

2020 SESSION

INTRODUCED

20104473D

HOUSE BILL NO. 151

Offered January 8, 2020

Prefiled December 18, 2019

A *BILL to amend the Code of Virginia by adding a section numbered 15.2-2292.2, relating to the development and use of accessory dwelling units.*

Patrons—Samirah, Ayala, Bagby, Carter, Cole, J.G., Guy, Guzman, Hope, Jenkins, McQuinn, Morefield, Mugler, Plum, Rasoul, Scott, Simonds, Tyler and Willett

Referred to Committee on Counties, Cities and Towns

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2292.2 as follows:

§ 15.2-2292.2. Development and use of accessory dwelling units.

A. For purposes of this section, "accessory dwelling unit" or "ADU" means an independent dwelling unit on a single-family dwelling (SFD) lot with its own living, bathroom, and kitchen space. ADUs may be within or attached to SFDs or in detached structures on lots containing SFDs. ADUs may include, but are not limited to, basements, attics, flats, guest houses, cottages, and converted structures such as garages and sheds.

B. All localities shall allow for the development and use of one accessory dwelling unit per single-family dwelling, notwithstanding any contrary provision of a zoning ordinance. Localities shall regulate the size and design of ADUs through an approval process, as well as regulate fees, parking, and other requirements, provided that the regulations are not so arbitrary, excessive, or burdensome, individually or cumulatively, as to unreasonably restrict the ability of property owners to utilize or create ADUs. The regulations shall not require the property owner to occupy the SFD or the ADU as his primary residence.

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