



Accessory Dwelling Units – 2018 USBC

During the 2018 Session of the General Assembly, Senate Joint Resolution No. 53 was introduced requesting the Virginia Housing Commission to study accessory dwellings. In June 2018, a stakeholder group convened to begin discussing the building code implications related to Accessory Dwelling Units (ADUs) and developed an initial draft USBC proposal. The Residential Uses Sub-workgroup took up the issue and met (8 meetings) during the 2018 Virginia code development cycle ultimately presenting a final version of the proposal to the Board of Housing and Community Development in the fall of 2020, which was approved for the 2018 Virginia Residential Code (VRC), which became effective July 1, 2021

Key changes in the 2018 VRC related to ADUs:

- New “Accessory Dwelling Unit” definition – A unit in a two-family dwelling that is accessory to the primary dwelling and can share living space, means of egress, utilities, etc.
- Means of egress – Each dwelling unit in a two-family dwelling must have a compliant means of egress, but an ADU may share means of egress with the primary dwelling unit.
- Fire separation – New exception added to eliminate the requirement for fire separation between dwelling units and ADUs. Both units must be on the same lot, a fire alarm system complying with Chapter 29 of NFPA 72 and interconnected CO alarms must be installed throughout.
- Return Air Openings – An exception was added to allow an ADU and primary dwelling unit to share return air.

FAQs

What is an Accessory Dwelling Unit?

An “Accessory Dwelling Unit” is defined in the 2018 Virginia Residential Code as, “A dwelling unit in a two-family dwelling that is accessory to the primary dwelling unit. An accessory dwelling unit provides for separate living, sleeping, eating, cooking and sanitation facilities for one or more occupants, but may share living space, means of egress, utilities, or other components. An accessory dwelling unit fully complies with the requirements of this code for a dwelling unit except where specified otherwise.”

What are the design criteria for an ADU?

ADUs are required to comply with all of the applicable design criteria in the Virginia Residential Code. Light, ventilation, heating, room areas, ceiling heights, sanitation, toilet, bath, and shower spaces, EERs, etc., are all required within an ADU. As the definition states, “An accessory dwelling unit fully complies with the requirements of this code for a dwelling unit.”

How must egress be provided within and from an ADU?

Egress within an ADU must comply with Section R311 Means of Egress in the Virginia Residential Code. The definition of an ADU provides the opportunity for a shared means of egress between the ADU and the primary dwelling.

Can an ADU be detached?

Although detached living structures are commonly referred to as ADUs, the new USBC definition only includes ADUs that exist within a two-family dwelling. That can be an attached ADU with a shared wall, an interior conversion of an attic, basement, or other room to an ADU, an above-garage converted space, or a garage that has been converted to an ADU. For USBC purposes, a detached dwelling unit would simply be considered a separate dwelling.

Are ADUs required to be fire-separated from the primary dwelling?

There is an exception that allows construction of an ADU without fire separation from the primary dwelling, however, there are specific additional safety features that may be required throughout the building.

What fire protection systems are required in a non-separated Two-Family Dwelling with an ADU?

Non-separated Two-Family Dwellings with an ADU are required to have a fire alarm system complying with the NFPA 72 provisions applicable to Household Fire Alarm Systems. The requirements for these systems can be found in Chapter 29 of NFPA 72. The control panel for this system must be located in a place where access to the panel is provided to both the occupant(s) of the ADU and the occupant(s) of the primary dwelling.

Are there system monitoring requirements for the fire alarm system in a non-separated Two-Family Dwelling with an ADU?

Yes. System monitoring is a requirement of NFPA 72. Chapter 29 of NFPA 72 should be examined in its entirety while reviewing the proposed design of the fire alarm system to ensure that all monitoring requirements are met.

Are CO alarms required in an ADU?

CO alarms are only required in an ADU where required by Section R315 of the Virginia Residential Code. In a non-separated Two-Family Dwelling with an ADU, the required CO alarms shall be interconnected between the ADU and the primary dwelling.

Are ADUs required to be provided with access to utility controls, disconnecting means, and all overcurrent devices?

Yes. Full access to utility controls, disconnecting means, and all overcurrent devices must be provided to the ADU. As an example, locating an electrical panel with disconnecting means for circuits serving an ADU in a locked closet, to which only the primary dwelling would have access, is prohibited.

Link to [Virginia Codes](#)