL : RESIDENTIAL

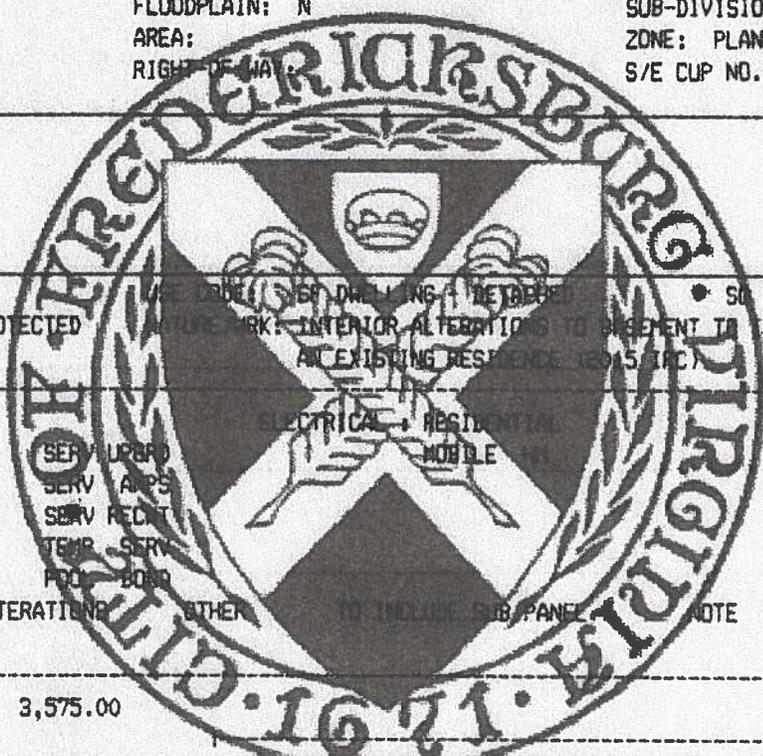
PERMIT NUMBER: 0000108 - 2020
 USBC: 2015
 APPLICATION DATE: 1/31/2020
 ISSUANCE DATE: 2/05/2020
 RENEWAL DATE:
 DATE: 2/05/2020

OWNER NAME/ADDRESS	SITE ADDRESS	CONTRACTOR NAME/ADDRESS
COLEY TERRY L 1306 GRAHAM DR FREDERICKSBURG VA 22401	1306 GRAHAM DRIVE	ACCURATE ELECTRIC CORP 208 TAYLOR STREET FREDERICKSBURG, VA 22405
PHONE:		PHONE: 540 295 6244

RE ACCOUNT#:	7831	DESCRIPTION OF CONSTRUCTION LOCATION	SECTION:	BLDG NO.:
TAX MAP NO.:	315 KL275	LOT:	BLOCK:	

SET-BACKS:	HEALTH PERMIT NO.:	DISTRICT:
FRONT: BACK: RIGHT: LEFT: CNTR : FRTGE:	FLOODPLAIN: N AREA: RIGHT OF WAY:	SUB-DIVISION: ZONE: PLANNED DVLPMNT-RESIDNTL S/E CUP NO.:
		SITE PLAN:

DIRECTIONS TO SITE:



USE GROUP: RESIDENTIAL	MIN. SET-BACKS: 5 FT. (SEE DWELLING - 4 DETACHED)	MIN. SIDE SET-BACKS: 5 FT.	MIN. FRONT SET-BACKS: 5 FT.	MIN. REAR SET-BACKS: 5 FT.	MIN. CORNER SET-BACKS: 5 FT.	MIN. SIDE SET-BACKS: 5 FT.	MIN. FRONT SET-BACKS: 5 FT.	MIN. REAR SET-BACKS: 5 FT.	MIN. CORNER SET-BACKS: 5 FT.
CNST. TYPE: SB COMB. UN-PROTECTED	MIN. SIDE SET-BACKS: 5 FT.	MIN. FRONT SET-BACKS: 5 FT.	MIN. REAR SET-BACKS: 5 FT.	MIN. CORNER SET-BACKS: 5 FT.	MIN. SIDE SET-BACKS: 5 FT.	MIN. FRONT SET-BACKS: 5 FT.	MIN. REAR SET-BACKS: 5 FT.	MIN. CORNER SET-BACKS: 5 FT.	MIN. SIDE SET-BACKS: 5 FT.

#RECEPTCLS	SERV. UPGRD	OTHER	NOTE
# LIGHTS	SERV. APPLS		
# SWITCHES	SERV. RECD		
# FANS	TEMP. SERV		
#HVAC UNIT	PULL BOX		
OTHER	ELECTRICAL ALTERATION	OTHER	UPGRADE
NOTE			

JOB VALUE: 3,575.00

PERMIT FEE: 100.00

ADM FEE:

2.0% SURCHARGE : 2.00

AMMENDMENT FEE:

2.0% SURCHARGE :

DEPOSIT:

TOTAL FEES: 102.00

INTERNATIONAL RESIDENTIAL CODE OR INTERNATIONAL ELECTRIC CODE

REQUESTS FOR INSPECTIONS SHALL BE MADE BY THE PERMIT HOLDER AT LEAST 24 HOURS IN ADVANCE AND SHALL BE DIRECTED TO THE BUILDING AND DEVELOPMENT SERVICES DEPARTMENT (540) 372-1080 BEFORE 3:30 P.M.

WORK MUST COMMENCE WITHIN 6 MONTHS OR PERMIT IS VOID UNLESS RENEWED.

REQUIRED SIGNATURES

Jim Bahre
 CODE OFFICIAL
 (For JFS)

2/5/2020
 DATE

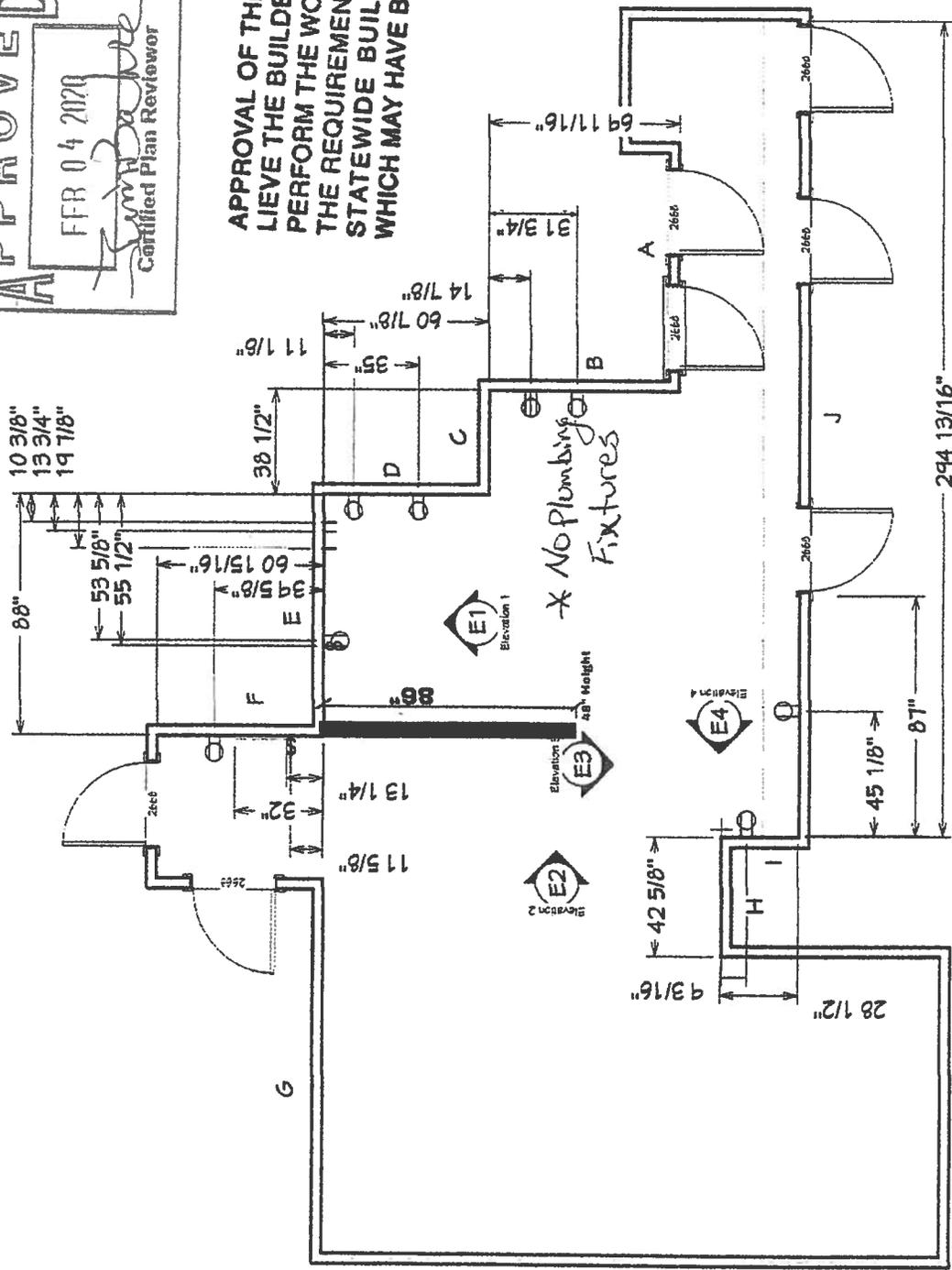
Exhibit 3

APPROVED
 FFR 04 2020
[Signature]
 Certified Plan Reviewer

JAN 31 2020

APPROVAL OF THESE PLANS DOES NOT RELIEVE THE BUILDER OF RESPONSIBILITY TO PERFORM THE WORK IN ACCORDANCE WITH THE REQUIREMENTS OF VIRGINIA UNIFORM STATEWIDE BUILDING CODE FOR ITEMS WHICH MAY HAVE BEEN MISSED OR OMITTED.

FILE



Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 4

CITY OF FREDERICKSBURG
 FREDERICKSBURG VA 22404 7447
 LIEN AGENT:

PLUMBING : RESIDENTIAL

PERMIT NUMBER: 0000108 -
 WERC: 2019
 APPLICATION DATE: 1/31/2020
 ISSUANCE DATE: 2/27/2020
 RENEWAL DATE:
 DATE: 2/27/2020

OWNER NAME/ADDRESS	SITE ADDRESS	CONTRACTOR NAME/ADDRESS
COLEY TERRY L 1306 GRAHAM DR FREDERICKSBURG VA 22401	1306 GRAHAM DRIVE	OWNER
PHONE:		PHONE: 000 000 0000

RE ACCOUNT#:	7831	DESCRIPTION OF CONSTRUCTION LOCATION	SECTION:	BLDG NO.:
TAX MAP NO.:	315 KL275.	LOT:	BLOCK:	

SETBACKS:	HEALTH PERMIT NO.:	DISTRICT:
FRONT: BACK:	FLOOR FIN:	SUB-DIVISION:
RIGHT: LEFT:	AREA:	ZONE: PLANNED DVLPMNT-RESIDNTL
CNTR : FRTGE:	HIGH: LOW:	CUP NO.:
		SITE PLAN:

DIRECTIONS TO SITE:

USE GROUP: RESIDENTIAL
 CNST.TYPE: 5B COMB. UN-PROTECTED
 SE DRAINAGE - DETENTION 5 FEET;
 INTERIOR INTERIOR PERMIT TO INCLUDE ADDING KNEE WALL AT
 IN EXISTING ROOMS TO BE REFINISHED

FIXTURES 3
 #BKFLW PRV

PLUMBING : RESIDENTIAL
 WATER SERV SIZE MATERIAL
 SEWER SERV SIZE MATERIAL

OTHER NOTE REFRIGERATOR, WASHER, DRYER, OTHER NOTE

JOB VALUE:	2,000.00
PERMIT FEE:	105.00
ADM FEE:	
2.0% SURCHARGE :	2.10
DEPOSIT:	
TOTAL FEES:	107.10

INTERNATIONAL RESIDENTIAL CODE OR INTERNATIONAL PLUMBING CODE
 REQUESTS FOR INSPECTIONS SHALL BE MADE BY THE PERMIT HOLDER AT
 LEAST 24 HOURS IN ADVANCE AND SHALL BE DIRECTED TO THE
 BUILDING AND DEVELOPMENT SERVICES DEPARTMENT (540) 372-1080
 BEFORE 3:30 P.M.
 WORK MUST COMMENCE WITHIN A 6 MONTH PERIOD OR PERMIT IS VOID
 UNLESS RENEWED.

REQUIRED SIGNATURES

Jim Bahre
 CODE OFFICIAL
 (For JFS)

2/27/2020
 DATE

Robert H

This is an original design and must not be released or copied unless applicable fee has been paid or job order placed.

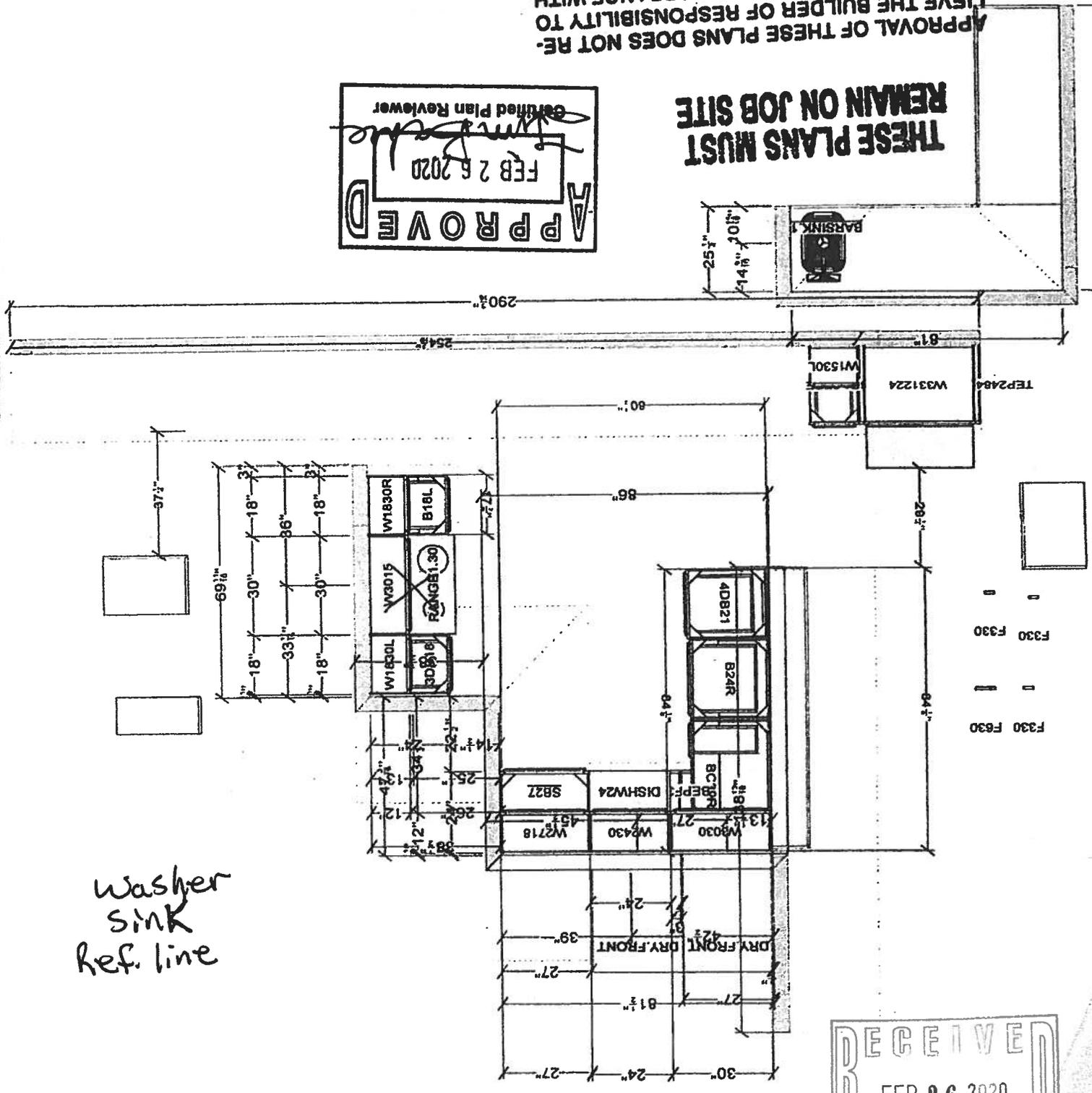
2020

All dimensions size designations given are subject to verification on job site and adjustment to fit job conditions.

APPROVAL OF THESE PLANS DOES NOT RELIEVE THE BUILDER OF RESPONSIBILITY TO PERFORM THE WORK IN ACCORDANCE WITH THE REQUIREMENTS OF VIRGINIA UNIFORM STATEWIDE BUILDING CODE FOR ITEMS WHICH MAY HAVE BEEN MISSED OR OMITTED.

THESE PLANS MUST REMAIN ON JOB SITE

APPROVED
 FEB 26 2020
 [Signature]
 Licensed Plan Reviewer



Washer
 Sink
 Ref. line

RECEIVED
 FEB 26 2020
 By _____

Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 5

Coronavirus Disease 2019 (COVID-19)

People at Risk for Serious Illness from COVID-19

If you are at **higher risk** of getting very sick from COVID-19, you should:

- Stock up on supplies.
- Take **everyday precautions** to keep space between yourself and others.
- When you go out in public, keep away from others who are sick, limit close contact and wash your hands often.
- Avoid **crowds** as much as possible.
- Avoid **cruise travel** and non-essential air travel.
- During a COVID-19 outbreak in your community, **stay home** as much as possible to further reduce your risk of being exposed.

COVID-19: What Older Adults Need to Know

Jay Butler, Deputy Director for Infectious Diseases at CDC, describes preventative measures to help protect older adults from COVID-19.

Who is at Higher Risk?

Early information out of China, where COVID-19 first started, shows that some people are at higher risk of getting very sick from this illness. This includes:

- Older adults
- People who have serious chronic medical conditions like:
 - Heart disease
 - Diabetes
 - Lung disease

If a COVID-19 outbreak happens in your community, it could last for a long time. (An outbreak is when a large number of people suddenly get sick.) Depending on how severe the outbreak is, public health officials may recommend community actions to reduce people's risk of being exposed to COVID-19. These actions can slow the spread and reduce the impact of disease.

If you are at higher risk for serious illness from COVID-19 because of your age or because you have a serious long-term health problem, it is extra important for you to take actions to reduce your risk of getting sick with the disease.

Get Ready for COVID-19 Now

- Have supplies on hand
 - Contact your healthcare provider to ask about obtaining extra necessary medications to have on hand in case there is an outbreak of COVID-19 in your community and you need to stay home for a prolonged period of time.
 - If you cannot get extra medications, consider using mail-order for medications.
 - Be sure you have over-the-counter medicines and medical supplies (tissues, etc.) to treat fever and other symptoms. Most people will be able to recover from COVID-19 at home.
 - Have enough household items and groceries on hand so that you will be prepared to stay at home for a period of time.
- Take everyday precautions
 - Avoid close contact with people who are sick
 - Take everyday preventive actions
 - Clean your hands often
 - Wash your hands often with soap and water for at least 20 seconds, especially after blowing your nose, coughing, or sneezing, or having been in a public place.
 - If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol.
 - To the extent possible, avoid touching high-touch surfaces in public places – elevator buttons, door handles, handrails, handshaking with people, etc. Use a tissue or your sleeve to cover your hand or finger if you must touch something.
 - Wash your hands after touching surfaces in public places.
 - Avoid touching your face, nose, eyes, etc.
 - Clean and disinfect your home to remove germs: practice routine cleaning of frequently touched surfaces (for example: tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks & cell phones)
 - Avoid crowds, especially in poorly ventilated spaces. Your risk of exposure to respiratory viruses like COVID-19 may increase in crowded, closed-in settings with little air circulation if there are people in the crowd who are sick.
 - Avoid all non-essential travel including plane trips, and especially avoid embarking on [cruise ships](#).
- If COVID-19 is spreading in your community, take extra measures to put distance between yourself and other people to further reduce your risk of being exposed to this new virus.
 - Stay home as much as possible.
 - Consider ways of getting food brought to your house through family, social, or commercial networks
- [Have a plan for if you get sick](#):
 - **Consult with your health care provider for more information about [monitoring your health for symptoms suggestive of COVID-19](#).**
 - Stay in touch with others by phone or email. You may need to ask for help from friends, family, neighbors, community health workers, etc. if you become sick.
 - Determine who can provide you with care if your caregiver gets sick

Watch for symptoms and emergency warning signs

- Pay attention for potential COVID-19 symptoms including, fever, cough, and shortness of breath. If you feel like you are developing symptoms, call your doctor.
- If you develop emergency warning signs for COVID-19 get medical attention immediately. In adults, emergency warning signs*:
 - Difficulty breathing or shortness of breath

- Persistent pain or pressure in the chest
- New confusion or inability to arouse
- Bluish lips or face

*This list is not all inclusive. Please consult your medical provider for any other symptoms that are severe or concerning.

What to Do if You Get Sick

- Stay home and call your doctor
- Call your healthcare provider and let them know about your symptoms. Tell them that you have or may have COVID-19. This will help them take care of you and keep other people from getting infected or exposed.
- If you are not sick enough to be hospitalized, you can recover at home. Follow CDC instructions for [how to take care of yourself at home](#).
- Know when to get emergency help
- Get medical attention immediately if you have any of the emergency warning signs listed above.

What Others can do to Support Older Adults

Community Support for Older Adults

- Community preparedness planning for COVID-19 should include older adults and people with disabilities, and the organizations that support them in their communities, to ensure their needs are taken into consideration.
 - Many of these individuals live in the community, and many depend on services and supports provided in their homes or in the community to maintain their health and independence.
- Long-term care facilities should be vigilant to prevent the introduction and spread of COVID-19. [Information for long-term care facilities can be found here](#).

Family and Caregiver Support

- Know what medications your loved one is taking and see if you can help them have extra on hand.
- Monitor food and other medical supplies (oxygen, incontinence, dialysis, wound care) needed and create a back-up plan.
- Stock up on non-perishable food items to have on hand in your home to minimize trips to stores.
- If you care for a loved one living in a care facility, monitor the situation, ask about the health of the other residents frequently and know the protocol if there is an outbreak.



Prevention and
Treatment



Get Your
Household
Ready



What to Do if
You are Sick

Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 6

Fredericksburg, Virginia

GPIN
7768-97-1948

Property Address
1306 GRAHAM DR

Record #
7831

General

Owner's Name:	COLEY TERRY L	Site Information	
Mailing Address:	1306 GRAHAM DR FREDERICKSBURG, VA 22401	Acres:	0.14912800
Description:	LT 275 6,496SF BL 315-K- L275 VILLAGE OF IDLEWILD PHASE 2 1306 GRAHAM DR	Zoning :	PDR
		Terrain Type:	On
		Terrain Character:	Rolling/Sloping
		Right of Way:	Public
		Easements:	Paved
		Other Description:	LOT: 6,496 SQ FT



Details

Size in Sq. Ft.:	3,229		
Value:	\$409,800.00		

Exterior Information		Interior Information		Total SqFt:	3,229	Utilities	
Year Built:	2005	# of Rooms:	9	Basement Type:	Full	Water:	Public
Occupancy:	Dwelling	# of Bedrooms:	5	Basement SqFT:	0	Sewer:	Public
Foundation:	Concrete	Full Bathrooms:	3	Finished Basement SqFt:	1170	Electric:	Yes
# of Stories:	2.0	Half Bathrooms:	1	Interior Walls:	Drywall	Gas:	Yes
Ext. Walls:	No Data	Floors:	Wood, Carpet, Vinyl	Heating:	Forced Air	Fuel Type:	Gas
Roofing:	Comp Shg	Fireplaces:	0	A/C:	Yes		
Roof Type:	Hip	Stacked Fireplaces:	0				
Garage:	Frame	Flues:	0				
Garage - # Of Cars:	2	Metal Flues:	0				
Built-In Garage - # Of Cars:	0	Stacked Flues:	0				
Carport:	None	Inoperable Flues/Fireplaces:	0				
Carport - # Of Cars:	0	Gas Log Fireplaces:	1				

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm, or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as City of Fredericksburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

Exhibit 6

Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 7

ACCESSORY DWELLING PERMIT FILING INSTRUCTIONS

ARLINGTON COUNTY ZONING ORDINANCE (ACZO) §12.9.2



FILING INSTRUCTIONS

Applications for an Accessory Dwelling Permit may be submitted to the Zoning Division (2100 Clarendon Boulevard, Suite 1000, Arlington, Virginia, 22201) weekdays, between 8:00 am and 4:00 pm. Staff will typically complete review within 30 days of receipt of a completed application and supporting documents.

All applicants must submit one (1) set of the following materials (1-3). These materials are available for download on the Building Arlington website as the "AD Application Packet", or hard copies may be picked up at the above address.

1. Accessory Dwelling Permit Application
2. Declaration of Covenants (to be submitted prior to the issuance of a building permit)
3. Affidavit of Compliance (to be submitted prior to the issuance of a Certificate of Occupancy)

NOTE: Following approval of the Accessory Dwelling Permit Application by the Zoning Administrator, the original copy of the Declaration of Covenants must be recorded with the Land Records Division of the Clerk of the Circuit Court (1425 N. Courthouse Rd., Suite 6200, Arlington, VA 22201). A copy of the receipt of recordation must be submitted to the Zoning Administrator before the Inspection Services Division (ISD) will issue a building permit.

All applicants must also submit one (1) set of the following materials (4-5). Applicants are encouraged to work with a professional architect, designer, and/or surveyor in the preparation of these materials.

4. A floor plan of the existing main dwelling and proposed accessory dwelling, as well as a site plan drawing that shows all proposed alterations to buildings and the property (to scale and with dimensions).
5. A certified plat showing all existing improvements on the property (to scale and with dimensions).

NOTE: The maximum permitted size for floor plans and certified plats is 11" x 17". Larger sizes will not be accepted.

Once complete, applicants must bring all the above materials (1-5) to the Zoning Division for preliminary review. A filing fee (see Fee Schedule) made payable to the "Arlington County Treasurer" should be submitted upon filing. If no issues are identified, all materials will be forwarded to the Zoning Administrator for final review and approval.

For more detailed information on the approval process for an accessory dwelling, please proceed to page 2.

ACCESSORY DWELLING PERMIT APPROVAL PROCESS

ARLINGTON COUNTY ZONING ORDINANCE (ACZO) §12.9.2



APPROVAL PROCESS

In order for the Zoning Administrator to approve an Accessory Dwelling Permit, the following steps must take place. The information below is not intended to substitute for the accessory dwelling regulations established in the ACZO §12.9.2.

1. Prior to applying for an Accessory Dwelling Permit, applicants are encouraged to determine if their proposed accessory dwelling meets the below minimum requirements of the ACZO. All applicants should e-mail the Zoning Division to schedule a code consultation meeting to discuss these requirements, as well as the associated requirements of the Virginia Uniform Statewide Building Code (USBC).
 - a. Accessory dwellings may be added on lots containing one-family detached dwellings in Residential (**R**) zoning districts, i.e. **R-20, R-10, R-8, R-6, R-5, R-10T, R-15-30T, and R-2-7**. If uncertain, please use the Real Estate Assessments database to query an address and determine its dwelling type and/or zoning district.
 - b. A single lot may have either one (1) accessory dwelling or one (1) family/caregiver suite, but not both. A proposed accessory dwelling cannot be added to a lot that already has either one (1) accessory dwelling or one (1) family/caregiver suite.
 - c. The applicant must be the owner of the property where the accessory dwelling is proposed to be located.
2. Applicants must submit an application for an Accessory Dwelling Permit to the Zoning Division, consistent with the Filing Instructions listed on page 1.
3. Once the application is deemed complete, Zoning Division staff will conduct a preliminary review of the application (including the floor plan and certified plat) to determine:
 - a. If the proposed accessory dwelling is an independent dwelling unit with its own kitchen and bath.
 - b. If the proposed alterations meet ACZO requirements for the zoning district, including coverage, density, and dimensional requirements.

(NOTE: Step 3.b above does not prohibit the creation of an accessory dwelling in a nonconforming one-family detached dwelling or a nonconforming detached accessory building, so long as any required alterations are completed in accordance with the requirements of the ACZO §12.9.2 and §16).
 - c. If the proposed square footage of the accessory dwelling is compliant with the below size limitations:
 - i. If located wholly within a basement, there is no maximum gross floor area for the accessory dwelling.
 - ii. If the gross floor area of the main dwelling is at least 1,000 sf and any portion of the accessory dwelling is located above the basement, the gross floor area of the accessory dwelling shall not exceed 35% of the combined floor area of the main and accessory dwelling, up to maximum of 750 sf.
 - iii. If the gross floor area of the main dwelling is less than 1,000 sf and any portion of the accessory dwelling is located above the basement, the gross floor area of the accessory dwelling shall not exceed 45% of the combined floor area of the main and accessory dwelling, up to a maximum of 500 sf.
 - d. If the accessory dwelling has an entrance above the first floor, that no exterior stairs to that entrance are located on the side of the lot fronting a street.

(NOTE: Step 3.d above does not apply to accessory dwellings located in detached accessory buildings constructed prior to May 18, 2019).
 - e. If the proposed accessory dwelling is compliant with the below parking requirements established in the ACZO §14.3.

- i. If the existing main dwelling has one (1) dedicated off-street parking space, an accessory dwelling is permitted, subject to the maintenance of one (1) off-street parking space on the property.
 - ii. If the existing main dwelling has two (2) or more dedicated off-street parking spaces, an accessory dwelling is permitted, subject to the maintenance of two (2) dedicated off-street parking spaces on the property. These two (2) parking spaces can be in any configuration that complies with the ACZO §14.3.
 - iii. If the existing main dwelling has no dedicated off-street parking, an accessory dwelling is permitted, subject to the creation and maintenance of one (1) off-street parking space on the property. If the applicant requests to instead utilize on-street parking to meet this parking requirement, a parking survey performed by the Department of Environmental Services (DES) will be triggered (see step 4 below).
4. As described in step 3.e.iii above, DES may perform a parking survey to determine if the applicant can provide one (1) on-street parking space instead of one (1) dedicated off-street parking space on the property.
- a. If the results of the parking survey indicate that the block is less than 65% parked, an accessory dwelling is permitted with no dedicated off-street parking on the property.
 - b. If the results of the parking survey indicate that the block is at least 65% parked, the applicant is obligated to create and maintain one (1) off-street parking space on the property.

For more information on the [DES Residential Parking Program](#), including how long a parking survey may take and any associated fees, please call (703) 228-3344.

5. Following a preliminary review by Zoning Division staff, the Zoning Administrator will review the application. If no issues are identified, the Zoning Administrator will sign and issue the Accessory Dwelling Permit. Following the completion of several follow-up activities (steps 6-10 below), the Accessory Dwelling Permit will allow an accessory dwelling to be occupied on the property.
- (NOTE: please allow approximately thirty (30) days to process the Accessory Dwelling Permit after the application is accepted as complete by Zoning Division staff).
6. The applicant must file for a [building permit](#) (or permits) with the Inspection Services Division (ISD) to carry out all proposed alterations. The Chief Building Official (or other appropriate ISD staff) issues a building permit, as well as permits for associated trades (i.e. electrical, mechanical, plumbing, etc.)
- (NOTE: An application for a building permit may be submitted at the same time that an application for an Accessory Dwelling Permit is submitted to the Zoning Division (step 2 above). However, a building permit for an accessory dwelling cannot be issued until after an Accessory Dwelling Permit has been issued).
7. As part of obtaining a building permit, the applicant must also file the original copy of the Declaration of Covenants signed by the Zoning Administrator with the Land Records Division of the Clerk of the Circuit Court (1425 N. Courthouse Rd., Suite 6200, Arlington, VA 22201). The Declaration of Covenants must include a floor plan of the accessory dwelling. A copy of the receipt of recordation must be submitted to the Zoning Administrator before ISD will issue a building permit.
8. Once a building permit is issued, construction can proceed. Upon its completion, applicants must file for a [Certificate of Occupancy](#) (CO) with the Zoning Division. Staff from ISD and the Zoning Division will conduct inspections of the accessory dwelling to determine if all applicable requirements of the building code and the ACZO have been satisfied.
9. As part of obtaining a CO, the applicant must also file an Affidavit of Compliance with the Zoning Administrator, indicating that all applicable requirements of the ACZO will be observed.
- (NOTE: The Affidavit of Compliance must be re-filed if/when structural alterations are made to the accessory dwelling and if/when ownership of the main dwelling changes).
10. Once the Affidavit of Compliance is accepted by the Zoning Administrator, the CO will be issued by the Chief Building Official and the Zoning Administrator. At this point, the accessory dwelling is complete and ready for occupancy.

ACCESSORY DWELLING PERMIT APPLICATION

ARLINGTON COUNTY ZONING ORDINANCE (ACZO) §12.9.2

Department of Community Planning, Housing & Development – Zoning Division
2100 Clarendon Boulevard, Suite 1000, Arlington, Virginia 22201
building.arlingtonva.us | contactzoning@arlingtonva.us
Phone (703) 228-3883 | Fax (703) 228-3896



ACCESSORY DWELLING INFORMATION		
Address	Zip Code	
Real Property Code (RPC) #	Zoning District	
(NOTE: Accessory dwellings are only permitted on lots with one-family detached dwellings in the R-20, R-10, R-8, R-6, R-5, R-10T, R15-30T, and R2-7 districts).		
APPLICANT/PROPERTY OWNER INFORMATION		
Full Name (First, Last)		
Phone Number	E-Mail Address	
CHECKLIST		
The above-referenced applicant/ property owner wishes to establish an accessory dwelling on the above-referenced property. The applicant/property owner has demonstrated the following (check all that apply):		
<input type="checkbox"/> The existing property is improved with a one-family detached dwelling.		
<input type="checkbox"/> The property does not/will not contain a family/caregiver suite.		
Where is the accessory dwelling located?		
<input type="checkbox"/> Basement level of main dwelling	<input type="checkbox"/> First floor/ground level of main dwelling	
<input type="checkbox"/> Above the first floor/ground level of main dwelling	<input type="checkbox"/> In a detached accessory building	
If located in a detached accessory building, was it existing prior to May 18, 2019?		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	
If located in a new detached accessory building, does it comply with the placement requirements of the ACZO §12.9.2.A.2(b)?		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Where is the entrance to the accessory dwelling located?		
<input type="checkbox"/> Basement level	<input type="checkbox"/> First floor/ground level	<input type="checkbox"/> Above the first floor/ground level
If the entrance to the accessory dwelling is located above the first floor/ground level, are exterior stairs located on the side of the lot fronting a street?		
<input type="checkbox"/> Yes	<input type="checkbox"/> No	

Where is parking located?

- On the property On the street

(NOTE: On-street parking requires a parking study performed by DES that finds the block is less than 65% parked. All off-street parking must meet the requirements established in the ACZO §14.3).

If parking is located on the property, how many total parking spaces are provided?

- 1 2 >2

(NOTE: If the property has 1 existing parking space on the property, 1 space must be maintained. If the property has 2 existing parking spaces on the property, 2 spaces must be maintained. If property has >2 existing parking spaces on the property, at least 2 spaces must be maintained).

If the main building or the detached accessory building used for the accessory dwelling is nonconforming, do all proposed alterations comply with the ACZO§12.9.2 and §16?

- Yes No

Size of the Main Dwelling: _____ sf

Size of the Accessory Dwelling: _____ sf

Meeting with Assistant to the Zoning Administrator occurred on: _____

Is the checklist (and all related documents) complete and attached?

- Yes No

Has a filing fee (see Fee Schedule) made payable to the "Arlington County Treasurer" been submitted?

- Yes No

Signature of Applicant/Property Owner (Or Property Owner's Agent)

Date

FOR STAFF USE ONLY

- Approved Denied

Date Approved/Denied: _____

Approved/Denied by: _____

ACKNOWLEDGEMENT AND AGREEMENT TO COMPLY WITH THE CONDITIONS OF AN ACCESSORY DWELLING CONDITIONS

1. Before approval of a building permit, the property owner shall record a covenant on the property in the land records in a form acceptable to the Zoning Administrator, which identifies the accessory dwelling use and that it is subject to the restrictions imposed by the ACZO.
2. No more than three persons shall occupy the accessory dwelling.
3. The property owner must occupy either the main dwelling or the accessory dwelling as his/her primary residence; provided, however, if the property owner does not occupy one of the dwelling units as his/her primary residence, the entire property may be occupied by no more than one family.
4. Before a Certificate of Occupancy is issued for the accessory dwelling, the property owner shall file an affidavit of compliance with the Zoning Administrator in a form acceptable to the Zoning Administrator attesting to compliance with the conditions of this section, and shall re-file the affidavit of compliance whenever the following occurs:
 - (a) When any structural alterations are made to the accessory dwelling; and
 - (b) Upon change in ownership of the main dwelling.
5. The property owner shall permit annual inspections of the accessory dwelling by the Zoning Administrator or his/her designee upon reasonable notice to ensure compliance with the conditions of this section.
6. The property owner shall cooperate with the Zoning Administrator and his/her designee in ensuring compliance with conditions of this section and in the investigation of complaints of violations of this section.
7. The property owner shall advise all tenants of the accessory dwelling of the annual inspection requirement and obligation to cooperate with the Zoning Administrator in ensuring compliance with the conditions of this section.
8. Accessory uses shall not be allowed in the accessory dwelling except home occupations, including accessory homestay, as permitted and regulated in the ACZO §12.9.11 and §12.9.12.
9. Failure to comply with the conditions in the ACZO §12.9.2 will result in revocation of the Accessory Dwelling Permit and of the Certificate of Occupancy for the accessory dwelling by the Zoning Administrator. Revocation of the Accessory Dwelling Permit and Certificate of Occupancy shall be effective after:
 - (a) A finding by the Zoning Administrator of violation;
 - (b) Notice with 30-day opportunity to correct the violation; and
 - (c) A finding by the Zoning Administrator after 30 days that the violation has not been corrected.
 - (d) Notwithstanding (a)-(c) above, if more than three violations of the provisions in the ACZO §12.9.2 are found to exist by the Zoning Administrator within a one-year period, the Accessory Dwelling Permit may be revoked.

CERTIFICATION

By signing below, I acknowledge that I am entering into an agreement with the Zoning Administrator certifying that I will comply with the requirements for an Accessory Dwelling, per the ACZO §12.9.2. I certify that I am the bona fide resident of the premises identified above; I have read and understand the above conditions; and I can and will comply with each condition without exception. I consent to the use of e-mail for communication with the Zoning Administrator and/or their designee concerning my Accessory Dwelling. I further certify all the information is complete and correct to the best of my knowledge and belief.

Applicant Signature

Date

DECLARATION OF COVENANTS



THIS DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this

_____ day of _____, 20__ by and between _____ hereinafter known as "Declarant" and ARLINGTON COUNTY, VIRGINIA, by and through Arlova Vonhm, its Zoning Administrator.

WHEREAS, the Declarant is the sole owner of certain real property located at _____ in Arlington County, Virginia known as: Lot _____, Block _____, Subdivision _____ as the same is duly dedicated, platted, and recorded in Deed Book _____ at Page _____, among the land records of Arlington County, Virginia.

WHEREAS, the Declarant desires to construct on aforesaid property an accessory dwelling as defined in the Arlington County Zoning Ordinance (ACZO),

WHEREAS, in order to construct and use said accessory dwelling on the aforesaid property, it is necessary to comply with certain zoning requirements and amendments thereto relating to accessory dwelling adopted by the Arlington County Board on May 18, 2019 as Article 12.9.2 of the ACZO.

NOW THEREFORE, Declarant, for and in consideration of the premises and the covenants contained herein does hereby agree to construct said accessory dwelling, to be used, held, transferred, sold, conveyed and occupied subject to the covenants, restrictions, and conditions hereinafter set forth, which are for the purpose of protecting the value and desirability of the premises and the character of the surrounding neighborhood and which covenants, restrictions, and conditions shall run with the real property and be binding on all parties having any right, title, or interest in the described property or any part thereof, their successors and assigns, and shall inure to the benefit of each owner thereof.

Article I

The accessory dwelling to be constructed on the above premises shall consist of not more than 750 square feet (unless fully contained within a basement) and shall be designed, arranged, used, and occupied by not more than three (3) persons.

Article II

In constructing and using this accessory dwelling, in order to meet zoning requirements for all accessory dwellings in all "R" Districts subject to approval by the Zoning Administrator, the Declarant hereby covenants that the following conditions will be binding on the declarant, his successors, and assigns:

- (1) Only one (1) accessory dwelling shall be permitted on the property.
- (2)
 - (a) For attached accessory dwellings located wholly within a basement, the gross floor area shall not exceed the footprint of the basement.
 - (b) When the gross floor area of the main dwelling is at least one thousand (1,000) sf and any portion of the accessory dwelling is located above the basement, the gross floor area of the accessory dwelling shall not exceed 35% of the combined floor area of the main and accessory dwelling, up to maximum of seven hundred and fifty (750) sf. This provision applies to both attached and detached accessory dwellings.
 - (c) When the gross floor area of the main dwelling is less than one thousand (1,000) sf and any portion of the accessory dwelling is located above the basement, the gross floor area of the accessory dwelling shall not exceed 45% of the combined floor area of the main and accessory dwelling, up to maximum of five hundred (500) sf. This provision applies to both attached and detached accessory dwellings.
 - (d) For detached accessory dwellings constructed after May 18, 2019, height shall not exceed either 25 feet or 1-½ stories. Detached accessory buildings constructed prior to May 18, 2019 are eligible for conversion to an accessory dwelling, even if that detached accessory building exceeds either 25 feet or 1-½ stories.
 - (e) For detached accessory dwellings constructed after May 18, 2019, the footprint is restricted to 560 sq. ft. (in the *R-5* and *R-6* districts) and 650 sq. ft. (in all other *R*

districts).

- (3) A valid Certificate of Occupancy shall be effective for the accessory dwelling.
- (4) Required parking for the accessory dwelling, as established in the ACZO §14.3, shall remain in existence.
- (5) A floor plan of the accessory dwelling that identifies its relationship to the rest of the dwelling shall be filed with the Zoning Administrator.
- (6) No more than three (3) persons will occupy the accessory dwelling.
- (7) The owner of the property will permit annual inspections of the accessory dwelling by the County.
- (8) The Owner will advise all tenants of the accessory dwelling annual inspection requirement and of their obligation to cooperate with the Zoning Administrator in ensuring compliance with all applicable Zoning requirements.
- (9) For accessory dwellings constructed after May 18, 2019 with an entrance above the first floor, exterior stairs to that entrance shall not be located on the side of the lot fronting a street. Detached accessory buildings constructed prior to May 18, 2019 may maintain exterior stairs to an entrance above the first floor, even if those exterior stairs are located on the side of the lot fronting a street.
- (10) There shall be one (1) address for the property when the accessory dwelling is located within or attached to the main dwelling. If the accessory dwelling is located in a detached accessory building, it may require a separate address from the main dwelling.
- (11) The Owner of the property will occupy a dwelling on the property. If the Owner does not occupy either the main dwelling or the accessory dwelling as his/her primary residence, the entire property may be occupied by no more than one (1) family.
- (12) The Owner of the property will file with the Zoning Administrator, before the issuance of the Certificate of Occupancy, an affidavit of compliance with ACZO requirements for accessory dwellings. An affidavit of compliance will be re-filed whenever any structural alterations are made to the accessory dwelling and when there is a change in ownership of the main dwelling

IN, WITNESS WHEREOF the following signatures and seals:

COMMONWEALTH OF VIRGINIA
COUNTY OF ARLINGTON

Subscribed and sworn before me this this _____ day of _____, 20_____.

Notary: _____

My Commission expires: _____

APPROVED: _____
*Arlova Vonhm, Zoning Administrator
Arlington County, Virginia*

AFFIDAVIT OF COMPLIANCE



I, _____, make this affidavit in order to comply with Section 12.9.2 of the Arlington County Zoning Ordinance ("ACZO"). Under penalty of perjury, I swear that the following statements are true and correct.

I am the owner of the property known as _____ (street address of the "Property"). My ownership is shown among the land records of the Clerk of the Circuit Court of Arlington County at Deed Book _____, page _____. The Property is improved with a one-family detached dwelling. The one-family detached dwelling contains an Accessory Dwelling ("AD") which complies in all respects with the requirements of the ACZO, including by way of illustration and not limitation, the following:

- a. No more than three (3) persons do now, or will at any time, occupy the AD;
- b. I occupy, as my full-time residence, one of the dwelling units on the Property. At any point, if I do not occupy either the main dwelling or the AD as my full-time residence, the Property may be occupied by no more than one (1) family.
- c. I hereby agree to permit the Arlington County Zoning Administrator or his or her designee to make annual inspections of the AD to ensure compliance with the ACZO.
- d. I hereby agree to cooperate with the Zoning Administrator and his or her designee to ensure compliance with the ACZO.
- e. I have advised all tenants residing in the AD of the annual inspection requirement and of their obligation to cooperate with the Zoning Administrator to ensure compliance with the ACZO.
- f. I hereby certify that no accessory use is being conducted in the AD, except home occupations as permitted and regulated in Sections 12.9.11 and 12.9.12 of the ACZO.
- g. I hereby certify that I have made no alterations in the physical structure located on the Property or the parking located on the Property, nor have I changed the use of the Property in any material way since the last Affidavit of Compliance, which I executed.
- h. I hereby certify that if I make any structural alterations to the AD, or if there is a change in ownership

of the main dwelling, I will execute, within ten calendar days of such change, a new Affidavit of Compliance, consistent with ACZO requirements.

i. The Property and all structures thereon, including the AD, comply with all requirements of the ACZO.

I make this affidavit on this _____ day of _____, 20_____.

Signature of Owner

Printed Name of Owner

COMMONWEALTH OF VIRGINIA
COUNTY OF ARLINGTON

Subscribed and sworn before me this this _____ day of _____, 20_____.

Notary:

My Commission expires:

Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 8





EXIT 8 (16)



Exhibit 8c

Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 9

LOG IN

[Register \(/user\)](#)
[Forgot password \(/user/password\)](#)

LEAGUE OF WOMEN VOTERS®
OF FREDERICKSBURG AREA
(/VIRGINIA/FREDERICKSBURG-AREA)

MAKING
DEMOCRACY WORK®

Empowering Voters & Defending Democracy in the Fredericksburg Area!

Affordable Housing for Low-Income Seniors in the Fredericksburg Area

 SHARE

The League of Women Voters of the Fredericksburg Area supports the need for local governments in Planning District 16 to effectively address the identified affordable housing needs in the the Fredericksburg Area, specifically for low-income seniors.

Position History:

Adopted March 25, 2019

Ratified June 24, 2019

Study Report (https://my.lwv.org/sites/default/files/leagues/wysiwyg/%5Bcurrent-user%3Aog-user-node%3A1%3Atitle%5D/final_-_affordable_housing_report_2-9-19_2_.pdf)

Background

The League of Women Voters of the Fredericksburg Area (LWVFRA) adopted a study in 2017 on the relevant problems and issues for low-income seniors in Planning District 16 (Stafford, Spotsylvania, Caroline and King George Counties and the City of Fredericksburg). The study included an examination of current and future lowincome senior population projections, existing federal, state and local programs, and housing support options in other Virginia jurisdictions. The League used a consensus process to determine how local governments in Planning District 16 could effectively begin to address our area's identified affordable housing needs.

Exhibit 9

The League's Position

The League of Women Voters of the Fredericksburg Area believes that it is becoming increasingly necessary for local governments to take a more prominent role in assuring that there are affordable housing options for low-income senior residents in Planning District 16. Local government jurisdictions are in a position to consider a variety of actions and to act independently or collaboratively to meet the current and future housing needs of our low-income seniors. The LWVFRA recommends the following practical and affordable actions because they can be accomplished without additional state legislative approval and have the potential to increase the affordable housing options for low-income seniors in a relatively short period of time. The League supports:

- Revisions to local zoning ordinances to allow expanded house-sharing options and accessory dwellings for low-income seniors.
- A consortium (contiguous units of local governments with a binding agreement) of the City of Fredericksburg with a sufficient number of counties to meet the population requirements of the HUD Home Investments Partnership Program (HOME), so that the area can compete for the funds allocated to the Commonwealth, with the understanding that participating jurisdictions will provide a ¼ match of the HOME funds received.
- A local Housing Trust Fund composed of one or more local government jurisdictions in Planning District 16, with a dedicated funding source in order to leverage private and public financing to develop and/or rehabilitate affordable housing projects that benefit low-income seniors.
- A land bank to acquire and maintain surplus, foreclosed or abandoned properties, then transfer them back to responsible ownership and productive use in accordance with local government housing priorities, including affordable housing for low-income seniors.
- A timely update of the Affordable Housing Task Force Mid-Year Report (George Washington Regional Commission, September 26, 2008), with particular emphasis on the low-income senior population.
- An "Affordable Housing Advisory Committee" for Planning District 16 that includes broad community representation to evaluate recommendations and proposals developed by The League and other civic organizations, in addition to serving as a coalition to help set priorities for action and advocacy.

In response to the adoption of this position on affordable housing for low-income seniors in the Fredericksburg area, LWVFRA has formed the **Senior Affordable Housing Committee**, chaired by Gerald Anderson. Those interested in supporting our League's efforts are encouraged to contact Gerald via email.

Issues:

[HOUSING \(/MYLO/ISSUES/SOCIAL-POLICY/HOUSING\)](#)

League to which this content belongs: [Fredericksburg Area \(https://my.lwv.org/virginia/fredericksburg-area\)](https://my.lwv.org/virginia/fredericksburg-area)

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★ [ABOUT \(/VIRGINIA/FREDERICKSBURG-AREA/ABOUT\)](#)

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★ [LWVFRA DOCUMENTS \(/VIRGINIA/FREDERICKSBURG-AREA/LWVFRA-DOCUMENTS\)](#)

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★ [POSITIONS \(/VIRGINIA/FREDERICKSBURG-AREA/POSITIONS\)](#)

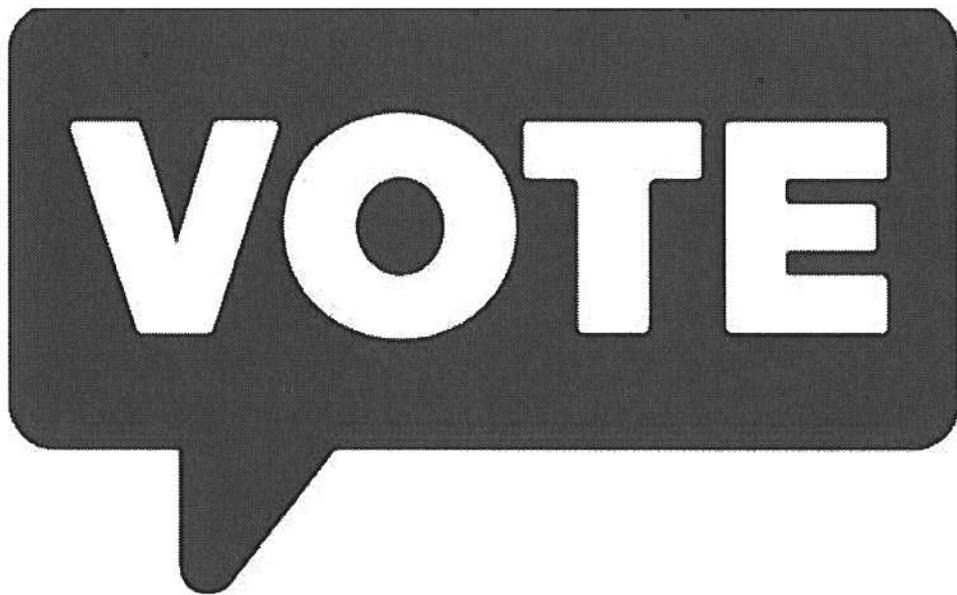
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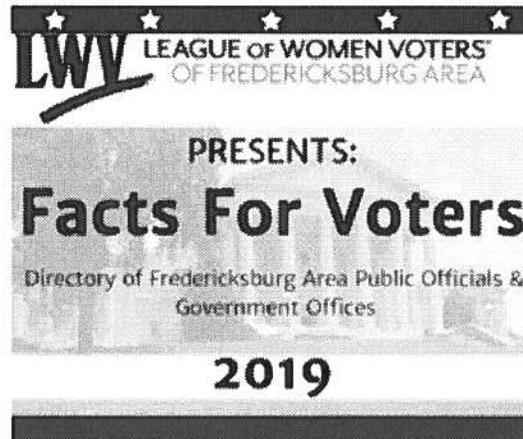
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League of Women Voters[®] of Fredericksburg Area [\(/virginia/fredericksburg-area\)](https://my.lwv.org/virginia/fredericksburg-area)

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[_\(<http://facebook.com/LWVFRA/>\)](http://facebook.com/LWVFRA/)



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Terry Coley
Special Exception Application Attachment
1306 Graham Drive Fredericksburg, VA 22401

EXHIBIT 10



AFFORDABLE HOUSING FOR LOW-INCOME SENIORS IN THE FREDERICKSBURG AREA

STUDY COMMITTEE REPORT

February 9, 2019

Study Committee Members

Gerald Anderson, Chair

Diane Shea

Elaine Diepenbrock

Caroline Parr

Cathie Braman

Exhibit 10

ACKNOWLEDGEMENTS

This report would not have been possible without the input and assistance from a number of outstanding individuals. The authors wish to gratefully acknowledge the contributions from the following:

Ms. Kim McClellan, Public Policy Director, Fredericksburg Area Association of Realtors

Ms. Sarah Walsh, Vice President of Strategic Initiatives, Rappahannock United Way

Ms. Dee Smith, Executive Director, Central Virginia Housing Coalition

Mr. Bob Straight, Virginia Organizing/Fredericksburg Chapter

Ms. Susanna Finn, Community Development Planner, Community Planning and Building, City of Fredericksburg

Mr. Mike Craig, Senior Planner, Community Planning and Development, City of Fredericksburg

Dr. Linda Millsaps, Executive Director, George Washington Regional Commission

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INTRODUCTION

For the last 18 months, the Fredericksburg League of Women Voters (covering Virginia Planning District 16 which includes Caroline, King George, Spotsylvania, and Stafford Counties, and Fredericksburg City) has examined the local situation as it relates to affordable housing, specifically affordable housing for low income senior residents. While it is well documented that in our area there is a lack of affordable and accessible housing for residents with limited income or other financial resources, it is not as clear how that same lack of affordable housing specifically impacts our senior residents. This report looks at the most recent available data, reviews existing housing-support programs and incentives at the federal, state, and local levels and evaluates how well these programs are meeting existing housing needs. As part of that discussion, we have identified challenges and barriers low-income seniors may face as they search for affordable housing.

Our summary and conclusions lead us to a series of recommendations - principally for local government action - that will be presented to our League's members to enable them us to reach consensus about the official positions we intend to adopt. These positions will be used to help influence our local legislators and other leaders in the effort to ensure that all low-income seniors are able to live in safe, healthy, and affordable homes.

This report is organized into the following sections:

- I. Defining the Problem
- II. Current Programs Addressing Affordable Housing Needs for Seniors
 - A. Federal Programs
 - B. Virginia State Programs
 - C. Planning District 16 (PD 16) Affordable Housing Programs and Policies
 - D. Housing Support Options in other Virginia Jurisdictions
- III. Summary and Conclusions
- IV. Study Committee Recommendations
- V. References

I. DEFINING THE PROBLEM

For the purpose of this study, we use the following definitions for “affordable” housing as developed by the U.S. Department of Housing and Urban Development (HUD).

- **Affordable housing** is housing (e.g., a house or apartment) where the occupying household spends less than 30% of their gross income on housing related costs. This includes not only a mortgage payment or rent payment, as applicable, but also all other housing related costs

passed on to the occupying household. This could include real estate taxes, fees, utilities, and maintenance costs.

- When a household spends more than 30% of its income on housing, it is classified as **housing cost-burdened**. Under these circumstances, the household may find it necessary to cut back on items or services that might otherwise be considered necessities (e.g., food, medicine, medical care, or transportation) or put off basic expenditures to keep the residence in good repair. In some instances, households may find it necessary to spend up to 50% of their income on housing related expenses.
- When a household spends more than 50% of its income on housing related costs, it is classified as **severely housing cost-burdened**. Under these circumstances, the cutbacks could become more severe, to the point of threatening health or even life.

According to the American Community Survey, published by the U.S. Census, Virginia's Planning District 16 (PD 16) has an estimated 7,100 senior households (i.e., includes a 65+ year old householder) that are classified as housing cost burdened. Data on those that are severely housing cost- burdened is difficult to ascertain, but based on percentage estimates computed from U.S. data by the Joint Center on Housing Studies at Harvard University, 16% of senior households are severely housing cost-burdened nationwide. If such an estimate holds true for our area, roughly 3,500 senior households in Planning District 16 are severely housing cost-burdened.

Current Senior Populations

A breakdown of the housing cost-burdened senior households by jurisdiction is provided in Table 1. It indicates that:

- The Fredericksburg City population has the largest percentage of housing cost-burdened senior households (42%);
- 32% of senior households in all of PD 16 are housing cost-burdened;
- By county, Spotsylvania has the largest number of housing cost-burdened senior households followed by Stafford.

Table 1. HOUSING COST-BURDENED SENIOR HOUSEHOLDS IN PD 16

Jurisdiction	Senior Households		
	Total	Number cost burdened	% cost burdened
City of Fredericksburg	1768	743	42
Stafford County	6766	1926	28
Spotsylvania County	9090	3110	34
Caroline County	2685	785	29
King George County	1779	533	30
Total	22088	7097	32

Source: U.S. Census Bureau, 2012-2016 American Community Survey, 5-Year Estimates.

Table 2 provides a breakdown of housing cost-burdened senior households by residence type. More than 71% of all housing cost-burdened senior households throughout the region are homeowners (i.e., 5048 homeowners vs. 2049 renters). Looking only at homeowners (vs. renters), 27% are housing cost-burdened.

Table 2. HOUSING COST-BURDENED SENIOR HOUSEHOLDS BY RESIDENCE TYPE

Jurisdiction	Renters			Home Owners		
	Total	Number Burdened	%	Total	Number Burdened	%
City of Fredericksburg	744	446	60	1024	297	29
Stafford County	755	483	64	6011	1443	24
Spotsylvania County	1449	971	67	7641	2139	28
Caroline County	261	74	28	2424	711	29
King George County	212	75	35	1567	458	29
Total	3421	2049	60	18667	5048	27

Source: U.S. Census Bureau, 2012-2016 American Community Survey, 5-Year Estimates.

The fact that fewer owners than renters are cost-burdened may reflect a variety of factors. First, many seniors have likely paid off their mortgage and have to pay only maintenance, utility, and tax expenses. Second, even if senior homeowners are still paying off a mortgage that was obtained years ago, they are very likely to have purchased a house that cost significantly less than current house prices, providing equity value upon which they can draw if necessary. In addition, fixed mortgage payments typical of older mortgages do not inflate as quickly over time as monthly rent payments. Long term ownership of a home with a fixed rate mortgage provides some expense stability that may help prevent low income seniors from facing rapidly increasing housing costs.

It has been argued that the numbers included in Table 2 may not accurately represent real life conditions and that individuals counted in these categories may be spending more than 30% of their gross income on housing but are not cost-burdened. One example is given that a senior household making several hundred thousand dollars per year from investments and retirement accounts may be able to spend more than 30% of their income on housing without being burdened. Census Bureau data strongly suggests this is not the case. The median income of senior households in our area by type of household (single or non-single) is shown in Table 3.

Households comprised of a single senior female, which represent 5,793 of the senior households in PD 16, have median incomes ranging from \$22,471 in Caroline County to \$32,893 in King George County. Households comprised of a single senior male, which represent 2141 households in our region, have median annual incomes ranging from \$25,394 in Caroline County to \$55,759 in the City of Fredericksburg. Other types of senior households (e.g., senior couples), which represent 14,165 households in our region, have median annual incomes ranging from \$50,674 in Caroline County to \$77,042 in Stafford County. Based on salary information, it is clear that most seniors living in PD 16 do not enjoy an income level that easily supports current high housing costs.

Table 3. MEDIAN ANNUAL INCOMES FOR SENIOR HOUSEHOLDS IN PD 16 BY HOUSEHOLD TYPE

Jurisdiction	Single Male Household, 65+		Single Female Household, 65+		Other Senior Households	
	Number	Median Income	Number	Median Income	Number	Median Income
City of Fredericksburg	327	\$55,759	711	\$23,698	741	\$67,337
Stafford County	488	\$40,952	1577	\$30,799	4701	\$77,042
Spotsylvania County	862	\$35,888	2307	\$28,710	5921	\$67,029
Caroline County	227	\$25,394	775	\$22,471	1683	\$50,674
King George County	237	\$42,708	423	\$32,893	1119	\$67,881
Total	2141		5793		14165	

Source: U.S. Census Bureau, 2012-2016 American Community Survey, 5-Year Estimates

It is possible to calculate the average housing cost that would be affordable for each of these household types in the jurisdiction where they live (see Table 4). To avoid being cost-burdened, a senior female living alone with a median income can afford between \$562 and \$822 in housing costs, which include utilities, taxes, and maintenance where appropriate. Senior males living alone with a median income for their jurisdictional area can afford between \$635 and \$1394 per month. Finally, seniors living in non-single households with a median income in their jurisdiction can afford between \$1267 and \$1926 per month.

Table 4. MEDIAN AFFORDABLE HOUSING COSTS FOR SENIOR HOUSEHOLDS BY JURISDICTION AND HOUSEHOLD TYPE

Jurisdiction	Single Male Household, 65+		Single Female Household, 65+		Other Senior Households	
	Median Annual Income	Affordable Monthly Housing Cost	Median Annual Income	Affordable Monthly Housing Cost	Median Annual Income	Affordable Monthly Housing Cost
City of Fredericksburg	\$ 55,759	\$ 1,394	\$ 23,698	\$ 592	\$ 67,337	\$ 1,683
Stafford County	\$ 40,952	\$ 1,024	\$ 30,799	\$ 770	\$ 77,042	\$ 1,926
Spotsylvania County	\$ 35,888	\$ 897	\$ 28,710	\$ 718	\$ 67,029	\$ 1,676
Caroline County	\$ 25,394	\$ 635	\$ 22,471	\$ 562	\$ 50,674	\$ 1,267
King George County	\$ 42,708	\$ 1,068	\$ 32,893	\$ 822	\$ 67,881	\$ 1,697

Source: U.S. Census Bureau, 2012-2016 American Community Survey, 5-Year Estimates.

Table 5 provides a picture of the median housing costs for each jurisdiction by housing type. As one might expect, the data show that owning a home without a mortgage is the least expensive housing available. However, if one looks at these data along with that in Table 4, it becomes apparent that for senior females in the area, a mortgage-free home is likely the *only* affordable means of living alone. Homes without a mortgage are the only option shown in these data to be affordable when compared to a single female’s calculated 30% of income limit for housing. Note that the median affordable housing cost for senior females is less than the median housing cost for single males and all other senior living configurations. Clearly, there is a range of available housing costs for each category, but finding affordable options becomes less likely as the median costs increase.

Table 5. MEDIAN MONTHLY HOUSING COSTS BY TYPE AND JURISDICTION

Jurisdiction	Own Home with Mortgage	Own Home without Mortgage	Zero bedroom rental	One bedroom rental	Two bedroom rental
City of Fredericksburg	\$1,846	\$480	\$784	\$922	\$1,119
Stafford County	\$2,066	\$514	\$1,160	\$1,093	\$1,255
Spotsylvania County	\$1,671	\$452	\$1,362	\$1,032	\$1,198
Caroline County	\$1,437	\$379	\$677	\$759	\$826
King George County	\$1,864	\$482	--	\$802	\$960

Source: U.S. Census Bureau, 2012-2016 American Community Survey, 5-Year Estimates.

The data in Tables 4 and 5 suggest that seniors *not* living alone are most likely to find affordable housing in PD 16 except under non-typical circumstances. The median annual income for these households is within a few hundred dollars per month of the median housing costs for all housing types.

The ability of a senior male living alone to find affordable housing is moderate. His median annual income is likely to be great enough to live comfortably in an owned home without a mortgage or in a zero or one-bedroom rental in any of the jurisdictions. He may have difficulty, however, finding an affordable home to buy with a mortgage or a larger rental unit.

It is evident that a significant senior population exists in PD 16 that has difficulty finding affordable housing at this time. It appears that there are nearly 7,100 senior households that are housing cost-burdened (i.e., spending more than 30% of household income for housing related costs) and nearly 3,500 senior households that are severely housing cost-burdened (i.e., spending more than 50% of household income on housing related costs).

Future Senior Population Projections

The data seems to demonstrate that there is a substantial affordable housing problem facing our area today. If current trends continue, the situation is likely to worsen over time. The U.S. Census Bureau projects that by 2030, the 65+ population will exceed 74 million, an increase of 55% from 2015. By 2060, it projects that the 65+ population will exceed 98 million, a 102% increase from 2015. Housing affordability for low-income seniors, therefore, is likely to become more severe in future years unless forthcoming generations are more prepared for their senior years.

Looking into the future of household income for today's seniors versus the household income of the next generation of seniors, Table 6 provides a partial listing of the annual household income for households aged 65+ and households aged 46 to 64. The number of households aged 65+ are shown with annual incomes between \$0 and \$39,999. The number of households aged 45-64 years old are shown with annual incomes between \$0 and \$59,999. The extension to an income of \$59,999 for the 45-64 year old group was made because published studies suggest that retirement income for households is typically between 50% and 75% of pre-retirement income. Therefore, households making \$60,000 per year in pre-retirement will likely have an income of approximately \$30,000 - \$45,000 per year after retirement.

Table 6 shows that today there are 7,999 senior households in PD 16 with annual household incomes ranging from \$0 to \$40,000 per year. In twenty years, it is projected that there will be roughly 12,312 current households that will be in the 65+ category and have household incomes between \$0 and \$40,000 per year (assuming that upon retirement, those households will earn approximately 60 percent of their pre-retirement income).

This suggests a 54% increase in housing cost-burdened senior households in our area twenty years from now. This assumption is based upon no growth in area population over the next 20 years and that the survivors in the current 65+ group will equal the loss of members of the 46 to 64 group. It also assumes that the economic conditions of households in twenty years will be about the same as today.

Significant population growth or deterioration in the area's economy could easily increase the change in housing cost-burdened senior households well beyond 54% in twenty years. Conversely, a substantial loss of area senior population or considerable improvement in the local economy potentially could decrease the number of disadvantaged senior households over the next twenty years.

Table 6. NUMBER OF HOUSEHOLDS IN AREA WITH LOW TO SEVERELY-LOW ANNUAL INCOME IN 2016 BY AGE GROUP.

Annual Household Income/ Age Group	City of Fredericksburg	Stafford County	Spotsylvania County	Caroline County	King George County	Total
Less than \$10,000						
65+	79	237	419	174	33	942
45 to 64	305	297	502	269	101	1474
\$10,000 to \$14,999						
65+	225	166	419	142	130	1082
45 to 64	77	185	317	92	78	749
\$15,000 to \$19,999						
65+	119	374	384	265	43	1185
45 to 64	107	420	306	61	53	947
\$20,000 to \$24,999						
65+	121	204	489	165	126	1105
45 to 64	103	280	316	104	43	846
\$25,000 to \$29,999						
65+	38	401	606	240	142	1427
45 to 64	102	313	476	179	76	1146
\$30,000 to \$34,999						
65+	111	320	396	135	92	1054
45 to 64	162	342	379	254	57	1194
\$35,000 to \$39,999						
65+	41	368	505	206	84	1204
45 to 64	128	373	362	261	74	1198
\$40,000 to \$49,999						
45 to 64	87	477	732	214	102	1612
\$50,000 to \$59,999						
45 to 64	232	919	1,268	560	167	3146
TOTAL(<\$40K retirement income)						
65+	734	2070	3218	1327	650	7999
45 to 64 (65+ in 20 yrs)	1303	3606	4658	1994	751	12312

Source: 2012-2016 American Community Survey 5-year estimate.

The projected increase of 54% in housing cost burdened senior households in PD 16 over the next twenty years is consistent with national projections by the Joint Center for Housing Studies at Harvard University. It projected the growth in all severely cost-burdened renters throughout the United States from 2015 until 2025. It also projected an increase of between 30.4% and 62% for senior renters over that ten year period. At the same time, the study projected income changes from a best case scenario where increases in income (3.0% per year) exceeded the increase in rents (2% per year), to a worst case scenario where rents increased faster than incomes (3% per year rent increase and 2% per year income increase).

Assuming that national estimates are reflected in PD 16, an even greater need for lower-cost housing for seniors -- especially single female seniors -- appears likely during the next twenty years. Based on data from our area on the current population and income distribution by age, the number of senior households with earnings of less than \$40,000 will likely increase by approximately the same 54% as is projected for the rest of the country.

II. CURRENT PROGRAMS ADDRESSING AFFORDABLE HOUSING NEEDS FOR SENIORS

Providing affordable housing for lower income households, including seniors, is not a new topic. Since the Great Depression, Federal, state and local programs have been developed over time to help provide affordable housing for economically disadvantaged households.

Even though the United States currently has numerous affordable housing programs under various statutes, a shortage of affordable housing for low income seniors remains and is likely to increase. Most of the existing affordable housing programs do not appear to be fully meeting current and projected needs. Many of those that were enacted to subsidize housing costs for the most disadvantaged households are not accepting any new households into the programs. Other programs may be producing "affordable" housing but not necessarily for extremely low and very low income families.

In the following sections, Federal, State, and local programs that could have an impact on affordable housing for low income senior households are outlined. Some were designed specifically for senior households.

A. Federal Programs

Over the decades the federal government funded a number of different supportive programs. These programs are administered primarily by the Internal Revenue Service (IRS), U.S. Department of Housing and Urban Development (HUD) and the U.S. Department of Agriculture (USDA). While low-income seniors are eligible for most of the programs, very few are specifically designated for very-low income elderly individuals. Key programs are summarized below.

Internal Revenue Service (IRS) Low-Income Housing Tax Credit (LIHTC)

The IRS' Low Income Housing Tax Credit (LIHTC) program is the most widely available program for developers to build affordable housing for individuals and families. Investors receive federal tax credits which can be directly subtracted from their annual federal income taxes. This permits developers to finance a project at almost zero interest, resulting in making the project much less expensive to develop and build, particularly when the income from the tax credits is combined with other sources of public financing. It is expected that the cost of owning or renting these homes will be lower than the general market rates.

The City of Fredericksburg currently includes numerous projects that used the LIHTC as one part of their financing package. These are:

- Townsend Square
- Madonna House
- Crestview
- Riverside Manor
- Wicklow Square
- Forest Village
- Weston Circle
- Mill Park Terrace
- Hazel Hill
- Colonial Heights

In reality, the rent charged at some of these projects is not necessarily affordable to low-income renters. Under the program, some of the apartments within the project must rent at a price of roughly 50--60% of the average median income (AMI) for the metropolitan area in which the project is located. Fredericksburg and most of the surrounding counties is classified by the U.S. Department of Housing and Urban Development (HUD) as part of the Washington-Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area. This means that the average median income takes into account the annual income of the families residing within the northern Virginia suburbs of Washington, DC. As a result, the AMI for a family of four residing in any of the covered jurisdictions - including Fredericksburg and most of the surrounding counties - is set at \$117,200 per year. For a family of two the AMI is \$93,800 per year. As a result, the corresponding target rent under this program for a two-bedroom apartment is \$1318 to \$1582 per month, and for a one-bedroom apartment, it is \$1099 to \$1319 per month.

In contrast, the annual medium household income in the City of Fredericksburg is estimated at \$53,980 per year by the 2012-2016 U.S. Census American Community Survey 5-year estimates. Using the 30% rule for affordability, an affordable rent for the *average* household in Fredericksburg is \$1350 per month (including utilities). An affordable rent for a *low income* household with an income of 50% of the AMI for the city is \$675 per month (including utilities).

This clustering of most jurisdictions in our area with the wealthier Virginia cities and counties to our north results in a very small number of rental units being built using the LIHTC program that are affordable to low-income families and individuals.

Only Caroline County is classified within the Richmond HUD Metro FMR Area, which results in an AMI for Caroline County low-income residents of \$83,000. Such an income would translate to a monthly rental of approximately \$2045. To be affordable, rents need to be subsidized. There are two LIHTC-funded rental complexes in Bowling Green with 32 units in the first, and 56 units in the second.

HUD Supportive Housing for the Elderly (Section 202)

The Housing Act of 1959 created the Supportive Housing for the Elderly program, which has two components. The first is a capital advance to develop rental housing through new construction, rehabilitation, or acquisition. Capital advance funds bear no interest and repayment is not required as long as the housing remains available for the intended, low-income seniors for at least 40 years. Private nonprofit organizations may apply to develop Section 202 projects. The organizations must contribute a minimum capital investment of 0.5 percent of the amount that HUD advances. Eligible residents must be at least 62 years of age and of *very low* income (i.e., less than 50% of AMI).

The second component of Sec. 202 is a rental assistance fund. This fund makes up the difference between the HUD-approved operating expenses of the development and the amount of rent the resident pays (30% of adjusted income). These funds may also be used by the nonprofit organization to hire a service coordinator and pay for supportive services (e.g., emergency repair contractors).

This area has only one apartment complex that was built under the Section 202 program and which continues to be supported under the program. Mill Park Terrace Apartments in the City of Fredericksburg also used the LITTC program for some of its construction costs. It has 128 senior apartments. According to information from its service coordinator, there is a waiting list of roughly 150 seniors seeking an apartment at any one time. The coordinator has estimated that the typical waiting time to rent an apartment at Mill Park Terrace is two or more years.

HUD has stopped providing funding for capital advances to develop new housing under Sec. 202, so it does not appear likely that this area will get any additional Section 202 - assisted apartment complexes. HUD continues to provide project rental assistance funding for Mill Park Terrace.

HUD Housing Choice Voucher Program (Section 8)

The Housing Choice Voucher Program, also known as the Section 8 voucher program, is the primary HUD program for providing rental assistance to *very low* income families, including the disabled, and the elderly. The vouchers received under this program may be

used to subsidize rent at any single-family home, townhouse or apartment whose owner accepts a Section 8 voucher.

This program is administered locally by public housing agencies that receive HUD funding. In the Fredericksburg area, Section 8 vouchers are managed by the Central Virginia Regional Housing Coalition.

Under this program, HUD pays the property owner the difference between what the resident can afford to pay for rent and the actual rent for the unit. Eligibility for a voucher is based upon the family's total gross income and size. A family's income may not exceed 50% of the median income for the metropolitan area in which the unit is located. Because most of the Fredericksburg area is considered by the federal government to be within the Northern Virginia housing market, with its higher median incomes and rents, it results in significantly higher rents at any apartment complexes in our region that might otherwise be affordable to persons seeking to use a Section 8 voucher.

A person or family with a housing voucher must pay 30% of their monthly adjusted gross income for rent and utilities, and if the unit rent is greater than the payment standard, the renter is required to pay the additional amount. Currently, the Central Virginia Regional Housing Coalition is not accepting new applications for Section 8 vouchers even if a family qualifies in terms of income.

HUD Self-Help Ownership Opportunity Program (SHOP)

The Self-Help Homeownership Opportunity Program (SHOP) is a HUD program designed to help people with lower incomes to own a home. Under this program, HUD awards grant funds to eligible national and regional non-profit organizations to purchase home sites and develop or improve the infrastructure for new or rehabilitated housing. At the same time, the homebuyers must be willing to contribute significant amounts of their own sweat equity toward the construction or rehabilitation of their home.

To apply for SHOP grants, organizations must have experience in using homebuyer and volunteer labor to build housing and must have completed at least 30 units of self-help homeownership housing within the last 24 months. SHOP grant funds are made available through HUD's annual SHOP NOFA competition. Eligible homebuyers must apply to participate in the SHOP program through a current SHOP grantee or one of their affiliates.

HUD Home Investments Partnership Program (HOME)

The HOME Program administered by HUD provides grants to states and units of local government for a variety of housing activities, according to local housing needs. Eligible uses of funds include tenant rental assistance, housing rehabilitation, assistance to homebuyers, and new construction of housing. HOME funding may also be used for site acquisition, site improvements, demolition, relocation, and other necessary and reasonable

activities related to the development of non-luxury housing. Funds may not be used for public housing or for Section 8 tenant rent subsidies.

All housing developed with HOME funds must serve low- and very low-income families and individuals. For rental housing, at least 90 percent of the families benefited must have incomes at or below 60 percent of the area median income; the remaining 10 percent of the families benefited must have incomes at or below 80 percent of area median income. For home ownership, assistance must be to families with incomes at or below 80 percent of the area median income.

Each year, HUD publishes the applicable HOME rent limits by area, adjusted for bedroom size. For projects with five or more HOME assisted rental units, 20 percent of the units must be rented to very low-income families.

Eligibility is limited to states, cities, urban counties, and consortia (contiguous units of local governments with a binding agreement). Participating jurisdictions must provide a 25 percent match of their HOME funds. Participating jurisdictions must also set aside at least 15 percent of their allocations for housing to be owned, developed, or sponsored by community housing development organizations.

HOME funds are allocated using a formula designed to reflect relative housing need. Forty percent of the funds are allocated to states, and 60 percent is allocated to units of local government. Virginia receives at least \$3 million per year.

Large local jurisdictions that are eligible for at least \$500,000 in direct funding also can receive an allocation from the state. Smaller population communities like Fredericksburg and/or its surrounding counties that do not qualify for an individual allocation under the formula can team up with one or more neighboring counties to form a consortium whose members' combined allocation would meet the threshold for direct funding.

The City of Fredericksburg could separately participate in HOME by applying for program funds made available by Virginia, but it would have to compete with other lower population jurisdictions within the state.

HUD Public Housing

HUD provides federal aid to local housing agencies (HAs) that manage public housing units for low-income residents. Public housing is limited to low-income families and individuals. Eligibility is based on annual gross income and status as elderly, as a person with a disability, or as a family, as well as on citizenship or immigration status.

HA's use the same income limits set by HUD for most other HUD programs -- the low income limits at 80% and very-low income limits at 50% of the median income for the

county or metropolitan area in which the housing is located. At this time there are no local housing agencies in PD 16 that manage public housing units.

USDA Housing Direct Loans

The U.S. Department of Agriculture operates programs for affordable housing projects in rural areas, as designated by each state's USDA Rural Development office. The Multi-Family Housing Direct Loan program provides competitive-priced financing for developers of affordable multi-family housing for low-income, elderly, or disabled individuals and families. Developers, including private and non-profit organizations, are eligible to apply for purchase, improvement and construction loans if they cannot obtain commercial credit that would allow them to charge rents that are affordable. Applications are accepted on an annual basis.

Other USDA housing programs include:

- single family low-interest loans
- fixed rate direct home loans and guarantees
- single family housing repair loans and grants, and
- competitive grants to public and private non-profit Self-Help Housing organizations and Federally Recognized Tribes to be used by families to build their own homes

The City of Fredericksburg, Stafford County, and the urban portion of Spotsylvania County do not qualify for USDA's housing programs, but King George, Caroline, and the rural portions of Spotsylvania are eligible.

National Housing Trust Fund (HTF)

The National Housing Trust Fund (HTF) is a fund created by the Housing and Economic Recovery Act of 2008. The purpose of the HTF is to help provide for the construction and preservation of housing, principally rental units, for *extremely low-income households* (i.e., households with incomes less than 30% of the area AMI). To a lesser extent, HTF also supports homeowner housing, for *very low-income households* (i.e., households with incomes between 30% and 50% of the area AMI).

Unlike other federal housing assistance programs, the HTF has a dedicated funding source. Freddie Mae and Freddie Mac are assessed 0.042% of their total business volume for various federal programs. Sixty five percent of the total assessment goes to the HTF.

HUD administers the funds by providing annual general purpose grants to states based on population ("block grants") to the states and U.S. possessions after approval of their spending plans. A State must use at least 80% of each annual grant for rental housing. Up to 10% may be used for homeownership, and up to 10% may be used for the grantee's reasonable administrative and planning costs.

The HTF funds may be used for the production or preservation of affordable housing through the acquisition, new construction, reconstruction, and/or rehabilitation of non-luxury housing with suitable amenities. Eligible activities and expenses include:

- Real property acquisition
- Site improvements and development hard costs
- Related soft costs
- Demolition
- Financing costs
- Relocation assistance
- Operating cost assistance for rental housing, and
- Reasonable administrative and planning costs

All HTF-assisted units are required to have a minimum affordability period of 30 years. Eligible forms of assistance include:

- Equity investments
- Interest-bearing loans or advances
- Non-interest bearing loans or advances
- Interest subsidies
- Deferred payment loans
- Grants, and
- Other forms of assistance approved by HUD.

The first allocation of HTF funds was made in 2016; Virginia received \$3,139,830. In 2017, Virginia was allocated \$4,672,562, and in 2018, the state distribution was identical to 2017. Local governments must compete for the funding by filing proposed projects or programs with the Virginia Department of Housing and Community Development.

As a relatively new program, HTF is yet to be widely utilized in Virginia.

B. Virginia State Programs

There are a variety of programs administered within Virginia that focus on supporting residents' ability to locate and use affordable, accessible, and acceptable housing. The most prominent are discussed below.

Virginia Housing Development Authority (VHDA)

VHDA is a self-supporting, not-for-profit organization created by the Commonwealth of Virginia that is designed to help Virginians attain affordable housing. VHDA provides mortgages, primarily for first-time homebuyers and developers of quality rental housing. VHDA uses no state taxpayer dollars but raises money in the capital markets to fund loans. It also teaches free

homeownership classes and helps people with disabilities and the elderly make their homes more livable. VHDA works with lenders, developers, local governments, community service organizations and others.

VHDA has many different programs to help individuals buy or rent an appropriate home. To qualify for a VHDA loan, an applicant must demonstrate credit worthiness and have both a stable income and adequate funds for a down payment and other purchase costs. By definition, this requirement may effectively exclude those in the very or extremely low-income levels. To obtain a loan, the applicant must be a first time homebuyer (unless the purchase is for a home in an Area of Economic Opportunity), and intend to live in the residence – it may not be used for a trade or business. The VHDA loan program requires applicants to complete the VHDA’s Homeownership Education Class. .

The Housing Choice Voucher Program helps provide affordable housing to very low- and low-income individuals and families, including people with disabilities and senior citizens. Vouchers are distributed through VHDA in partnership with local housing agency partners and allow qualifying prospective tenants to select from a wide range of housing options. In Planning District 16, the voucher program is administered by the Central Virginia Housing Coalition.

The tenants pay the landlord a percentage of their monthly income, with the voucher subsidizing the remainder. A rental unit qualifies for subsidy only if it is in decent, safe, and sanitary condition as defined by program Housing Quality Standards. A unit may include single family homes, apartments, or mobile homes.

VHDA also has some “accessibility grants” available through the Rental Unit Accessibility Modification (RUAM) program. These grants are for modifications that would improve daily living for persons with disabilities. While fair housing laws generally permit modifications, tenants typically bear the cost of having the modifications made. Grants of up to \$4,000 per rental unit are available to qualified tenants who earn 80% or less of the area median income based on HUD guidelines.

Department of Housing and Community Development (DHCD)

The VA Department of Housing and Community Development invests more than \$100 million each year into housing and community development projects throughout the state - the majority of which are designed to help low- income to moderate-income citizens. Programs and partnerships are designed to support economic development, revitalization, infrastructure improvements, housing, and other community issues. DHCD programs generally fall into four categories:

- housing finance services,
- housing preservation,
- community infrastructure development, and
- shelter services.

Examples include: down payment assistance (DPA); gap financing to support production of affordable housing; preservation and rehabilitation support for existing affordable housing stock; Virginia Community Development Block Grant (VCDBG); grant assistance to homeless shelters; and support for child care and services for children from homeless families. The DHCD also administers the National Housing Trust Fund (see below). Direct shelter and child care services will not be discussed here.

Among finance services, the Down Payment Assistance (DPA) program provides flexible gap financing for first-time homebuyers with household incomes at or below 80% of the Area Median Income (AMI) to purchase homes that are safe, decent and accessible. Home buyers access funds through local DPA provider agencies that are selected by the state through a competitive application process.

There is considerable flexibility in the type of home, including condos and manufactured homes that can be purchased under the program. Houses purchased under the DPA must pass a Uniform Physical Condition Standards inspections, and a visual paint Assessment by a certified lead inspector if built before 1978. The DHCD grants require that the buyer completes a homebuyer education counseling course.

Housing and associated costs cannot exceed 95% of the area median home sales price as established by HUD. The homebuyer must provide 1% of the sales price from their personal income, or a contribution of \$500 if their income is below 50% of AMI.

DHCD housing preservation programs generally emphasize development and modification of housing rather than direct support of the owner or renter. A preservation grant requires some long term guarantee of access to permanent utility hook-up and must be located on land that is owned by the participant or leased for a period at least equal to the affordability period.

Comprehensive community development assistance is available through the Virginia Community Development Block Grant (VCDBG) program in non-urban parts of the state. This federally funded program provides grants to eligible units of local government for projects that address critical community needs, including housing, infrastructure, economic development and telecommunications.

The DHCD also administers the funding from National Housing Trust Fund (HTF) that is allocated to the state (see Federal Program section). The DHCD allocates these funds competitively through its annual "Affordable and Special Needs Housing" application process. Non-profits propose projects making use of the funds in various jurisdictions throughout the state and the DHCD selects the most beneficial. The projects must relate to affordable rental properties for **extremely low-income households**. The funds are provided as low interest loans for construction or rehabilitation.

Virginia Housing Trust Fund

The Virginia Housing Trust Fund was established in 2013. The trust fund receives funds as appropriated by the General Assembly from the general fund of the Commonwealth of Virginia. In the most recent biennium budget, this fund is to receive \$5.5 million in 2018 and 2019.

At least 80% of the fund is to be used for short, medium, and long-term loans to reduce the cost of homeownership and rental housing. Up to 20% of the fund may be used to provide grants for targeted efforts to reduce homelessness.

The Virginia Department of Housing and Community Development (DHCD) administers distribution of the funds along with the Virginia Housing Development Authority (VHDA). The 80% that is earmarked for reducing the cost of homeownership and rental housing is included in the semi-annual "Affordable and Special Needs Housing" application process and distributed according to the benefits determined for the various projects (see above).

C. Planning District 16 Affordable Housing Programs and Policies

There are also a number of locally operated programs, policies and incentives to help low income residents obtain or retain affordable housing. Some key local approaches are described below.

PROGRAMS

Tax relief

State law allows local jurisdictions to provide real estate tax relief for seniors (65 and older) and the disabled, but the requirements and amount of tax relief differ from one jurisdiction to the next.

In *Fredericksburg*, tax relief is provided if (1) the home is the sole dwelling of the owner; (2) income from all sources does not exceed \$50,000; and (3) the total net worth of the owner(s) is less than \$200,000. The value of the house and lot are not included in the net worth.

Stafford County provides several programs. Full tax relief (up to \$3000) is provided to seniors whose total income is less than \$35,000 and whose total net worth is \$200,000 or less. Partial relief at 50% is provided to seniors whose income is between \$35,001 and \$40,000 and whose net worth is no more than \$200,000. Fifty percent relief is also provided to seniors whose income is \$30,000 or less and whose net worth is no more than \$400,000. These programs apply only to the applicant's home and one acre of land. The maximum tax relief is \$3000.

Spotsylvania County provides relief to those who meet the following criteria: Income of \$50,000 or less; net worth less than \$200,000 (excluding home and up to 10 acres); and applicants reside in Spotsylvania County at the exempted home. Up to \$1200 in taxes can be exempted under this program.

King George County provides tax relief to those that meet the following criteria: the combined gross income of the household is not greater than \$40,000 and the maximum amount of assets of the household does not exceed \$60,000 excluding the dwelling and five acres of land. Under these circumstances, eligible residents will have their total property tax bill exempted.

Caroline County exempts up to \$1000 in real estate taxes for seniors whose household income does not exceed \$40,000 and net worth, excluding the house and land, is not more than \$85,000.

Funds for House Repair and Accessibility

In all the jurisdictions, some funds are available for house repair and accessibility needs for low-income homeowners including seniors. In Stafford, Spotsylvania, Caroline and King George Counties, the state-funded Emergency Home and Accessibility Repair Program (EHARP) provides funds to low-income residents to remove urgent, emergency health and safety hazards. It also addresses physical accessibility barriers for low-income Virginians. The program provides funding to local administrators to undertake physical repairs that improve housing conditions. Eligible repairs can include plumbing, structural, electrical, roofing, as well as installation of wheelchair ramps and other accessibility modifications. Up to \$4000 is available for applicants.

Healthy Generations, formerly known as the Rappahannock Area on Aging, previously was the local administrator of this program, but this year the program was transferred to the Caroline County Habitat for Humanity organization.

As an “entitlement community” based on need, Fredericksburg does not qualify for the EHARP program but instead receives a Community Development Block Grant (CDBG) from the Virginia Department of Housing and Urban Development (DHUD). This grant, which provides emergency funds for plumbing, electricity and roof repair, is open to all income-eligible homeowners (at or below 50% of the area median income). Loans are forgiven over five years at 20% of the loan each year. In the 2018-2019 fiscal year the City received approximately \$186,000 from the CDBG, which funds home repair as well as other programs, including down payment assistance, removing architectural barriers, etc. Assistance can range from a few thousand dollars to \$22,000, depending on need. The DHUD takes applications year-round and maintains a waiting list.

POLICIES

Land Use and Zoning Policies

Land use and zoning policies have the potential to provide incentives for producing or preserving housing for low-income households, including seniors. The ability of a city or county

in Virginia to adopt zoning tools to control land use or provide incentives for expanded housing is constrained by state statute. Virginia is a “Dillion’s Rule” state in which the legal authority of local governments is limited by what state statutes have “expressly granted” or “fairly implied” to the jurisdiction. If a Virginia jurisdiction is interested in regulating the use of property, such as requiring developers to set aside some rental apartments for low-income residents, it may be necessary to change state law to allow the city or county to exercise that specific authority. Some changes to local housing policies may be achieved by other means, such as city or county ordinances or voluntary incentive programs.

Occupancy Regulations and Potential Senior House Sharing

By using creative shared housing situations, seniors may be able to ensure that the cost of their total housing expense is affordable although some of these possibilities also may be limited by local occupancy regulations and other zoning policies.

In *Fredericksburg*, occupancy regulations in the zoning code place a limit of no more than three unrelated people living together as a family. The definition of “family” is “one person or two or more persons related by blood, adoption or marriage, living and cooking together as a single housekeeping unit, with no more than two boarders, or a group of not more than three unrelated persons living together as a single housekeeping unit.” A larger group may share a residence only if they are identified in Sec. 15.2-2291 of the Code of Virginia (e.g., mental illness, intellectual disability, or developmental disabilities).

In a summary sheet that outlines occupancy restrictions, the City portrays overcrowding as the reason for limiting the size of households with unrelated residents. It refers to health studies that show risks from overcrowding (e.g., limiting children’s exercise and play areas, reducing privacy, fatigue from routine household tasks, spread of infection and disease). According to conversations with local officials, it appears that the current restrictions were devised primarily to address overcrowding in housing rented to students.

For *King George and Caroline Counties*, there are no zoning regulations regarding who occupies a dwelling. Instead, the total number of people who may reside in a dwelling is based upon an adequate number of bedrooms and adequate drainage of the property. House sharing, therefore, is an alternative option in those counties.

In *Stafford County*, a group of up to 4 unrelated persons living and cooking together is permitted under the zoning code. The limitation on the number of unrelated persons does not apply to any of the residents who are handicapped. While not as flexible as the regulations in King George or Caroline Counties, Stafford County’s requirements are more open to the option of house sharing for senior citizens.

Spotsylvania County has an identical residential occupancy ordinance to that in the City of Fredericksburg.

Accessory Dwelling Unit Regulations (“In-Law Suites”)

Accessory dwelling unit is the legal designation for a private living area either within, attached to or on the same property as a house. These units are also often referred to as “in-law suites”, “granny flats” or “carriage houses.”

In *Fredericksburg*, current zoning laws allow accessory dwellings, but only when the accessory dwelling does not make the number of dwellings on the property exceed the existing zoning code. For example, if a property is zoned Residential-4, four dwellings are permitted per acre. Lots where an accessory dwelling could be permitted are very rare because most residentially-zoned areas in the city already have the maximum number of dwellings per acre. Developers generally sub-divide their property to take maximum advantage of the zoning limits so that they can build as many units as are allowed. As a result, particularly in the older city neighborhoods, “infill” building projects have reached the limits of the dwelling site maximums. The city council has recently, however, asked the zoning department to investigate how the rule might be relaxed to permit more accessory dwelling units in the future.

In *Stafford County*, accessory dwellings are permitted in areas zoned A-1 Agricultural, A-2 Rural Residential, and R-1 Suburban Residential. The dwellings are subject to the following regulations:

- An accessory dwelling shall not exceed twenty-five (25) percent of the total gross floor area of the principal dwelling unit.
- There shall be no more than one accessory dwelling per lot.
- When an accessory building is located in the principal dwelling, the entry to the unit and its design shall be such that the appearance of the building shall remain a one-family residence.
- An accessory dwelling shall have the same address as the principal dwelling.
- This term shall not include a carriage house.

In *Spotsylvania County*, “accessory apartments” are the only accessory dwellings permitted and are permitted only in mixed-use districts (MU-1 through MU-4). These units can be above a garage or elsewhere. They must be at least 200 square feet and meet all property set-back limits. A discussion with the planning department indicates that no requests have been made for such units in the county.

Caroline County permits only a separate dwelling unit within a Rural Preservation District and they are termed “family apartments”. These dwellings have several stringent restrictions, including the following:

- Units may not be occupied by more than three (3) persons, at least one of which must be the natural or adopted parent, grandparent, child, grandchild, brother, or sister of the owner and occupant of the single family residence on the same lot;

- Unit can contain no more than 1,000 square feet of living space, with a single bedroom
- No dwelling units other than the principal structure (a single-family dwelling) and only one such family apartment shall be located on a lot;
- When such a unit is no longer needed by a member of the immediate owner's family and the three (3) year period following the date it passes final inspection by the County Building Official has expired, the unit shall be considered a nonconforming use and as such can be rented to anyone.

In *King George County*, accessory dwellings are permitted only within the R-1 district (one dwelling per lot) by special exception and require at least two public hearings and approval by the board of supervisors. The accessory dwelling unit can be no larger than 800 square feet. Other restrictions include that the overall property continue to have the appearance of a single dwelling, and that if no public or well water or community sewer is available at the property, the overall lot size requirement for the single dwelling must be increased by at least 5,000 square feet.

D. Housing Support Options in Other Virginia Jurisdictions

There are some creative approaches being used in other areas of the state to address the problem of insufficient affordable housing. Several of these are described below.

Donated Public Land

Some local governments have made land available at reduced or no cost for affordable housing. Excess land can be owned by the city or county, a school district, a parks authority or other local entity and can be either vacant or underutilized. Both Arlington County and the City of Alexandria have programs that use public land for affordable housing.

Faith-Based Development

There are many houses of worship, some of which have valuable surplus land or underutilized areas on their property. All or part of such land might be sold or leased for the purpose of turning it into living space for low-income seniors. According to David Bowers, vice-president of the non-profit Enterprise Community Partners, as reported in the Washington Post, the Mid-Atlantic region has become a national leader in this area.

Such projects are typically a public-private partnership between the developer, the church, and city or county housing offices which assist with long-term loans. Arlington County and the City of Alexandria have both used this method to build low-income housing.

Inclusionary Zoning/Density Bonus Offsets

Inclusionary zoning is a set of mechanisms, both voluntary and mandatory, that are designed to address local policy goals. Local jurisdictions are allowed by state law to enact voluntary

inclusionary zoning ordinances. Approximately 13 cities and counties in Virginia, including Fredericksburg City, have adopted inclusionary-type ordinances.

These types of ordinances cannot require developers to include affordable housing units in new projects unless the developer is compensated with some type of benefit in exchange for doing so. A benefit, such as allowing the developer to build the project with more units than would otherwise be permitted (a “density increase”) makes inclusionary zoning in most Virginia communities essentially a voluntary incentive. Jurisdictions in Planning District 16 can only encourage developers to include affordable housing in their projects by offering project incentives. These can include offering the developer the ability to construct at a higher density than the underlying zoning allows (e.g., allowing an 80-apartment complex where the underlying zoning allows only 60 apartments), or providing a faster project approval process than other developers are normally provided.

Some Virginia jurisdictions have obtained statutory authority from the General Assembly to adopt ordinances that can mandate developers to provide inclusionary zoning. None of the jurisdictions in Planning District 16 are in this category, so counties and the City of Fredericksburg have no authority to require that developers negotiate with them when new projects are planned. State legislation would have to be introduced and passed to give local governments in our area the ability to require inclusionary zoning.

Arlington County has an Affordable Housing Ordinance that gives developers additional density for a project if they include a certain number of affordable units or contribute to the county’s Affordable Housing Investment Fund. The City of Alexandria provides an incentive to build affordable housing units by providing a “bonus density” of up to 20 percent and a bonus height of up to 25 feet in exchange for affordable units or by making an equivalent contribution to the City’s Housing Trust Fund. The counties of Loudoun, Fairfax, Albemarle and Fairfax City and also have similar programs, although none of them appear to be reserved for low-income senior housing.

Local Housing Trust Fund

Local governments in Virginia have statutory authority to establish a local housing fund. The requirements are somewhat different for cities than for counties. Generally a local trust fund receives its revenues from a dedicated funding source - such as developer contributions, loan repayments and interest. It can be used to leverage private and public financing to develop and rehabilitate affordable housing projects. It can also be used as a match for federal HOME funds, homebuyer education and foreclosure prevention, and a variety of other local projects.

The City of Alexandria Housing Trust Fund is nearly 30 years old and has helped to create more than 260 units and over 150 rehabilitation and accessibility projects. It is overseen by an advisory committee, administered by the City’s Office of Housing and the disbursement of funds is authorized by the city council. The City of Richmond began a Housing Trust Fund in 2015-2016 with \$2.2 million and attracted \$78 million in private and public funds. As a result,

1100 families, seniors and previously homeless individuals now have safe, affordable housing. By the city's estimates, over 700 jobs have been created and more than \$50 million in economic activity has been generated.

Affordable Housing Overlay Zone

Overlay zones are generally used to protect special features in a community such as historic buildings, wetlands, and waterfronts. Such zones are applied over one or more existing zoning districts and provide additional or stricter standards for properties inside the zone.

If authorized by Virginia statute, local jurisdictions can use an overlay district to require the development of affordable housing, particularly housing targeted at specific groups such as low-income seniors. Arlington County has established such zones to retain affordable housing in parts of the county that are proposed to be redeveloped. Rather than allowing a developer to demolish existing units and construct new units at higher densities charging market rates, the county requires the development to be built only if the old units are replaced on a one-for-one basis.

Reduced Parking Requirements

Another voluntary incentive for developers to set-aside units for low-income seniors in a housing development is a reduction of the number of parking spaces per unit, as would be required under current zoning. The City of Alexandria currently provides optional parking unit reductions to developers in exchange for an increased number of units set aside for low-income households.

Tax Increment Financing

Tax increment financing (TIF) is generally considered a source of revenue for economic development, but it also can be used to leverage the development of housing. A TIF anticipates future incremental tax revenues resulting from new development within a designated district and dedicates the projected revenues to finance bonds or to support community projects, including affordable housing. Both Arlington County and the City of Alexandria have utilized TIF-financed bonds to build affordable housing units.

Inventory of Naturally Occurring Affordable Housing

Existing rental properties that might become unavailable to low-income seniors due to demolition, unaffordable rent increases, condominium conversions, etc. may be unknown to the local government in the absence of a method of identifying them in advance. An interactive website, called the National Housing Preservation Database provides information on all available data on federally subsidized housing properties developed with nine distinct funding sources. Virginia also tracks housing units produced or preserved with federal subsidies.

Land Banks

Land banks are entities established by local ordinance to acquire, hold, and manage foreclosed and/or abandoned properties in their jurisdiction(s). These entities can be either governmental or nonprofit and can cover more than one jurisdiction. In Virginia, their establishment and operation are allowed for all local governments under the Land Bank Entities Act. Currently, none of the local jurisdictions that are the subject of this report have elected to establish land banks. However, they have the power to form one or more through a public hearing and the enactment of a local ordinance.

Land banks are designed to acquire and maintain problem properties in their jurisdictions and then transfer them back to responsible ownership and productive use in accordance with local land use goals and priorities, creating an efficient and effective system to eliminate blight.

In order to accomplish these tasks, land banks are not given the power of eminent domain, but are generally granted the ability to:

- Obtain property at low or no cost through the tax foreclosure process
- Hold land tax-free
- Clear title and/or extinguish back taxes
- Lease properties for temporary uses
- Negotiate sales based not only on the highest bid but also on the outcome that most closely aligns with community needs, such as workforce housing, a grocery store, or expanded recreational space

While all land banks exist to serve the same primary purpose of acquiring problem properties and returning them to productive use, they are quite diverse in their structure and operations. There are approximately 170 land banks and land banking programs in operation throughout the country (as of January 2018) but only one in Virginia (The City of Danville). They vary greatly in terms of the types of cities, regions, and economic conditions in which they operate, the size of their inventories, their staff capacity, their legal authorities, and their goals and programs.

Land banks are generally funded through a variety of sources, which may include revenue from the sale of properties, foundation grants, general fund appropriations from local and county governments, and federal and state grants. Several of the more successful land banks from around the country are capitalized by their local units of government either through yearly budget allocations or in-kind assistance such as shared staffing. A unique funding mechanism in the code for Virginia jurisdictions is the ability to return 50% of tax revenue from a property returned to productive use to the land bank entity for the first ten years.

III. SUMMARY

The problem of insufficient affordable housing in our local area is well known and documented. Statistical analyses by a variety of sources demonstrate that this problem extends to and includes low-income seniors, and the problem is expected to grow in the future. There are roughly 7,100 senior households in PD 16 that are housing cost-burdened at this time. Of those households, roughly 3,600 are severely housing cost burdened. These numbers are expected to increase more than 50% over the next 20 years, and more than double by 2060. This is an expanding problem that requires a well coordinated effort to ensure that all low-income seniors are able to live in homes that are affordable, accessible, decent, and safe.

While there are a number of different programs and incentives in place to address the problem of insufficient affordable housing, few of them are intended to specifically target the low-income senior population. Generally, most affordable housing programs focus on workforce housing, families with children or persons with disabilities. While low-income seniors may be included in each of these eligibility categories, they remain a relatively small but growing proportion of the total group, and their needs often do not attract much of the public's attention.

IV. CONCLUSIONS

Funding for existing federal and state programs has continued to decline in recent years while the cost of housing has continued to increase, particularly for retired seniors whose income is generally lower than when they were employed. While we strongly encourage our national and state League of Women Voters to continue their advocacy work to improve the affordable housing laws and policies at all levels of government, given current federal and state funding and program limitations identified in this report, it is evident to us that future progress must be addressed at the local government level. It is becoming increasingly necessary for our local governments to step into the gap and take a more prominent role in assuring that there are affordable housing options for low-income older residents. And it seems apparent that the problems must be addressed proactively now, before they grow beyond reach.

A number of actions present themselves as possible avenues for making positive change that will help ensure safe and affordable housing for low-income seniors in Planning District 16. While each may not be immediately possible, they all should be considered as part of a long term plan for improving the housing options for our area's growing low-income senior population.

- Cooperation between the counties and the City of Fredericksburg is crucial to providing more effective federal and state assistance to low-income seniors in PD 16. The combined populations could also help our area qualify for certain federal and state programs.
- More comprehensive and current information about the scope of the problem for low-

income seniors in Planning District 16 is needed so that the City, its surrounding counties and the development community can fully understand the costs and benefits of adequate affordable housing for this growing population.

- Local zoning codes should be updated to allow innovative housing options for low-income seniors. For example, limitations on occupancy regulations may have the unintended consequences of restricting a group of low-income seniors from sharing a large house or apartment that might otherwise be too expensive for 1-3 unrelated individuals. In today's market, newer house construction generally includes four, five, or more bedrooms in one structure. If four or five seniors were allowed to rent such houses, it could result in not only affordable housing for all the residents but also create a residence with more social interaction and mutual assistance with aging issues.
- Accessory dwelling requirements may prevent aging parents to live close to their children and still have a private space. Converting a basement or garage to an accessory dwelling or constructing a "grannie flat" in the back yard would make that possible and financially beneficial to both parents and children. Similarly, many seniors' homes are bigger than they might want to take care of. Some might prefer to construct an accessory dwelling on their property and rent out the old, large home to a younger couple or family while they move to a newly-constructed accessory dwelling on the same lot. This would not only increase the stock of affordable housing for low-income seniors, but provide them with added income to be able to continue to afford living in the area. A senior individual or a couple in a grannie flat are unlikely to create an additional demand on parking since they may not drive or the size of the lot is likely to be large enough to accommodate an additional vehicle.
- The donation or reduced price of local government-owned land can be a no- or low-cost method for providing affordable housing without costing the public entity a large expenditure of public funds. The cost of development is reduced for builders and infrastructure improvements can be significantly less expensive. In addition, low income seniors living in apartments built on donated public land typically do not cost the local government substantial new expense since there is no need to build additional schools or parks to serve the residents.
- Houses of worship or not-for-profit organizations sometimes have unused or underutilized land that they could be interested in selling for low-income housing. Such organizations may be less concerned with getting the highest sale price, thereby reducing the cost of an affordable senior housing project to a non-profit developer.
- Sometimes affordable housing on the private market may be available to low-income seniors who have no easy way to access the information. While there is online data that tracks federal and state-funded housing properties, there is no similar regional inventory or "available housing" clearinghouse as a method to identify and track affordable units.

- Land banks are not a necessary entity in all jurisdictions, but in the right environment and with the right legal structure, a land bank can be a key tool for returning vacant and poorly maintained property to productive use, including the development of affordable housing for low-income seniors.
- Local Housing Trust Funds permit jurisdictions to move quickly and decisively when opportunities arise. They also are used by localities as leverage to obtain money from other sources such as the HUD HOME grants for affordable housing projects.

V. RECOMMENDATIONS

The Study Committee makes several recommendations for the League of Women Voters of Fredericksburg to consider in determining a position on ensuring affordable housing for low-income seniors in Planning District 16. If adopted, the recommendations would become the position of the League and the basis for advocacy directed toward local city and county elected officials, appointed planning officials and staff, as well as regional bodies. The recommendations were selected based upon several key factors:

- they can be accomplished without additional state legislative approval;
- they can be adopted by one or more local political jurisdictions in Planning District 16, either individually or jointly;
- they have the potential to increase the affordable housing options for low-income seniors in a relatively short period of time; and
- they are practicable and affordable.

Those recommendations are:

1. Amend local zoning ordinances to allow accessory dwellings on lots where they are currently prohibited.
2. Alter local occupancy restrictions so as to permit a greater number of unrelated seniors to occupy a residence.
3. Create a consortium of an adequate number of government jurisdictions in Planning District 16 to qualify for the federal HOME program in order to compete for the funds that are allocated to the Commonwealth, with the understanding that participating jurisdictions must provide a ¼th match of the HOME funds received.
4. Create a local Housing Trust Fund, composed of one or more government jurisdictions.
5. Create a land bank, when needed, to manage surplus housing supply.
6. Update the 2008 George Washington Regional Commission "Affordable Housing Task Force Mid-Year Report with current information and particular emphasis on the low-income senior population, both current and projected.

7. Create an “Affordable Housing Advisory Committee” for Planning District 16. A broadly representative community-wide effort is needed to help evaluate the proposals developed by the League of Women Voters of the Fredericksburg Area and other civic organizations. It can also help set priorities for action and work with the League in a coalition to advocate for solutions to the growing problems of affordable housing for low-income seniors.

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EXHIBIT 11

https://www.fredericksburg.com/opinion/editorial-give-adus-a-chance/article_4b80bf7a-bd22-53dc-a7c7-5c8913bd320f.html

EDITORIAL: Give ADUs a chance

BY THE EDITORIAL PAGE STAFF OF THE FREE LANCE-STAR
Aug 6, 2019



A one-bedroom, one-bath accessory dwelling unit installed over a garage in Mt. Pleasant, S.C.
Arlington County

Exhibit 11

IN SOME cities where affordable housing is hard to find, public officials are looking at “infill development” to expand their housing stock. Infill development can range from shoehorning new homes into established neighborhoods, retrofitting vacant commercial buildings for residential use, or changing zoning ordinances to allow accessory dwelling units (ADUs) in single-family homeowners’ backyards.

In late June, the Oregon state Senate became the first in the nation to replace single-family residential zoning with residential zoning that allows ADUs as well as multi-family dwellings to be built in what were formerly detached single-family neighborhoods.

Seattle, Portland, Los Angeles and Austin have ADU-friendly ordinances. But they are the only major U.S. cities with more than 1,000 ADUs.

Opposition to ADUs comes mostly from homeowners, who view a proliferation of “granny flats” in the neighborhood as a threat to their property values. They fear that increased density will add to traffic congestion, overcrowded schools and public services, and all the other ills associated with unrestrained population growth.

However, ADUs can also provide those same homeowners with a steady source of rental income while providing relatively low-cost housing for seniors, the disabled, and workers whose annual income cannot keep pace with rising housing costs. In the greater Fredericksburg area, that includes 115,884 ALICE (Asset Limited, Income Constrained, Employed) households.

The region's affordable housing shortage is exacerbated by the high cost of land, which does not encourage construction of moderately-priced homes. But proposals to do something about the affordable housing crisis usually center on government solutions, which require higher taxes. But higher taxes just add to the cost of a mortgage or rent, making housing even less affordable.



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The Virginia Code allows jurisdictions to set up ADU programs to “address housing needs, promote a full range of housing choices, and encourage the construction and continued existence of housing affordable to low and moderate income citizens.”

In May, the Arlington County Board voted to relax its zoning regulations to allow ADUs to be installed without the county’s permission as long as they are at least five feet from the property line, have a separate entrance, their own kitchen and bathroom, and be no larger than 750 square feet.

But building and financing ADUs can be tricky.

“Building a free-standing, 250-square-foot ADU with a bathroom and compact kitchen can be as complicated as building an entirely new, three-story, 2,500-square-foot house,” Washington Post architectural columnist Roger Lewis points out, which explains why only 20 ADUs have been approved in Arlington over the past decade even though the median price of a single-family home there is up to \$689,400.

Last August, Fredericksburg City Council member Jason Graham suggested that the council “begin a public dialogue” on the pros and cons of ADUs, which are not currently allowed in the city. If city officials are serious about fixing the city’s affordable housing crisis, ADUs would be a good place to start.

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EXHIBIT 12

Accessory Dwelling Unit Ordinance

The following model ordinance allows the construction or conversion of a second housing unit sharing a parcel with the primary unit. It is enabled by Virginia Code under a locality's standard zoning authority to regulate the health, safety, and welfare of residents. Sample language is selected from a survey of 16 Virginia jurisdictions, ranging from rural to urban. Many zoning codes do not have a section devoted to ADUs, but rather include the term in the definitions section and apply the term to the appropriate zones. A chart is provided to detail various restrictions Virginia localities have placed on ADUs.

Virginia Code Enabled : § 15.2-2280

- Localities have the authority to zone for land uses where appropriate
- Ability to restrict "size, height, area, bulk, location, erection, construction, reconstruction, alteration, repair, maintenance, razing, or removal of structures"

Purpose:

Most zoning codes have omitted a purpose statement on ADUs, but it can help defend the ordinance in event of a lawsuit and explain to citizens how the ordinance is intended to benefit them.

"Accessory apartments afford an opportunity for the development of small rental units designed to meet the special housing needs of single persons, persons with fixed or limited income, and relatives of families who live or desire to live in the county. Accessory apartments provide a degree of flexibility for homeowners with changing economic conditions and/ or family structure, while providing a reasonable degree of protection for existing property values. In addition, these provisions are provided to recognize formally previously established apartments and provide for improved safety and physical appearance." (Bedford County, Sec. 30-82-1)

Definitions:

"Accessory apartment. A separate, independent dwelling unit located on the same property as the primary dwelling unit subject to the following:

- (1) A dwelling unit contained within a single-family dwelling that may equal the existing finished square footage of the primary dwelling, such as a basement, attic, or additional level; or
- (2) A dwelling unit attached to the primary single-family dwelling, or as a dwelling unit located above a detached accessory unit; that shall be no more than one half the size of the finished square footage of the primary dwelling unit located on the subject property." (Louisa County, 86-2)

"Dwelling, Accessory. A complete independent dwelling unit, with kitchen and bath, designed, arranged, used, or intended for occupancy by not more than two (2) persons for living purposes and meeting the standards of Subsection 31.A.18." (Arlington County, Section 1 B)

Applications to Zones:

The simplest way amend an existing zoning code is to add Accessory Dwelling Unit, as defined, to the list of uses deemed appropriate. These are typically single-family residential areas.

Additional Restrictions:

Exhibit 12

A wide range of restrictions have been places on ADUs by Virginia localities in an attempt to balance between benefits and costs. The following language is a sample.

“There shall be no more than one accessory dwelling per lot.” (Stafford County, Section 28-25)

“(1) One (1) of the two (2) dwelling units on the subject property must be occupied by the owner of the property.” (City of Charlottesville, Sec. 34-1171)

“Occupancy of such accessory apartments shall be limited to no more than one family (as defined) or up to three persons (as permitted by code), and shall not be rented in less than six-month increments, and the primary dwelling unit must be occupied by the owner of the subject property or an immediate family member (as defined).” (Louisa County, Section 86-2) **Note:** Most zoning ordinances with ownership restrictions allow the homeowner to occupy either the primary structure or the accessory unit.

Disclaimer: This model ordinance is provided for reference purpose only. It does not constitute legal advice. Please consult with an attorney before adopting any local ordinance, as legal conditions may vary by specific locality.