



Attainable Housing Strategies – Work session #3

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DESCRIPTION

On March 4, Montgomery County Council directed Montgomery Planning staff to review and analyze housing options in the county. In order to explore these housing options and to provide a comprehensive overview of housing options in the county, Montgomery Planning launched the [Attainable Housing Strategies \(AHS\)](#), an initiative aimed at evaluating and refining various proposals to spur the development of more diverse types of housing, including [Missing Middle Housing](#) in Montgomery County. This report is for the third work session with the Board where Planning staff will provide an overview of the decisions that were made at the July work sessions, provide follow-up information as requested, and continue to review staff recommendations pertaining to AHS.

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SUMMARY

Through the Attainable Housing Strategies initiative, Planning staff led an evaluation process over a three-month period in which various proposals were reviewed and refined in an effort to spur the development of more diverse types of housing in Montgomery, including Missing Middle Housing. This process also provided opportunities for public feedback which has been incorporated into staff’s preliminary recommendations. This report provides the findings of the analysis and presents recommendations to the Planning Board on developing tools that can encourage the creation of a more diverse range of housing typologies.

July’s Attainable Housing work sessions focused on the following elements and decisions made by the Planning Board:

- **Definition and scale:** The Planning Board was supportive of the goals of the initiative following a refinement that added more direct language and included a focus on economic development. The Planning Board also supported a definition of attainable housing that includes a focus on the intent of attainable housing.
- **Thrive Growth map:** The Planning Board was not supportive of connecting the AHS recommendations to the Thrive Growth map, given that it is not yet adopted. Instead the boundary of zoning blocks will be used.
- **Applicable Residential Zones:** The Planning Board recommended allowing, by-right, house scale:
 - duplexes in the R-40, R-60, R-90, and R-200 zones;
 - triplexes in the R-40, R-60, and R-90 zones; and
 - quadplexes in the Priority Housing District.
- **Priority Housing District:** The Planning Board was supportive of defining the Priority Housing District, in which quadplexes would be allowed and parking requirements would be reduced. The Board defined the Priority Housing District using a straight-line buffer of 1-mile from Red line, Purple Line, and MARC stations,¹ plus 500 ft from a BRT Corridor plus River Road and Connecticut Avenue.
- **Attainable Housing Optional Method (AHOM):** The Planning Board was supportive of the idea of the AHOM and middle density attainable housing, but asked staff to come back with options for applicable geography.
- **Existing Optional Method:** The Planning Board agreed to update the existing MPDU and Cluster Optional Methods of Development to allow the use of triplex and quadplex buildings.
- **Pattern book:** The details of the Pattern Book are still being worked out, including regulatory vs. advisory, types of housing it applies to, and geographic applicability.

¹ This is aligned with the reduced parking requirements allowed for Accessory Dwelling Units.

- **Product Type:** Per guidance from the Planning Board, staff will produce draft Zoning Text Amendments to transmit to the County Council for introduction. The ZTAs would detail the recommendations as edits to Chapter 59.

With today’s Attainable Housing Strategies work session, staff would like to discuss and seek Planning Board agreement or direction on the following:

- Defining new concepts for the zoning code
- Development standards for new housing products in the standard method (by-right)
- Potential role of a Pattern Book

Timeline

Staff is recommending the following updated timeline for the AHS initiative.

Date	Topics
9/9	<p>New Terms and Development Standards</p> <ul style="list-style-type: none"> • Defining new concepts for the zoning code • Development standards for new housing products in the standard method (by-right) • Potential role of a Pattern Book
10/7	<p>Optional Methods</p> <ul style="list-style-type: none"> • AHOM (Attainable Housing Optional Method) geographic applicability • AHOM development standards • Development standards for new housing products in the existing (MPDU/Cluster) optional methods <p>An online webmap link will be in the staff report that will be released on 9/28 that will present various geographic options for the AHOM.</p>
10/21	<p>Loose Ends</p> <ul style="list-style-type: none"> • Affordability • Displacement • Trees • Desired elements of a Pattern Book (if applicable) • Suggested catalyst policies
11/4	<p>Zoning Text Amendments</p> <ul style="list-style-type: none"> • Review of the AHS report • Review of any applicable ZTAs

Attainable Housing Focus Zones & House Scale Attainable Housing

The focus of this Staff Report is on the standards and code changes proposed to implement Attainable Housing by-right within the R-200, R-90, R-60 and R-40 zones. Collectively, these four zones are

referenced as the “Attainable Housing Focus Zones” in this report. In addition, Duplex, and Multiplex buildings are sometimes referred to together as “house scale Attainable Housing.”.

USE TABLE

Staff recommends modifying the Use Table in Section 59.3.1.6 to allow multi-unit living as a limited use in the Attainable Housing Focus Zones. The use table under Section 3.1.6 is the first place to look to see whether a use is allowed in the underlying zone. Cell values in the table are one of four options. A blank denotes a use that is not allowed. “P” denotes the use is permitted by-right. “L” indicates the use is allowed as a limited use, if it meets the applicable limited use standards, some of which are discussed in more detail later in the report. Finally, “C” indicates a use that is allowed if approved through the conditional use process. As part of the Attainable Housing Strategies, the Use Table is proposed to be modified, as shown below:

USE OR USE GROUP	Definitions and Standards	Residential																
		Ag	Rural Residential				Residential Detached						Residential Townhouse			Residential Multi-Unit		
		AR	R	RC	RNC	RE-2	RE-2C	RE-1	R-200	R-90	R-60	R-40	TLD	TMD	THD	R-30	R-20	R-10
RESIDENTIAL																		
HOUSEHOLD LIVING	3.3.1																	
Single-Unit Living	3.3.1.B	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
<u>Cottage Court Living</u>	<u>3.3.1.C</u>								L	L	L	L						
Two-Unit Living	3.3.1.C <u>3.3.1.D</u>				P		L	L	L	L	L	P	P	P	P	P	P	P
Townhouse Living	3.3.1.D <u>3.3.1.E</u>				P		L	L/C	L/C	L/C	L/C	L	P	P	P	P	P	P
Multi-Unit Living	3.3.1.E <u>3.3.1.F</u>				L		L	L	L	L	L	L	L	L	L	P	P	P

The new use of Cottage Court Living will be discussed in more detail in a future work session when development standards for the optional methods of development will be discussed. The existing limited use standards for two-unit living in the Attainable Housing Focus Zones were limiting the use to only as part of an optional method of development, however two-unit living is now recommended by-right in the Attainable Housing Focus Zones. The standards are updated under Section 3.3.1 as will be discussed later in this report, but the two-unit living use would remain a limited use in this table given a requirement for conformance with a Pattern Book approved by the Planning Board.² The standards are updated under Section 3.3.1 as will be discussed later in this report, but the two-unit living use would remain a limited use in this table given a requirement for conformance with an Attainable Housing Pattern Book approved by the Planning Board.³ Adding the multi-unit living as a limited use in most of

² If the Planning Board decides to not require conformance with a Pattern Book, the two-unit living use would be denoted in the Attainable Housing Focus Zones as a permitted use.

³ If the Planning Board decides to not require conformance with a Pattern Book, the two-unit living use would be denoted in the Attainable Housing Focus Zones as a permitted use.

the residential zones is recommended by staff to allow triplexes by-right everywhere within the R-90, R-60 and R-40 zones, and quadplexes within the more limited Priority Housing District. Both the triplexes and quadplexes would also require conformance to an Attainable Housing Pattern Book. The Multi-Unit living is also added as a limited use in other zones because staff will be proposing triplexes and quadplexes in the optional methods of development which will also be discussed in more detail at a future work session.

BUILDING TYPES AND USE STANDARDS

Every built use is defined by two components within the Zoning Ordinance: the actual use itself, which is discussed through the Uses and Use Standards under Section 59.3; and the building type the use is within, which is detailed under Sections 59.4.1.3 – 59.4.1.6.

Building Types

Staff recommends adding a new building type for three-unit and four-unit living called a Multiplex and making follow-up modifications to the definitions for Townhouse and Apartment Building types to avoid any conflict with the multiplex building type. Building types describe the physical form of building that a use can exist within. The zoning code identifies allowed building types based on the underlying zone. Sections 4.1.3 and 4.1.4 describe the building types allowed within various Agricultural, Rural Residential, and Residential zones. Sections 4.1.5 and 4.1.6 discuss the building types allowed by Commercial/Residential, Employment, and Industrial zones.

Section 4.1.3, Building Types in the Agricultural, Rural Residential, and Residential Zones, currently allows and defines the following building types:

- **Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or Conditional Use allowed in the zone:** A detached house is a building containing one dwelling unit that may contain ancillary nonresidential uses, such as a Home Occupation or Family Day Care. A Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone is a building that accommodates only a Cultural Institution, Religious Assembly, Public Use, or an approved conditional use allowed in the applicable zone under Article 59-3, Uses and Use Standards. This building type includes buildings used for agriculture associated with Farming.
- **Duplex:** A duplex is a building containing 2 principal dwelling units that may contain ancillary nonresidential uses, such as a Home Occupation or Family Day Care.
- **Townhouse:** A townhouse is a building containing 3 or more dwelling units where each dwelling unit is separated vertically by a party wall. A townhouse may contain ancillary nonresidential uses, such as a Home Occupation or Family Day Care.
- **Apartment Building:** An apartment building is a building containing 3 or more dwelling units vertically and horizontally arranged. An apartment may contain up to 10% of the gross floor area as Retail/Service Establishment uses, otherwise it is a multi-use building.

With regard to building types, staff recommends that a new type, called a **Multiplex**, be established as follows:

- **Multiplex:** A multiplex is a building containing 3 or 4 principal dwelling units where each dwelling unit is separated by a party wall. Multiplexes may have the units arranged horizontally, vertically, or a combination of the two. A multiplex may contain ancillary nonresidential uses, such as a Home Occupation or Family Day Care. A three-unit multiplex is also known as a triplex, and a four-unit multiplex is also known as a quadplex.

Staff finds it more straightforward to create one new building type to cover both the triplex and quadplex development rather than to create two unique building types. Other portions of the Zoning Ordinance such as the use standards can be used to specify where a triplex would be appropriate that a quadplex would not. The Multiplex building type would also be utilized by the Attainable Housing Optional Method as it is developed, and in updates to the existing MPDU and Cluster Optional Methods. In addition to creating the new Multiplex building type, amendments are also proposed to the definitions of Townhouse and Apartment Building:

- **Townhouse:** A townhouse is a building containing 3 4 or more dwelling units where each dwelling unit is separated vertically by a party wall and the dwellings are arranged linearly. A townhouse may contain ancillary nonresidential uses, such as a Home Occupation or Family Day Care.
- **Apartment Building:** An apartment building is a building containing 4 5 or more dwelling units vertically and horizontally arranged. An apartment may contain up to 10% of the gross floor area as Retail/Service Establishment uses, otherwise it is a multi-use building. An Apartment Building with 19 or fewer dwellings is also known as a Small Apartment.

The amended definition for Townhouse is to provide clarity that a three-unit attached structure in all situations would be a Multiplex building, regardless of how the units are arranged. It also clarifies that a four-unit attached structure where the units are lined up in a linear row would be a Townhouse, whereas four units arranged in any other combination of stacked or front to back would be a Multiplex. These distinctions become important when considering allowing Multiplex buildings by-right in the Attainable Housing Focus Zones, but not allowing Townhouses.

The change in the Apartment Building type definition is to clarify that buildings with fewer than five units is now considered a Multiplex. Five units becomes the threshold for a building being an Apartment building. The final amendment sub-defining Apartment Buildings with 19 or fewer units as a Small Apartment is a change that becomes important in future work session discussions on buildings allowed within the Attainable Housing Optional Method and is less important when discussing the small scale by-right options.

If the Board agrees with the redefined Building Types, below is a table showing in red the additional changes that would need to occur to Section 4.1.4 in the Zoning Ordinance:

	Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex	<u>Multiplex</u>	Townhouse	Apartment Building
Agricultural Zone					
Agricultural Reserve (AR)	A	--	<u>--</u>	--	--
Rural Residential Zones					
Rural (R)	A	--	<u>--</u>	--	--
Rural Cluster (RC)	A	--	<u>--</u>	--	--
Rural Neighborhood Cluster (RNC)	A	A	<u>A</u>	A	--
Residential Detached Zones					
Residential Estate - 2 (RE-2)	A	TDR	<u>TDR</u>	TDR	TDR
Residential Estate - 2C (RE-2C)	A	MPDU	<u>MPDU</u>	MPDU	--
Residential Estate - 1 (RE-1)	A	MPDU	<u>MPDU</u>	MPDU	--
Residential - 200 (R-200)	A	<u>A</u> MPDU, TDR	<u>A</u>	<u>AH_i</u> , MPDU, TDR	TDR
Residential - 90 (R-90)	A	<u>A</u> MPDU, CD, TDR	<u>A</u>	<u>AH_i</u> , MPDU, CD, TDR	<u>AH_i</u> , TDR
Residential - 60 (R-60)	A	<u>A</u> MPDU, CD, TDR	<u>A</u>	<u>AH_i</u> , MPDU, CD, TDR	<u>AH_i</u> , TDR
Residential - 40 (R-40)	A	A	<u>A</u>	<u>AH_i</u> , MPDU	<u>AH</u>
Residential Townhouse Zones					
Townhouse Low Density (TLD)	A	A	<u>A</u>	A	--
Townhouse Medium Density (TMD)	A	A	<u>A</u>	A	--
Townhouse High Density (THD)	A		<u>A</u>	A	--

A – permitted, limited use, or conditional use, AH – Attainable Housing optional method, CD – Cluster Development optional method, MPDU – Moderately Priced Dwelling Unit optional method, TDR – Transfer of Development rights Overlay, -- not allowed.

Anywhere the building type allowance is changing, the development standards table will need to be updated to reflect the new building types, with appropriate development standards included. Staff's draft of these amended standards tables can be found in the report Attachment for reference.

Use Standards - Defined

Staff recommends modifying the definition for Townhouse living to 4 or more dwelling units and adding to the definition of multi-unit living the multiplex building type.

The other component within the Zoning Ordinance that contributes to defining a use is the Use Standards themselves. The specific set of Use Standards that would be amended for the house scale

Attainable Housing are under Section 3.3.1 Household Living. The existing use standards under Household Living include:

- **Single-Unit Living.** Single-Unit Living means one dwelling unit contained in a detached house building type.
- **Two-Unit Living.** Two-Unit Living means 2 dwelling units contained in a duplex building type.
- **Townhouse Living.** Townhouse Living means 3 or more dwelling units in a townhouse building type.
- **Multi-Unit Living.** Multi-Unit Living means dwelling units in an apartment or multi use building type. Multi-Unit Living includes ancillary offices to manage, service, and maintain the development.

There are a few changes proposed to the definition of these uses, for consistency with the proposed changes to the Building Types, and for clarity on what a multiplex is:

- **Townhouse Living.** Townhouse Living means ~~3~~ 4 or more dwelling units in a townhouse building type.
- **Multi-Unit Living.** Multi-Unit Living means dwelling units in a multiplex, apartment or multi use building type. Multi-Unit Living includes ancillary offices to manage, service, and maintain the development.

The modification to the definition of Townhouse Living is pretty straight forward and consistent with the Building Type change making a townhouse four or more units rather than three. The modification to the Multi-Unit Living is to clarify that a multiplex would be included under the definition of Multi-Unit Living. Staff chose to include multiplexes as multi-unit living because from a technical standpoint there is no clear distinction in **use** as it is a residential dwelling unit that is attached to other dwelling units in a form that doesn't meet the townhouse definition, regardless of whether there are three or 300 units. What makes the multiplex unique in scale and form is the building type itself which is defined separately.

Use Standards – Limited Uses

Within the same use standards under Section 3.3.1 Household Living, is a set of specific standards that apply if the use is identified by the Use Table (Section 3.1.6) as either a limited use or a conditional use. As it relates to standard method development in the Attainable Housing Focus Zones, changes are proposed to the use standards for the two-unit living and the multi-unit living limited use standards. Both of these uses are listed as limited uses within the Attainable Housing Focus Zones.

Two-Unit Living 3.3.1. ~~C~~D

Staff recommends adding new limited use standards for two unit living to permit it by-right in the Attainable Housing Focus Zones with conformance to a pattern book. The limited use standards for Two-Unit Living are modified within the Attainable Housing Focus Zones to remove any standards that limited the use to only optional methods of development and is instead replaced with a requirement that the use be permitted by-right, with conformance to a Planning Board approved Pattern Book. Discussion of the details and requirements of this Pattern Book will be discussed in more detail at a future work session. If the Board ultimately decides against requiring a Pattern Book for by-right two-unit living, the limited use standards would be removed in their entirety for the R-200, R-90, and R-60 zones and the use in the use table would become permitted. The modified text staff is proposing is as follows:

Where Two-Unit Living is allowed as a limited use, it must satisfy the following standards:

- a. In the RE-2C and RE-1 zones, Two-Unit Living is permitted as part of a development including optional method Moderately Priced Dwelling Units (see Division 4.4) if it is
 - i. served by public sewer service; or
 - ii. designated for sewer service in the applicable master plan.
- b. In the R-200, R-90 and R-60 zones, Two-Unit living is permitted by-right, if the proposed duplex building at the time of building permit conforms to the requirements of an Attainable Housing Pattern Book approved by the Planning Board. Two-Unit living is also permitted as part of a development including optional method Moderately Priced Dwelling Units or Optional Method Cluster Development (see Division 4.4).
- ~~b. In the R-200 zone, Two-Unit Living is permitted as part of a development including optional method Moderately Priced Dwelling Units (see Division 4.4).~~
- ~~c. In the R-90 and R-60 zones, Two-Unit Living is permitted as part of a development including optional method Moderately Priced Dwelling Units or optional method Cluster Development (see Division 4.4).~~
- ~~d.~~ In the GR, NR, and EOF zones, the gross floor area of all Household Living uses is limited to 30% of the gross floor area on the subject site.
- ~~e.~~ In the LSC zone all Household Living uses are limited to 30% of the maximum allowed FAR mapped on the subject site.

Multi-Unit Living 3.3.1. ~~E-F~~

Staff recommends adding new limited use standards for Multi-Unit Living to allow it by-right anywhere in the R-90, R-60 and R-40 zones, if built as a multiplex building type with three units, or within the Priority Housing District with up to four units. Multi-Unit Living is being proposed as a limited use across most residential zones. Outside of the Attainable Housing Focus Zones, the new standards will limit the application of multi-unit living generally to the multiplex building type under an optional method of development which will be discussed further at a future work session. Within the Attainable Housing Focus Zones, the limited use standards will also permit Multi-Unit Living by-right in some situations. In all areas within the R-90, R-60 and R-40 zones, the following new code sections are recommended to apply to by-right developments:

- d. In the, R-90, R-60, R-40 zones, Multi-Unit living is permitted under the following circumstances
 - i. Anywhere if in a Multiplex building as a triplex, if the massing and design elements conform to the standards of an Attainable Housing Pattern Book approved by the Planning Board, or
 - ii. In a multiplex building type as a triplex or quadplex if located within the Priority Housing District and if the massing and design elements conform to the standards of an Attainable Housing Pattern Book approved by the Planning Board.

RULES FOR ALL ZONES

Compliance Required

Staff recommends modifying the rules for the Agricultural, Rural Residential, and Residential Detached zones to clarify that only one principal structure for a detached house, duplex, or multiplex building may be built per lot. Under Division 4.1 rules for all zones, is subsection 4.1.2 for Compliance Required, which generally sets the overarching zoning rules that require land alterations to follow the zoning, that all new buildings must be located on a recorded lot unless exempt, and subsection C, which

limits the lots in Agricultural, Rural Residential and Residential Detached zoned land to one detached house. Staff is recommending the following modification to subsection C to expand this to include duplex or multiplex buildings consistent with the changes discussed as part of the AHS.

- C. In the Agricultural, Rural Residential, and Residential Detached zones, only one principal building for a detached house, duplex, or multiplex is allowed per lot, except as allowed under Section 3.1.6 for a Detached Accessory Dwelling Unit, Farm Labor Housing Unit, or Guest House, or under Section 7.7.1.A.1 for an Existing Structure on October 30, 2014.

CHANGES TO STANDARD METHOD STANDARDS TABLES

While each unique zone's standards tables details are specific to that zone, there are many elements that are being recommended for change that apply to multiple or all zones. The following sections will highlight the major changes to the format of the standards tables within the residential zones, starting from the top of the table and working to the bottom.

Building Types

Staff recommends modifying the building types in the standard method of development standards tables for the Attainable Housing Focus Zones to clarify a Detached House 'For Single Unit Living', and to add new column for Duplex. In the R-90, R-60 and R-40 zones staff also recommends a new column for Multiplex buildings. The first set of changes are proposed to the building types found at the very top of the standards tables that serve as the column headings. Not all building types will be found in all zones or all methods of development, and only types that are changing or being added are described in detail below.

Detached House: Depending on the zone, in most every standards table the left most building type column is either for *Detached House*, or *Detached House or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone*. Staff is proposing a modification to "*Detached house for single-unit living*" as a matter of clarity, because as part of the Attainable Housing Optional Method, which will be discussed at another work session, staff is recommending a new building type of *Detached House for Cottage Court Living*, which has unique standards. If as part of the optional method discussion the Cottage Court Living is decided against, then this change to Detached House for by-right development is not necessary.

Duplex: In certain zones, particularly in the R-40 zone (and in the Townhouse, Multi-Unit, and CR zones), the Duplex is described as a Duplex – Side, or a Duplex – Over, however in the other residential zones the Duplex does not have those qualifiers. The intent appears to imply that an over, or stacked duplex would be situated on a lot twice the size of the horizontal duplex, ensuring that stacking was not a way to increase density. Due to other changes in the development standards table in how minimum lot and tract sizes is measures which staff will describe later, it is recommended that Duplex without side and over qualifiers be the only way to present a Duplex, and that the standards tables in the R-40, Townhouse, Multi-Unit and CR zones be updated to reflect the change.

Multiplex: As discussed earlier, staff is recommending a new multiplex building type. In any zone where the multiplex is proposed, by standard or optional method, the Multiplex building would be added to the development standards table. The Multiplex would fall between the Duplex and Townhouse building types, continuing the general arrangement today of least intense building types on the left, to most

intense building types to the right. The multiplex could be either a triplex or a quadplex, with the use standards section of the Zoning Ordinance dictating where the triplex and quadplex structures would be allowed. Regardless of the number of dwellings, the standards across all multiplexes could be the same.

Below is how the amended building types for standard method development standards tables would change for the R-90 and R-60 zones. In the R-200 zone, Duplex would be added, but not Multiplex:

	Detached House <u>for Single Unit Living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
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Site and Lot

Staff recommends changing the first section of standards within the standard method of development standards tables in the Attainable Housing Focus Zones to “Site and Lot” and creating appropriate standards for the Duplex and Multiplex building types. The Development Standards tables in the Zoning Ordinance are broken down into multiple sub-sections grouped together by similar types of standards. Within the Attainable Housing Focus Zones, the first section is currently called ‘1. Lot and Density’ but is recommended to be renamed ‘1. Site and Lot.’ Staff proposes the following amendments:

	Detached House <u>for Single Unit Living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
1. Lot and Density			
Site and Lot			
<u>Site</u>			
<u>Site Area (Min)</u>			
<u>Site Area (Max)</u>			
<u>Site width at front building line</u>			
Lot (min)			
Lot area			
Lot width at front building line			
Lot width at front lot line			
Frontage on street or open space			
Density			
<u>Density (Units/Acre)</u>			
Coverage (max)			
Lot			
<u>Site</u>			
Specification for <u>Site and Lot and Density</u>			

See Attachment for specific standards

Site Standards

Staff recommends adding a new section for Site standards that would apply to the Duplex and Multiplex building types. The first major change shown is adding a new section for Site standards, that include setting minimum and maximum Site Areas for the duplex and multiplex buildings, as well as a Site Width at Front Site Line Standards. These new site standards are necessary for the duplex and multiplex building types to enable Duplex and Multiplex buildings to be built either as condo/co-op style with one structure on one lot, or as individual ownership with subdivided lots under each unit. Site Area minimums for the Duplex and Multiplex building types would be set at the existing minimum lot area for a detached dwelling, and the Site Area maximums would be set at just slightly more than two times the minimum lot area for a detached dwelling. The intent of these standards is to minimize lot consolidation within the residential neighborhoods. Setting the Site Area maximum at a value slightly more than two-times the minimum would accommodate for inconsistencies in existing lot areas within neighborhoods. The provision for Site Width at Front Building Line mirrors an existing compatibility provision for lot width at front lot line that currently applies to single detached lots that measures the width of the lot where the dwelling is placed. This helps regulate the spacing between buildings and is important in ensuring the new Duplex and Multiplex buildings remain house scale.

Lot

Staff recommends creating new Lot standards for the Duplex and Multiplex building types, expressing lot size minimums as a ‘per unit average.’ There are no changes proposed to the type of standards covered under Lot, other than to add standards as they apply to duplex and multiplex buildings. Staff is proposing the lot area requirements for the duplex and multiplex buildings be expressed as a “per unit average.” This is another change being proposed to allow these dwellings to be either subdivided for individual ownership or to be built as a condo/co-op/rental on a single property. This new wording would also allow for subdivisions that are not perfectly equal in lot size.

For example, a Duplex in the R-200 zone, the standard method lot area minimum would be set at a 10,000 SF per unit average. This would require a site of 20,000 SF to accommodate two 10,000 SF lot areas. That 20,000 SF property could be one lot with a duplex building, or two separate lots that add up to 20,000 SF. Further, those two separate lots could each be 10,000 SF, or one may be 12,000 SF while the other is 8,000 SF. The variation in lot size is to help with subdivision on irregularly shaped properties, or in instances where one dwelling is planned to be larger than the other. This would have no impact on the side setbacks as those standards are still proposed and will be discussed later in this report.

Density

Staff recommends removing Density as a development standard within the Attainable Housing Focus Zones. The density rows only served as a quick way to gauge how many units per acre were allowed, based on the minimum lot size for the detached dwelling. By allowing duplexes and multiplexes, a policy decision is being made to allow an increase in the actual density on a units/acre measure making the metric less useful. Maintaining development standards such as building height, setbacks and lot coverage is the more practical way to regulate development within the different zones, as these standards are what ultimately regulate the built form of the neighborhoods.

Specifications for Site and Lot

Staff recommends adding a new Specification for Site and Lot that provides flexibility for existing undersized lots to still pursue house scale Attainable Housing. At the end of most sections within the standards tables is a ‘Specifications’ section, where footnotes on how to interpret the table, or special standards that may be applied can be found. There are some existing specifications that will remain unchanged, however one new specification is proposed, which would address the creation of Duplex and Multiplex buildings on existing lots or parcels that are substandard for a detached house.

The following specification is proposed: Site area minimum for Duplex and Multiplex, and minimum lot area averages for Duplex may be smaller than required if the project is on an existing residential lot eligible for a building permit under Section 7.7.1.D.1.a. The site area minimum becomes the existing lot or parcel area, and the minimum lot area average for the Duplex is set at half the site area. Minimum lot area for the Multiplex type remains unchanged.

This specification would allow existing sub-standard lots within the Attainable Housing Focus Zones to still accommodate and potentially subdivide for house scale Attainable Housing, if the sub-standard lot is otherwise eligible for a building permit for a detached house under today’s standards. The minimum Site Area for Duplex and Multiplex buildings is set at the minimum lot area for a detached dwelling, so the first part of the specification provides the ability to start with a sub-standard Site Area. The second part of the specification deals with the lot area. As proposed, the Duplex would be allowed to also have a sub-standard lot area since the lot areas for Duplex are set at ½ the lot area for a detached dwelling already.

For the multiplex, the specification does not provide an exemption for minimum lot area. The lot area minimum for multiplex is generally set at ¼ the lot area for a detached dwelling which would accommodate a quadplex under normal circumstances. By not providing relief to the lot area for multiplexes, this would limit the substandard property to a triplex at most. Staff presents this language as a reasonable way to still accommodate the creation of some additional attainable housing on sub-standard sized existing lots, while acknowledging that substandard lots may not be appropriate for the higher intensity building type.

Buildings

Staff recommends a new section of standards for Buildings, setting a new maximum building size based on the underlying zone, and setting criteria for when the new standard applies that aligns with the existing Residential Infill Compatibility applicability. A new section proposed for the standards tables in the Attainable Housing Focus Zones is a section on Buildings to regulate building size maximums. The following new rows of standards would be inserted to each standard method development standards table in the Attainable Housing Focus Zones:

	Detached House <u>for Single Unit Living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
<u>2. Buildings</u>			
<u>Building Size (max)</u>	See Attachment for specific standards		
<u>Building Size (SF)</u>			
<u>Specification for Building Size</u>			

The intent of this regulation is to place an upper limit on how large a building can be built within each zone, regardless of building type, despite the ability to construct something larger within the confines of the other development standards. A concern raised by many within the community related to how large detached dwelling replacement (tear-down and re-build) homes are currently, and that a replacement duplex or multiplex may fully maximize setbacks, height and coverage to create very large structures. Rather than revising the height, setback or coverage standards within the Attainable Housing Focus Zones, an upper limit on square footage is proposed instead. This allows some flexibility in designing individual buildings, while also guaranteeing that a certain size would not be exceeded. This is only a measure of finished space above grade and does not include any basement area. The proposed values are sliding based on zone, with the smallest maximum building size in the R-40 zone and the largest in the R-200 zone.

The building size limitation would only apply to the construction of a new structure, if a structure were demolished and proposed for expansion 50% greater than the previous structure, or if an addition were proposed for more than 50% the size of the existing structure – consistent with the current thresholds for the compatibility standards for residential zones. Lots larger than 15,000 square feet in size in the R-200 zone are exempt from the building size maximums. 15,000 SF was chosen because it is an existing cut-off or building height within the zone. This approach is one supported by the design consultant firm Opticos that championed the ‘missing-middle’ movement and consulted the Planning Department as part of the Attainable Housing Strategies research.

Placement, Height, and Form

Staff recommends creating standards for Placement, Height and Form standards for the Duplex and Multiplex building types within the Attainable Housing Focus Zones. There are no substantial changes proposed to the types of standards that are presented under Placement, Height or Form. Appropriate standards are proposed for the Duplex and Multiplex building type columns where none existed before and are largely based on mirroring the standards set for the existing Detached House building type to ensure elements such as setbacks and height remain the same.

A concern was raised during the creation of the new development standards about how side setbacks would be handled for Duplex and Multiplex buildings that may have a zero lot line because the underlying site is subdivided through the building for ownership. The existing Zoning Ordinance for Duplexes in zones that allow them in standard method (such as R-40 and the townhouse zones) do not make any particular mention of, or accommodation for zero lot line, and it is noted by staff that the

setback is a principal building setback, not a dwelling unit setback, so the principal building itself may actually cross lot lines so long as that building type is allowed within the underlying zone.

STANDARDS TABLES FOR OTHER ZONES

Staff recommends making modifications to the standards tables in the Residential Townhome, Commercial/Residential and Employment zones to add the Multiplex building type to the standard method of development data tables. In the Townhouse, Multi-unit, Commercial/Residential, and Employment zones, staff recommends the standard method of development standards tables all have minor modifications to add the Multiplex building type, and to insert the appropriate development standards consistent with how the standards are developed for the Attainable Housing Focus Zones. These are all zones where Duplex and Townhouse building types are currently allowed by-right, so it seems consistent to also include the Multiplex type. This would keep the use of the building type consistent across zones and may increase the opportunity to create attainable housing in more places of the county.

PATTERN BOOK

Staff recommends requiring that any new house scale Attainable Housing created by-right in the Attainable Housing Focus Zones comply with the elements of a Pattern Book. The pattern book will be a complementary document to the development standards in the Zoning Ordinance. Staff recommends using a pattern book as part of the building permit process as a tool to ensure clear and objective form-based standards. New construction, and replacement duplexes, triplexes and quadplexes built in the Attainable Housing Focus Zones will need to conform to the recommendations within the pattern book. Adaptive reuse projects will not be required to conform to the recommendations of the pattern book, given the unique site conditions and building constraints typically involved with conversions and additions to existing structures.

A primary goal of the pattern book is to facilitate the construction of duplexes, triplexes, and quadplexes that maintain a “house-scale” size and form. The pattern book will graphically illustrate the development standards for the underlying residential zones and provide multiple recommendations related to building placement and orientation, massing, frontage design, and parking layout based on a variety of lot configurations and sizes (narrow, deep, large etc.).

Recommendations within the pattern book will ensure that duplexes, triplexes, and quadplexes contribute positively to the public realm and create safe and attractive streetscapes that are not overwhelmed by parking or that unintentionally look like small apartments. The pattern book will also ensure elements like porches, stoops, and lead walks are included to create neighborly homes that encourage social interaction and do not lead to isolating community dynamics. Finally, the pattern book will help get rid of arbitrary terms such as “character” and “compatibility” from the evaluation criteria for these multiplex housing types.

The pattern book will not dictate or restrict architectural styles, design choices, building materials, or colors. These creative choices will be the purview of the architect and/or homeowner. The pattern book

will provide clear regulatory guidance with some conceptual options but will not create cumbersome mandates related to design.

The Planning Department has a current work program item focused on developing this pattern book. Staff recommends that this pattern book be completed, approved by the Planning Board following an opportunity for public comment, and available for use by the Department of Permitting Services before allowing any replacement or new construction duplexes, triplexes or quadplexes by-right.

If the Planning Board is amenable to using a pattern book as a tool to ensure clear and objective form-based standards, staff seeks guidance on the following:

- **Should the pattern book be regulatory or advisory in its nature?**
- **Should the pattern book's application pertain to all small scale attainable housing typologies, or only certain ones? Should it only apply to certain geographies?**
- **Should the pattern book apply to only small scale attainable housing, or also medium and large scale?**
- **Should the pattern book cover any additional building types beyond duplexes, triplexes and quadplexes?**
- **Should staff work with DPS as a separate effort to develop ready-to-use permit sets for duplexes, triplexes and quadplexes to facilitate their construction?**

ATTACHMENT

Attachment: Amended Development Standards Tables

59.4.4.7.B. R-200 Zone, Standard Method Development Standards

	Detached House <u>for single-unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
1. Lot and Density <u>Site and Lot</u>			
<u>Site Area</u>			
<u>Site Area (Min)</u>	<u>n/a</u>	<u>20,000 SF</u>	<u>20,000 SF</u>
<u>Site Area (Max)</u>	<u>n/a</u>	<u>40,000 SF</u>	<u>40,000 SF</u>
<u>Site width at front building line</u>	<u>n/a</u>	<u>100'</u>	<u>100'</u>
<u>Lot (min)</u>			
Lot area	20,000 SF	<u>10,000 SF per unit average</u>	<u>5,000 SF per unit average</u>
Lot width at front building line	100'	<u>n/a</u>	<u>n/a</u>
Lot width at front lot line	25'	<u>25'</u>	<u>n/a</u>
Frontage on street or open space	Required <u>except as exempt under Chapter 50</u>		
<u>Density (max)</u>			
<u>Density (units/acre)</u>	<u>2.18</u>		
<u>Coverage (max)</u>			
Lot	25%	<u>n/a</u>	<u>n/a</u>
<u>Site</u>	<u>n/a</u>	<u>25%</u>	<u>25%</u>
<u>Specification for Site and Lot and Density</u>			
<p><u>a. Site area minimum for Duplex and Multiplex, and minimum lot area averages for Duplex may be smaller than required if the project is on an existing residential lot eligible for a building permit under Section 7.7.1.D.1.a. The site area minimum becomes the existing lot or parcel area, and the minimum lot area average for the Duplex is sat at half the site area. Minimum lot area for the Multiplex building type remains unchanged.</u></p> <p><u>b. Lot area requirements for Duplex and Multiplex building types is expressed as an average lot area. Individual lots may be smaller so long as the lot is still adequate to meet all other development standards.</u></p> <p><u>a-c. Lot width at the front building line and setback requirements may be reduced under Section 4.4.3.</u></p>			

	Detached House <u>for single-unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex	Multiplex
<u>b-d.</u> Development with a detached house building type may have to satisfy Section 4.4.1.B, Residential Infill Compatibility.			
2. Buildings			
Building Size (max)			
Building Size (SF)	5,000 SF		
Specification for Building Size			
<p>a. <u>Building size is a measure of finished and habitable above grade finished space and does not include garages or basements.</u></p> <p>b. <u>Building size maximums apply to the construction of a new detached house, duplex or multiplex, the demolition and reconstruction of more than 50% of the floor area of an existing detached house to be used as a detached house, duplex or multiplex, or the addition of more than 50% of the floor area of an existing detached house to be used as a detached house, duplex or multiplex.</u></p>			
23. Placement			
Principal Building Setbacks (min)			
Front setback	40'	<u>40'</u>	<u>40'</u>
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	40'	<u>40'</u>	<u>40'</u>
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone	15'	<u>15'</u>	<u>15'</u>
Side setback	12'	<u>12'</u>	<u>12'</u>
Sum of side setbacks	25'	<u>24'</u>	<u>24'</u>
Rear setback	30'	<u>30'</u>	<u>30'</u>
Specification for Principal Building Setbacks			
a. Development may have to satisfy Section 4.4.1.A, Established Building Line			
Accessory Structure Setbacks (min)			

	Detached House <u>for single-unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex	Multiplex
Front setback	65'	<u>10 feet behind the front building line</u>	
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	40'	<u>40'</u>	<u>40'</u>
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone	15'	<u>15'</u>	<u>15'</u>
Side setback	12'	<u>12'</u>	<u>10'</u>
Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone	12'	<u>12'</u>	<u>10'</u>
Rear setback, if not otherwise addressed	7'	<u>7'</u>	<u>7'</u>
Specification for Accessory Structure Setbacks			
<p>a. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building <u>except for the Multiplex building type</u>.</p> <p>b. The maximum footprint of an accessory building on a lot where the main building is a detached house is 50% of the footprint of the main building or 600 square feet, whichever is greater. <u>The maximum footprint where the main building is a Duplex or Multiplex is limited to 50% of the footprint of the dwelling, and each dwelling is allowed one accessory structure</u>—Buildings for an agricultural use are exempt from this size restriction.</p> <p>c. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.</p>			
34. Height			
Height (max)			
Principal building			
Measured to highest point of any roof			
If lot is ≥ 40,000 SF	50'	<u>50'</u>	<u>50'</u>
If lot is ≥ 25,000 SF and <40,000 SF	45'	<u>45'</u>	<u>45'</u>

	Detached House <u>for single-unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
If lot is ≥ 15,000 SF and <25,000 SF	40'	<u>40'</u>	<u>40'</u>
If lot is ≥ 0 SF and <15,000 SF	35'	<u>35'</u>	<u>35'</u>
OR			
Measured to mean height between the eaves and ridge of a gable, hip, mansard, or gambrel roof			
If lot is ≥ 40,000 SF	50'	<u>50'</u>	<u>50'</u>
If lot is ≥ 25,000 SF and <40,000 SF	40'	<u>40'</u>	<u>40'</u>
If lot is ≥ 15,000 SF and <25,000 SF	35'	<u>35'</u>	<u>35'</u>
If lot is ≥ 0 SF and <15,000 SF	30'	<u>30'</u>	<u>30'</u>
Accessory structure	35'	<u>35'</u>	<u>35'</u>
45. Form			
Allowed Building Elements			
Gallery/Awning	n/a	<u>n/a</u>	<u>n/a</u>
Porch/Stoop	yes	<u>yes</u>	<u>yes</u>
Balcony	yes	<u>yes</u>	<u>yes</u>
56. Buildings used for Agriculture Associated with Farming			
Specification for Buildings used for Agriculture Associated with Farming			
a. A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except that the maximum building height is			

59.4.4.8.B. R-90 Zone, Standard Method Development Standards

	Detached House <u>for Single Unit Living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex	Multiplex
1. Lot and DensitySite and Lot			
Site Area (Min)	n/a	9,000 SF	9,000 SF
Site Area (Max)	n/a	20,000 SF	20,000 SF
Site width at front building line	n/a	75'	75'
Lot (min)			
Lot area	9,000 SF	4,500 SF per unit average	2,250 SF per unit average
Lot width at front building line	75'	n/a	n/a
Lot width at front lot line	25'	25'	n/a
Frontage on street or open space	Required, except as exempt under Chapter 50		
Density (max)			
Density (units/acre)	4.84		
Coverage (max)			
Lot	30%	n/a	n/a
Site	n/a	30%	30%
Specification for <u>Site and Lot</u> and Density			
<p>a. <u>Site area minimum for Duplex and Multiplex, and minimum lot area averages for Duplex may be smaller than required if the project is on an existing residential lot eligible for a building permit under Section 7.7.1.D.1.a. The site area minimum becomes the existing lot or parcel area, and the minimum lot area average for the Duplex is sat at half the site area. Minimum lot area for the Multiplex building type remains unchanged.</u></p> <p>b. <u>Lot area requirements for Duplex and Multiplex building types is expressed as an average lot area. Individual lots may be smaller so long as the lot is still adequate to meet all other development standards.</u></p> <p>c. Lot width at the front building line and setback requirements may be reduced under Section 4.4.3.</p> <p>b-d. Development with a detached house building type may have to satisfy Section 4.4.1.B, Residential Infill Compatibility.</p>			

	Detached House <u>for Single Unit Living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex	Multiplex
1. Buildings			
Building Size (max)			
Building Size (SF)		4,500 SF	
Specification for Building Size			
<p>a. <u>Building size is a measure of finished and habitable above grade finished space and does not include garages or basements.</u></p> <p>b. <u>Building size maximums apply to the construction of a new detached house, duplex or multiplex, the demolition and reconstruction of more than 50% of the floor area of an existing detached house to be used as a detached house, duplex or multiplex, or the addition of more than 50% of the floor area of an existing detached house to be used as a detached house, duplex or multiplex.</u></p>			
23. Placement			
Principal Building Setbacks (min)			
Front setback	30'	<u>30'</u>	<u>30'</u>
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	30'	<u>30'</u>	<u>30'</u>
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone	15'	<u>15'</u>	<u>15'</u>
Side setback	8'	<u>10'</u>	<u>10'</u>
Sum of side setbacks	25'	<u>n/a</u>	<u>n/a</u>
Rear setback	25'	<u>25'</u>	<u>25'</u>
Specification for Principal Building Setbacks			
a. Development may have to satisfy Section 4.4.1.A, Established Building Line.			
Accessory Structure Setbacks (min)			
Front setback	60'	<u>5' behind front building line</u>	

	Detached House <u>for Single Unit Living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	30'	<u>30'</u>	<u>30'</u>
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone	15'	<u>15'</u>	<u>15'</u>
Side setback	5'	<u>5'</u>	<u>5'</u>
Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone	10'	<u>10'</u>	<u>10'</u>
Rear setback, if not otherwise addressed	5'	<u>5'</u>	<u>5'</u>
Specifications for Accessory Structure Setbacks			
<p>a. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building <u>except for the multiplex building type</u>.</p> <p>b. For any accessory structure with a height greater than 15', the minimum side and rear setback must be increased at a ratio of 2' of additional setback for each foot of height in excess of 15'.</p> <p>c. For any accessory structure with a length along a rear or side lot line that is longer than 24', the minimum side or rear set back must be increased at a ratio of 2' for every 2' that the dimension exceeds 24 linear feet. A swimming pool is exempt from this limit.</p> <p>d. The maximum footprint of an accessory building on a lot where the main building is a detached house is 50% of the footprint of the main building or 600 square feet, whichever is greater. <u>The maximum footprint where the main building is a Duplex or Multiplex is limited to 50% of the footprint of the dwelling, and each dwelling is allowed one accessory structure.</u> Buildings for an agricultural use are exempt from this size restriction.</p> <p>e. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.</p>			
34. Height			
Height (max)			
Principal building			

	Detached House <u>for Single Unit Living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
- measured to highest point of roof surface, regardless of roof type; or	35'	<u>35'</u>	<u>35'</u>
- measured to mean height between the eaves and ridge of a gable, hip, mansard, or gambrel roof	30'	<u>30'</u>	<u>30'</u>
Accessory structure	20'	<u>20'</u>	<u>20'</u>
Specification for Height			
a. In development with a detached house, <u>duplex, or multiplex</u> building type height may be increased to 40' if approved by the Planning Board in a site plan under Section 7.3.4.			
45. Form			
Allowed Building Elements			
Gallery/Awning	n/a	<u>n/a</u>	<u>n/a</u>
Porch/Stoop	yes	<u>yes</u>	<u>yes</u>
Balcony	yes	<u>yes</u>	<u>yes</u>
56. Buildings used for Agriculture Associated with Farming			
Specification for Buildings used for Agriculture Associated with Farming			
a. A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except that the maximum building height is 50'.			

59.4.4.9.B. R-6o Zone, Standard Method Development Standards

1. Lot and Density Site and Lot	Detached House for single unit living or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
Site			
<u>Site Area (Min)</u>	<u>n/a</u>	<u>6,000 SF</u>	<u>6000 SF</u>
<u>Site Area (Max)</u>	<u>n/a</u>	<u>15,000 SF</u>	<u>15,000 SF</u>
<u>Site width at front building line</u>	<u>n/a</u>	<u>60'</u>	<u>60'</u>
Lot (min)			
Lot area	6,000 SF	<u>3,000 SF per unit average</u>	<u>1,500 SF per unit average</u>
Lot width at front building line	60'	<u>n/a</u>	<u>???</u>
Lot width at front lot line	25'	<u>25'</u>	<u>???</u>
Frontage on street or open space	Required, except as exempt under Chapter 50		
<u>Density (max)</u>			
<u>Density (units/acre)</u>	<u>7.26</u>		
Coverage (max)			
Lot	35%	<u>n/a</u>	<u>n/a</u>
<u>Site</u>	<u>n/a</u>	<u>35%</u>	<u>35%</u>
Specification for <u>Site and Lot and Density</u>			
<p><u>a.</u> Site area minimum for Duplex and Multiplex, and minimum lot area averages for Duplex may be smaller than required if the project is on an existing residential lot eligible for a building permit under Section 7.7.1.D.1.a. The site area minimum becomes the existing lot or parcel area, and the minimum lot area average for the Duplex is sat at half the site area. Minimum lot area for the Multiplex building type remains unchanged.</p> <p><u>b.</u> Lot area requirements for Duplex and Multiplex building types is expressed as an average lot area. Individual lots may be smaller so long as the lot is still adequate to meet all other development standards.</p> <p><u>Ac.</u> Lot width at the front building line and setback requirements may be reduced under Section 4.4.3.</p> <p><u>Bd.</u> Development with a detached house building type may have to satisfy Section 4.4.1.B, Residential Infill Compatibility.</p> <p><u>Ce.</u> The lot coverage maximum does not apply to Religious Assembly.</p>			

1. <u>Lot and Density</u><u>Site and Lot</u>	Detached House <u>for single unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
2 Buildings			
<u>Building size (max)</u>			
<u>Building Size (SF)</u>	<u>4,200 SF</u>		
<u>Specification for Building Size</u>			
<p><u>a. Building size is a measure of finished and habitable above grade finished space and does not include garages or basements.</u></p> <p><u>b. Building size maximums apply to the construction of a new detached house, duplex or multiplex, the demolition and reconstruction of more than 50% of the floor area of an existing detached house to be used as a detached house, duplex or multiplex, or the addition of more than 50% of the floor area of an existing detached house to be used as a detached house, duplex or multiplex.</u></p>			
23. Placement			
<u>Principal Building Setbacks (min)</u>			
Front setback	25'	<u>25'</u>	<u>25'</u>
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	25'	<u>25'</u>	<u>25'</u>
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone	15'	<u>15'</u>	<u>15'</u>
Side setback	8'	<u>8'</u>	<u>8'</u>
Sum of side setbacks	18'	<u>n/a</u>	<u>n/a</u>
Rear setback	20'	<u>20'</u>	<u>20'</u>
<u>Specification for Principal Building Setbacks</u>			
a. Development may have to satisfy Section 4.4.1.A, Established Building Line.		<u>n/a</u>	
<u>Accessory Structure Setbacks (min)</u>			
Front setback	60'	<u>5' behind front building line</u>	

1. <u>Lot and Density</u> <u>Site and Lot</u>	Detached House <u>for single unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	25'	<u>25'</u>	<u>25'</u>
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone	15'	<u>15'</u>	<u>15'</u>
Side setback	5'	<u>5'</u>	<u>5'</u>
Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone	10'	<u>10'</u>	<u>10'</u>
Rear setback, if not otherwise addressed	5'	<u>5'</u>	<u>5'</u>
Specifications for Accessory Structure Setbacks			
<p>a. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building.</p> <p>b. For any accessory structure with a height greater than 15', the minimum side and rear setback must be increased at a ratio of 2' of additional setback for each foot of height in excess of 15'.</p> <p>c. For any accessory structure with a length along a rear or side lot line that is longer than 24', the minimum side or rear setback must be increased at a ratio of 2' for every 2' that the dimension exceeds 24 linear feet. A swimming pool is exempt from this limit.</p> <p>d. The maximum footprint of an accessory building on a lot where the main building is a detached house is 50% of the footprint of the main building or 600 square feet, whichever is greater. <u>The maximum footprint where the main building is a Duplex or Multiplex is limited to 50% of the footprint of the dwelling, and each dwelling is allowed one accessory structure</u> -Buildings for an agricultural use are exempt from this size restriction.</p> <p>e. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.</p>			
34. Height			
Height (max)			
Principal building			
- measured to highest point of roof surface, regardless of roof type; or	35'	<u>35'</u>	<u>35'</u>

1. Lot and DensitySite and Lot	Detached House <u>for single unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	<u>Duplex</u>	<u>Multiplex</u>
- measured to mean height between the eaves and ridge of a gable, hip, mansard, or gambrel roof	30'	<u>30'</u>	<u>30'</u>
Accessory structure	20'	<u>20'</u>	<u>20'</u>
Specification for Height			
a. In development with a detached house building type <u>Building</u> height may be increased to 40' if approved by the Planning Board in a site plan under Section 7.3.4.			
<u>45. Form</u>			
Allowed Building Elements			
Gallery/Awning	n/a	<u>n/a</u>	<u>n/a</u>
Porch/Stoop	yes	<u>yes</u>	<u>yes</u>
Balcony	yes	<u>yes</u>	<u>yes</u>
<u>56. Buildings used for Agriculture Associated with Farming</u>			
Specification for Buildings used for Agriculture Associated with Farming			
a. A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except that the maximum building height is 50'.			

59.4.4.10.B. R-40 Zone, Standard Method Development Standards

	Detached House <u>for one unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex Over	<u>Multiplex</u>
1. Site and Lot			
<u>Site Area (min)</u>	<u>n/a</u>	<u>8,000 SF</u>	<u>8,000 SF</u>
Site Area (max)	n/a	816,000 SF	<u>16,000 SF</u>
<u>Site width at front building line</u>	<u>n/a</u>	<u>60'</u>	<u>60'</u>
2. Lot and Density			
Lot (min)			
Lot area	6,000 SF	8,000 <u>3,000 SF per unit average</u>	<u>3,000 SF per unit average</u>
Lot width at front building line	60'	80' <u>n/a</u>	<u>n/a</u>
Lot width at front lot line	25'	25'	<u>n/a</u>
Frontage on street or open space	Required, except as exempt under Chapter 50		
<u>Density (max)</u>			
Density (<u>units/acre</u> <u>FAR</u>)	7.26	10.89	
Coverage (max)			
Lot	35%	40% <u>n/a</u>	<u>n/a</u>
<u>Site</u>	<u>n/a</u>	<u>40%</u>	<u>40%</u>
Specification for Lot and Density			
<p><u>a. Site area minimum for Duplex and Multiplex, and minimum lot area averages for Duplex may be smaller than required if the project is on an existing residential lot eligible for a building permit under Section 7.7.1.D.1.a. The site area minimum becomes the existing lot or parcel area, and the minimum lot area average for the Duplex is sat at half the site area. Minimum lot area for the Multiplex building type remains unchanged.</u></p>			

	Detached House <u>for one unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex Over	<u>Multiplex</u>
<p><u>a-b.</u> Lot area requirements for Duplex and Multiplex building types is expressed as an average lot area. Individual lots may be smaller so long as the lot is still adequate to meet all other development standards.</p> <p><u>a-c.</u> Lot width at the front building line and setback requirements may be reduced under Section 4.4.3.</p> <p><u>b-d.</u> Development with a detached house building type may have to satisfy Section 4.4.1.B, Residential Infill Compatibility.</p>			
2. Buildings			
<u>Building Size (max)</u>			
<u>Building Size (SF)</u>	<u>4,000 sf</u>		
<u>Specification for Building Size</u>			
<p><u>a.</u> Building size is a measure of finished and habitable above grade finished space and does not include garages or basements.</p> <p><u>b.</u> Building size maximums apply to the construction of a new detached house, duplex or multiplex, the demolition and reconstruction of more than 50% of the floor area of an existing detached house to be used as a detached house, duplex or multiplex, or the addition of more than 50% of the floor area of an existing detached house to be used as a detached house, duplex or multiplex.</p>			
3. Placement			
<u>Principal Building Setbacks (min)</u>			
Front setback	25'	25'	<u>25'</u>
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	25'	25'	<u>25'</u>
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone	15'	15'	<u>15'</u>
Side setback	8'	10'	<u>10'</u>
Sum of side setbacks	18'	n/a	<u>n/a</u>
Rear setback	20'	20'	<u>20'</u>

	Detached House <u>for one unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex Over	<u>Multiplex</u>
Specification for Principal Building Setbacks			
a. Development of a detached house may have to satisfy Section 4.4.1.A, Established Building Line.			
Accessory Structure Setbacks (min)			
Front setback	60'	<u>5' behind front building line</u> 60'	
Side street setback, abutting lot fronts on the side street and is in a Residential Detached zone	25'	25'	<u>25'</u>
Side street setback, abutting lot does not front on the side street or is not in a Residential Detached zone	15'	15'	<u>15'</u>
Side setback	5'	5'	<u>5'</u>
Rear setback, on a corner lot where abutting lot fronts on the side street and is in a Residential Detached zone	10'	10'	<u>10'</u>
Rear setback, if not otherwise addressed	5'	5'	<u>5'</u>

	Detached House <u>for one unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex Over	<u>Multiplex</u>
Specifications for Accessory Structure Setbacks			
<p>a. In addition to the front setback minimum, any accessory structure must be located behind the rear building line of the principal building.</p> <p>b. For any accessory structure with a height greater than 15', the minimum side and rear setback must be increased at a ratio of 2' of additional setback for each foot of height in excess of 15'.</p> <p>c. For any accessory structure with a length along a rear or side lot line that is longer than 24', the minimum side or rear setback must be increased at a ratio of 2' for every 2' that the dimension exceeds 24 linear feet. A swimming pool is exempt from this limit.</p> <p>d. The maximum footprint of an accessory building on a lot where the main building is a detached house is 50% of the footprint of the main building or 600 square feet, whichever is greater. <u>The maximum footprint where the main building is a Duplex or Multiplex is limited to 50% of the footprint of the dwelling, and each dwelling is allowed one accessory structure.</u> Buildings for an agricultural use are exempt from this size restriction.</p> <p>e. Any accessory building or structure used for the housing, shelter, or sale of animals or fowl other than a household pet must be a minimum of 25' from a lot line and a minimum of 100' from a dwelling on another lot.</p>			
4. Height			
Height (max)			
Principal building			
- measured to highest point of roof surface, regardless of roof type; or	35'	35'	<u>35'</u>
- measured to mean height between the eaves and ridge of a gable, hip, mansard, or gambrel roof	30'	35'	<u>35'</u>
Accessory Structure	20'	20'	<u>20'</u>
Specification for Height			
a. In development with a detached house building type <u>Building</u> height may be increased to 40' if approved by the Planning Board in a site plan under Section 7.3.4.			

	Detached House <u>for one unit living</u> or a Building for a Cultural Institution, Religious Assembly, Public Use, or a Conditional Use allowed in the zone	Duplex Over	<u>Multiplex</u>
5. Form			
Allowed Building Elements			
Gallery/Awning	n/a	n/a	<u>n/a</u>
Porch/Stoop	yes	yes	<u>yes</u>
Balcony	yes	yes	<u>yes</u>
6. Buildings used for Agriculture Associated with Farming			
Specification for Buildings used for Agriculture Associated with Farming			
a. A building used for agriculture associated with Farming must satisfy the standards of an accessory structure, except that the maximum building height is			