

Accessory Dwelling Unit Parking Study

SECTION 1 – BACKGROUND

House Bill 1466/Senate Bill 891 on Accessory Dwelling Units (ADUs) requires local jurisdictions in the State of Maryland to adopt laws allowing the construction of ADUs, there are specific provisions regarding on-site parking. Jurisdictions may not require off-street parking for ADUs unless a parking study has been completed. Montgomery County has existing provisions that allow for the construction of ADUs and the provision of off-street parking. These provisions are being updated to be compliant with the state law, and this document serves as the necessary parking study to remain in compliance.

Existing Local Requirements

Local ADU legislation, including an update to required off-street parking, was last done as part of ZTA 19-01, adopted by Ordinance 19-06 in July 2019. Parking requirements were a significant part of the discussion, ultimately leading to the parking provisions in place today, which include:

- One space is required for the ADU in addition to the existing two parking spaces required for the principal dwelling. If there is no existing driveway/parking for the principal dwelling, the new driveway must provide two spaces total (one for the ADU and one for the principal dwelling).
- No parking is required within 1 mile of any Metrorail, Purple Line, or MARC station.
- A waiver of parking may be requested of the Hearing Examiner if they find there is adequate on-street parking.

No formal parking study was performed in 2019. As part of the discussions around ADUs regarding ZTA 19-01, Motor Vehicle Administration (MVA) vehicle registration data was obtained to assist when discussing the final requirements (Attachment 1). The data were broken down by geography and include countywide data, as well as different distances from transit options. Each geography includes the average number of vehicles per address without a registered ADU, and the average number of vehicles with a registered ADU. In each geography, the average number of vehicles associated with a house with an ADU was slightly higher, approximately 0.5 more cars than addresses without an ADU. This data also shows a very slight reduction in the number of cars per address that are closer to transit than the countywide average. The MVA no longer makes registration data available;

Planning Staff must presume the trends seven years later are similar, even if specific numbers may be different.

Parking Study Requirements

Per the adopted State Legislation, the required parking study must, at a minimum, consider:

- The cost to construct off-street parking
- Whether sufficient curb area exists along the front line of the property to accommodate on-street parking
- The increase in impervious surface due to the creation of new off-street parking and the relation to any applicable stormwater management plans
- Variability due to the size of the lot on which the ADU is located.

Additionally, local jurisdictions that choose to enact off-street parking requirements must allow for a waiver process from the parking requirements.

SECTION 2 – PARKING STUDY ANALYSIS

Below is the required analysis that must be considered in any parking study. Planning Staff were unable to update the 2019 data on vehicle registration because the data is no longer being made available by the MVA. The 2019 vehicle registration data, in combination with the required elements by the State, form the basis of the parking recommendations for ADUs.

One element to consider is that the analysis assumes a property will need to construct or otherwise find an additional parking space for an ADU. The current code requires two on-site parking spaces for an existing single-family dwelling. Many properties, especially with newer construction or on larger lot sizes, already have garage and driveway space to accommodate three or more parked vehicles. While these properties may still choose to create a dedicated parking space for an ADU, they would not be required to. The following analysis on the parking study is assumed to only apply to the subset of existing properties where only two parking spaces exist currently.

Cost of Parking

Planning Staff, in estimating the cost of parking, considered what the size of a typical parking ‘pad’ is, including the minimum necessary tie-in to an existing driveway. Per the

Zoning Code, a minimum parking space for a vehicle is 8.5 feet by 18 feet, which is 153 square feet. Including a reasonable tie-in, adding space for one additional vehicle to an existing driveway would result in approximately 175 square feet of new paved area.

A cost estimate calculator that Montgomery Planning uses when considering the cost impacts of various infrastructure improvements on development applications was used. Based on 175 square feet of newly installed concrete driveway, the estimate, with a contingency factor of 30% included for inflation and labor, comes to just under \$3,000. While exact costs will vary based on specific sites and contractors, these numbers are a fair assumption on the cost of an additional on-site parking space for an ADU.

Sufficient Curb Area

The availability of sufficient curb area to accommodate on-street parking is already a factor considered in Montgomery County's parking requirements for ADUs. This was a subject of discussion the last time ADU parking requirements were debated, and resulted in the current Hearing Examiner waiver process, based solely on the availability of on-street parking. Creating a single policy reliant on curb area and on-street parking is difficult because each block and each lot frontage is unique and must consider factors such as fire hydrants and other utilities, lot widths, driveway spacing, street widths, and topography. The existing process of determining the adequacy of on-street parking on a case-by-case basis remains the most practical option for determining if on-site parking is required for an ADU.

Increase in Impervious Surface

As calculated above in the section on the cost of parking, it is assumed that the minimum additional impervious area is 175 square feet. In Montgomery County, expansions to driveways, whether they be to accommodate an ADU or out of personal preference of an existing homeowner, are not subject to a Department of Permitting Services permit or a stormwater management plan. Impervious surface additions of this size fall under the lot-to-lot surface drainage provisions, which originate from Maryland Law. Landowners are generally assumed to have reasonable use of their property, which includes a higher elevation property creating flow onto a lower elevation property. It is the responsibility of the higher elevation property to ensure land disturbances and imperviousness do not concentrate down elevation drainage through any artificial channels or in a way that would cause debris and pollutants to be discharged onto the lower property. Requiring an on-site parking space for an ADU does not create any special provision not already in place for a single-family homeowner, otherwise wishing to expand a driveway or create any other small addition of impervious surface.

The existing code provisions on parking did consider that some lots with single-family dwellings currently do not have any on-site parking. Currently, in those situations, the construction of an ADU requires creating a minimum of two spaces, one for the ADU and an additional space for the existing dwelling. Planning Staff finds this puts an unreasonable burden on developing an ADU on lots without existing on-site parking. It is recommended to revise this provision to only require the ADU to provide the one parking space necessary for the ADU, which would reduce the size and scope of a driveway project, saving both cost and impervious surface.

Variability of Lot Size

Within the County, there is a wide variability of lot sizes that include single-family detached dwellings. A breakdown of these lot sizes is found in figure 1 below. While lot size does play a role in the ease of providing on-site parking, there is no standard assumption that can be made regarding the minimum lot size necessary to accommodate parking. Other factors, including topography, building size, and lot shape, also play a factor. There is also a consideration that as lot sizes tend to get smaller, the competition for on-street parking is going to increase.

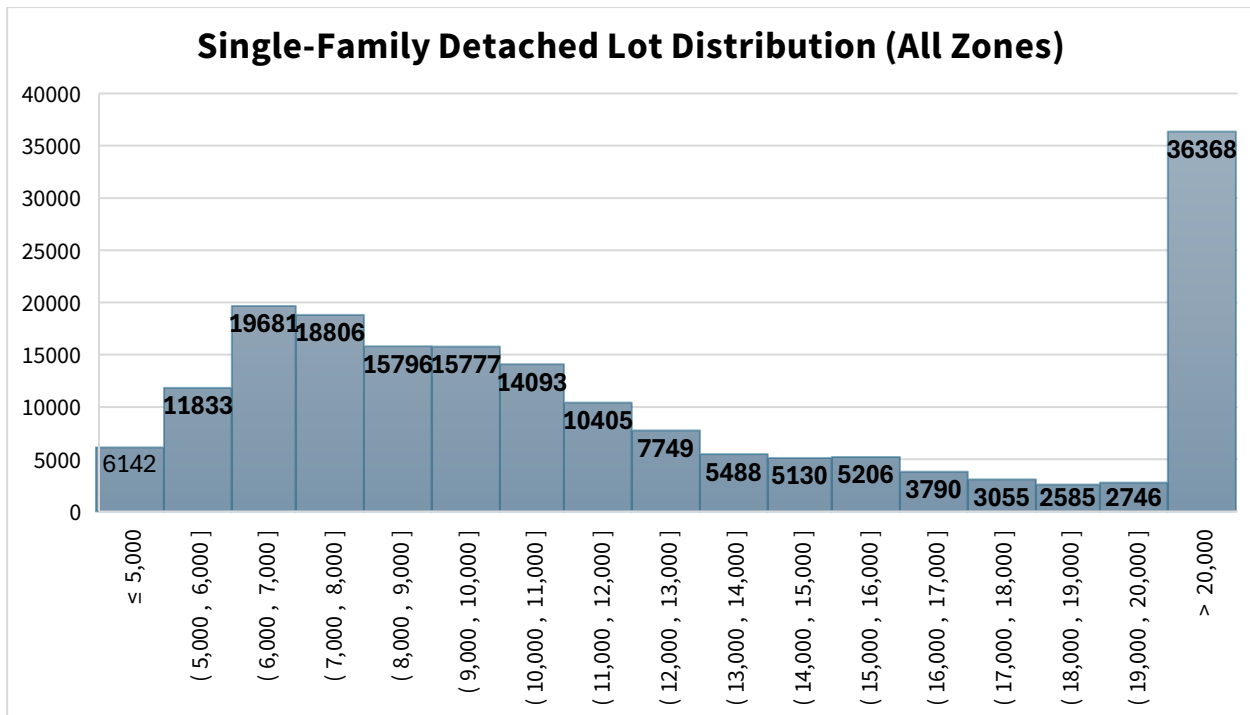


Figure 1 – Lot size distribution

To keep with the intent of making it easier to provide for ADUs, Planning Staff recommends that an additional parking waiver provision be considered. The Hearing Examiner should

also be allowed to waive on-site parking if it can be found that the size or shape of the existing lot for the principal dwelling unit effectively precludes the ability to provide additional on-site parking. This puts the burden on the applicant to reasonably prove that providing an additional on-site parking space would preclude creating an ADU.

SECTION 3 – RECOMMENDATION

Based on data from the 2019 vehicle registration study and the analysis of the required findings above, Planning Staff recommends keeping the existing parking requirements for ADUs with some modifications.

- Retain requiring 1 space per ADU as a baseline.
- Retain the exemption from parking if within 1 mile of a Metrorail, Purple Line, or MARC station.
- Remove the requirement that two spaces be provided if no driveway exists, and instead only require the one space.
 - Reduces the cost burden of a second space on the ADU and reduces impervious surface and stormwater impacts.
- Retain the Hearing Examiner waiver based on proof that there is adequate on-street parking.
- Add a new Hearing Examiner waiver based on proof that the lot size or shape could not reasonably accommodate the additional parking space, effectively precluding developing an ADU.

Attachment 1

MONTGOMERY COUNTY MVA REGISTRATIONS (includes 1-mile transit buffer and outside buffer):

(Analysis conducted only includes single-unit detached within the R-60, R-90, R-200 zones)

Average MVA vehicle registrations: 2.1
Number of households with 0 cars registered: 9%
Number of households with 1 car registered: 20%
Average MVA registration for an address with an ADU: 2.5

INSIDE 1/2-MILE TRANSIT BUFFER (Red Line and Purple Line Only):

Average MVA vehicle registrations: 1.9
Number of households with 0 cars registered: 11%
Number of households with 1 car registered: 28%
Average MVA registration for an address with an ADU: 2.5*
*(small supply of only about 35 ADUs)

INSIDE 1/2-MILE TRANSIT BUFFER (includes Red Line, Purple Line, and MARC):

Average MVA vehicle registrations: 1.9
Number of households with 0 cars registered: 12%
Number of households with 1 car registered: 27%
Average MVA registration for an address with an ADU: 2.4*
*(small supply of only about 38 ADUs)

INSIDE 3/4-MILE TRANSIT BUFFER (Red Line and Purple Line Only):

Average MVA vehicle registrations: 1.9
Number of households with 0 cars registered: 11%
Number of households with 1 car registered: 27%
Average MVA registration for an address with an ADU: 2.2

INSIDE 3/4-MILE TRANSIT BUFFER (includes Red Line, Purple Line, and MARC):

Average MVA vehicle registrations: 1.9
Number of households with 0 cars registered: 11%
Number of households with 1 car registered: 27%
Average MVA registration for an address with an ADU: 2.1

INSIDE 1-MILE TRANSIT BUFFER (Red Line and Purple Line Only):

Average MVA vehicle registrations: 1.9
Number of households with 0 cars registered: 11%
Number of households with 1 car registered: 26%
Average MVA registration for an address with an ADU: 2.2

INSIDE 1-MILE TRANSIT BUFFER (includes Red Line, Purple Line, and MARC):

Average MVA vehicle registrations: 1.9
Number of households with 0 cars registered: 11%
Number of households with 1 car registered: 25%
Average MVA registration for an address with an ADU: 2.2