



Modification of Maximum Coverage Limitation for Minimum Required Rear Yards

Proposed Zoning Ordinance Amendment
Item Type: Update

Development Process Committee
October 3, 2017

Cathy S. Belgin, Deputy Zoning Administrator
Casey Gresham, Senior Assistant to the Zoning Administrator

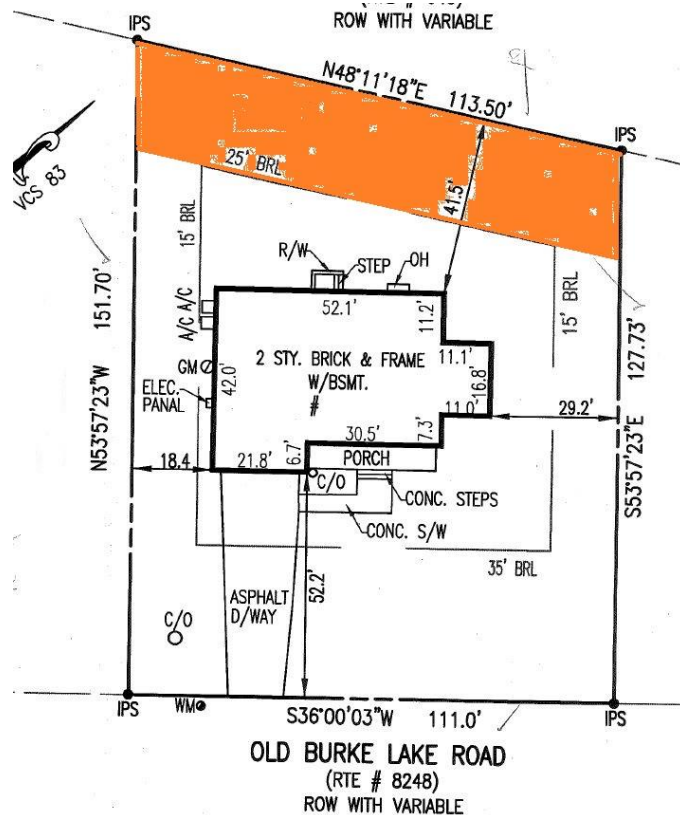
Current Zoning Ordinance Provisions

Use Limitations for Accessory Uses and Structures

Par. 3 of Sect. 10-103:

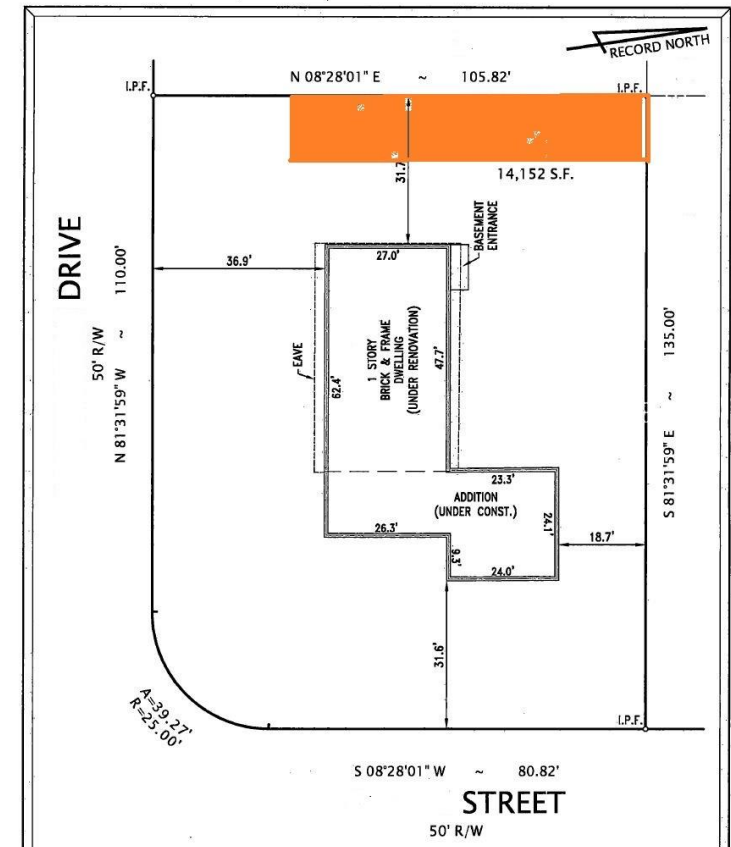
“(a) All uses and structures accessory to single family detached dwellings, to include those extensions permitted by Sect. 2-412, shall cover no more than thirty (30) percent of the area of the minimum required rear yard.”

Location of Minimum Required Rear Yard



Interior Lot

The area of the rear yard extending across the full width of the lot that, located between the rear lot line and the minimum required setback line.



Corner Lot

Recap of Proposed Amendment

Amendment as Proposed Would:

- 1) Establish different min. required rear yard coverage limitations for lots in R Districts vs. P Districts;
- 2) Exempt P District Lots below 5,000 SF from coverage limits;
- 3) Increase the by-right coverage allowed on each lot type to 40% in conventional districts and 50% in P-Districts (w/range);
- 4) Create Special Permit to exceed by-right coverage up to 60% in conventional districts and 75% in P-Districts;
- 5) Clarify what is counted as coverage and how it is counted.

Previous Questions and Concerns

- Stormwater runoff already a significant problem in the older communities – how would this amendment impact the stormwater?
- Concern about having different standards for lots greater than vs. less than 5,000 SF within the same community in P-Districts.

Stormwater Analysis

- LDS and DPWES studying potential impacts on stormwater
- Analysis of Franklin Park, Chesterbrook, and Patton Terrace Neighborhoods
- Analysis of Burke Junction Subdivision

Additional Options to Consider

Allow additional coverage by-right above existing 30% but subject to specific use limitations or conditions. Could include requirements for some portion of coverage to be pervious.

Option to keep by-right coverage limitation at existing 30%, but still establish special permit to request additional coverage.

Means of making regulations uniform for P-District communities where properties above and below 5,000 SF.

Direction Requested from Board

- Proceed with proposal to increase by-right coverage permitted as previously proposed; or
- Propose to allow additional coverage by-right but subject to use limitations; or
- Proceed with creating a special permit option to exceed coverage limitation only, with no by-right increase.

Draft Schedule

Outreach Efforts:

Board of Zoning Appeals: *April 27, 2016,*
with another to be scheduled

Planning Commission Policy and Procedures Committee:
May 4, 2017

Land Use Aides Briefing: *May 9, 2017, September 12, 2017*

BOS DPC Meeting: *May 24, 2017, today*

Draft Schedule

Outreach Efforts:

Briefings to Citizen Groups including:

- Zoning Ordinance Open House: July 2017
- District Land Use Committees: July through September 2017
- Citizen Advisory Working Group: September 2017
- Mount Vernon Council Environment and Recreation Committee (October 2017) and MCA (November 2017)

Proposed Board Authorization: November 21, 2017



Questions?



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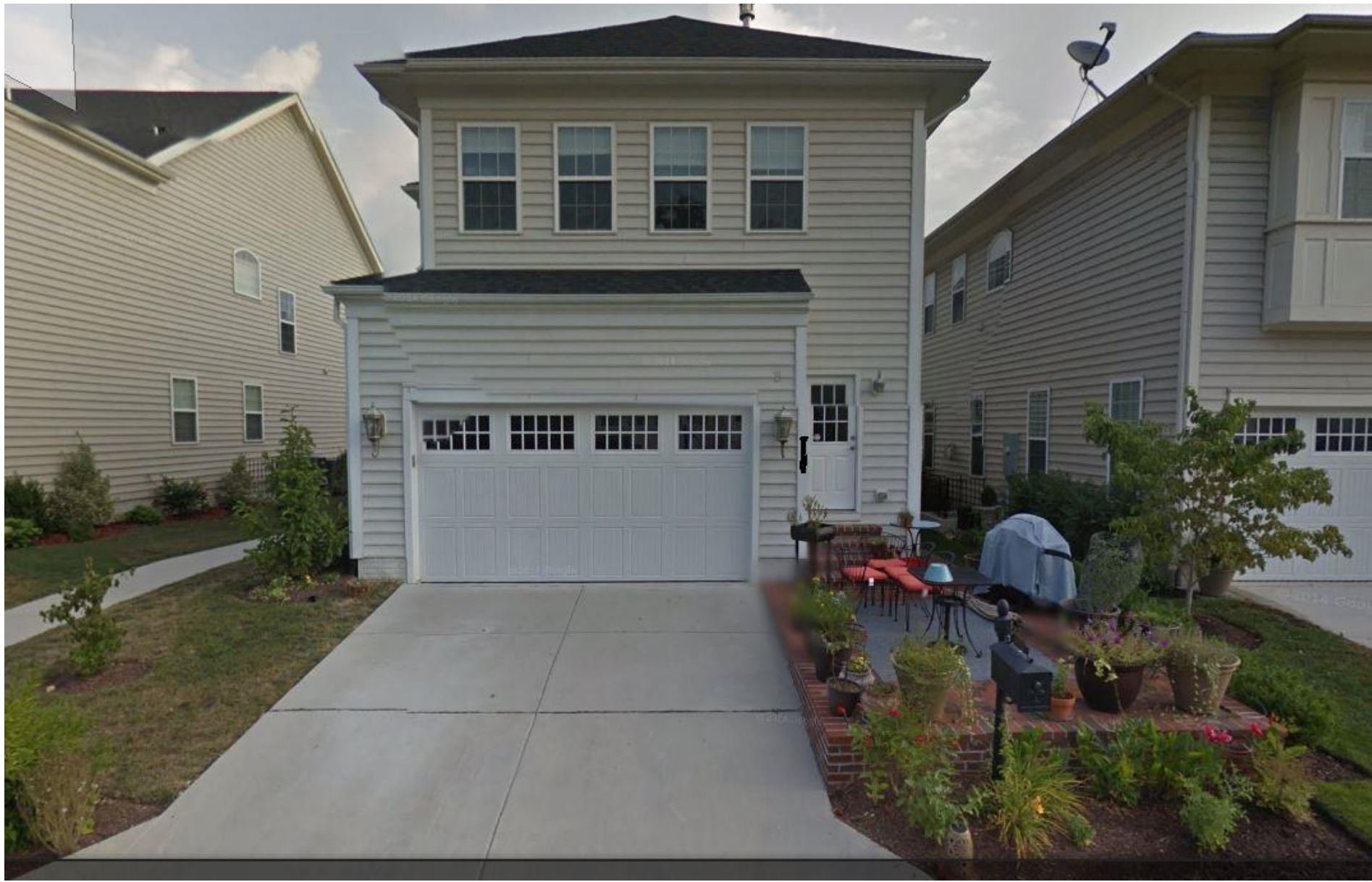
(Additional Slides)

Exempt P District Lots Below 5,000 Square Feet

The most dense zoning district that permits single family detached dwellings is R-5;

R-5 District minimum lot size for single family detached dwellings is 5,000 square feet;

Lots below 5,000 square feet have a unique and more difficult circumstance with respect to this provision.



Example P District Lot Below 5,000 Square Feet

Increase Percentage of Coverage Allowed By-Right

Propose to increase the maximum by-right percentage of minimum required rear yard coverage:

From 30% to **40%** (*or as high as 50%*) for R districts;

From 30% to **50%** (*or as high as 60%*) for P districts.

Create New Special Permit to Exceed Coverage Limit

- To exceed coverage currently requires variance approval, or PCA and/or FDPA approval in P Districts.
- Create Special Permit to request an increase in maximum coverage of minimum required rear yard to as high as **60% for conventional districts;**
75% for P Districts.
- Filing fee of \$910 (*Same as other residential special permits.*)

Create a New Special Permit to Exceed Coverage Limit

- Add calculation of coverage as submission requirement on all special permit applications for single family detached dwellings;
- Doesn't change ability of Board to modify coverage in P Districts as part of a rezoning application;
- Variance still required for coverage beyond that permitted by special permit, or P district lots may still pursue PCA and/or FDPA approval.

Clarify Coverage Calculations

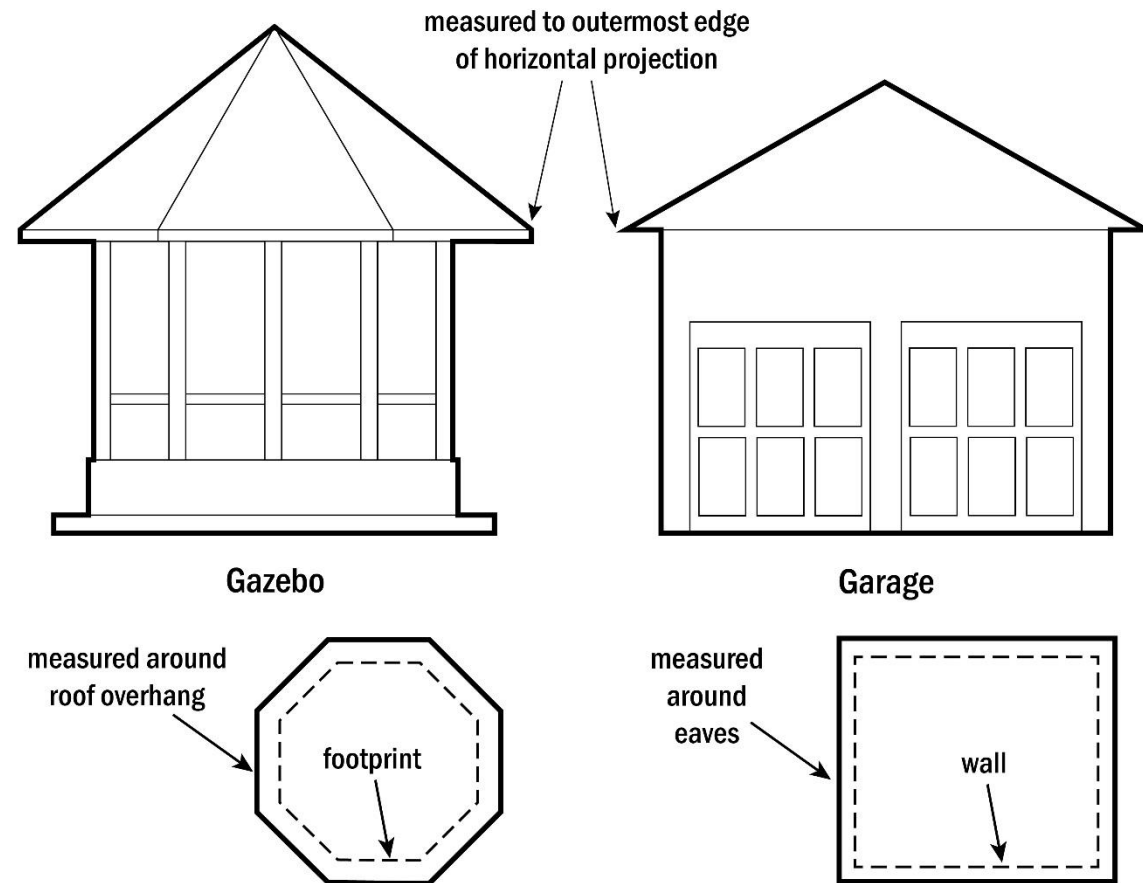
Walkways 5 feet in width or less would not count, irrespective of surface.

Illustrations will be added to Zoning Ordinance for clarity.

Detached accessory structures would be measured to the outermost horizontal surface (see *Plate 1*);

Illustration 6
Plate 1

Maximum Coverage Limitation for Minimum Required Rear Yards



Freestanding Accessory Structures

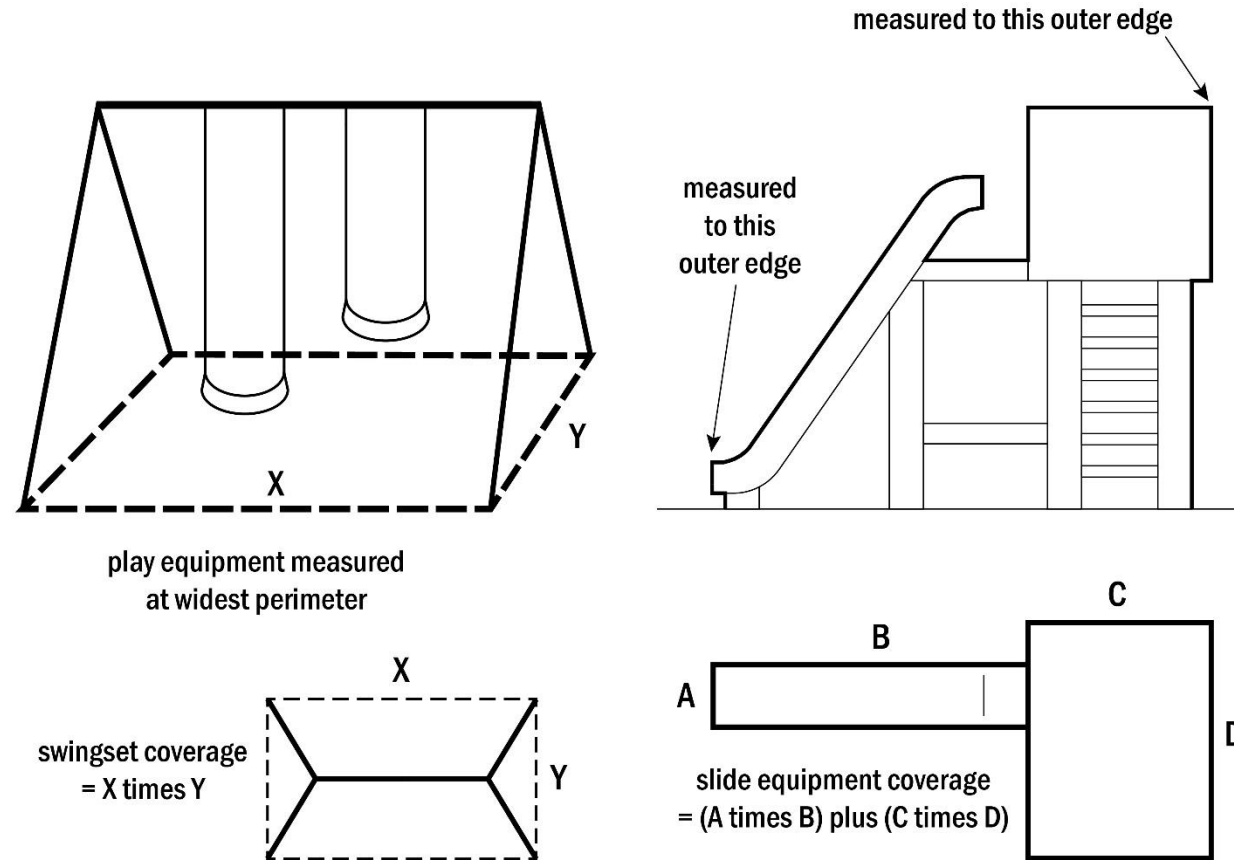
Clarify Coverage Calculations

Play equipment coverage would be measured to the outermost perimeter of any part of the structure, even if that exceeds the footprint (*see Plate 2*);

Soft landing areas beyond the perimeter would not count as they had been with recent interpretation (*see photo*).

Illustration 6 Plate 2

Maximum Coverage Limitation for Minimum Required Rear Yards





Clarify Coverage Calculations

Decks and other projections from the dwelling would only count when such structures touch the ground.

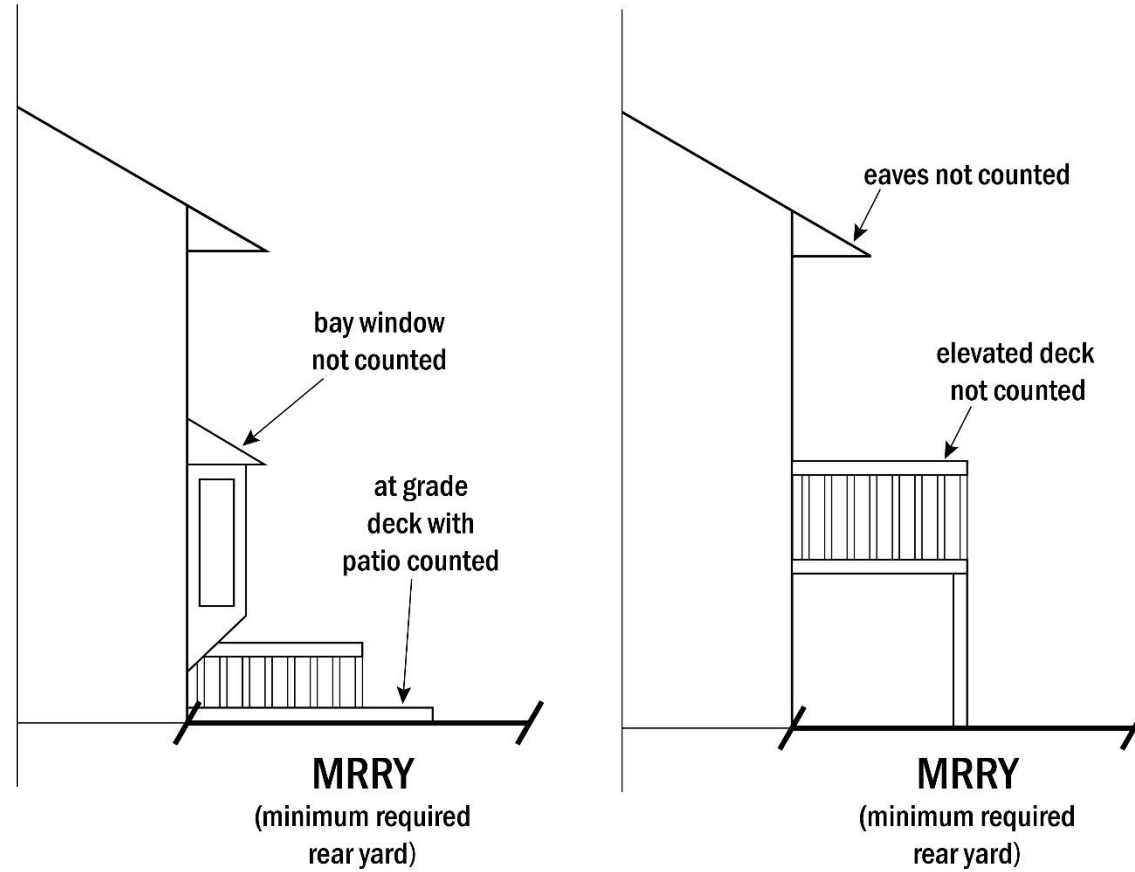
Examples:

Patios and chimneys would count;

Eaves, bay windows, and elevated decks would not count, (*see Plate 3*).

Illustration 6
Plate 3

Maximum Coverage Limitation for Minimum Required Rear Yards



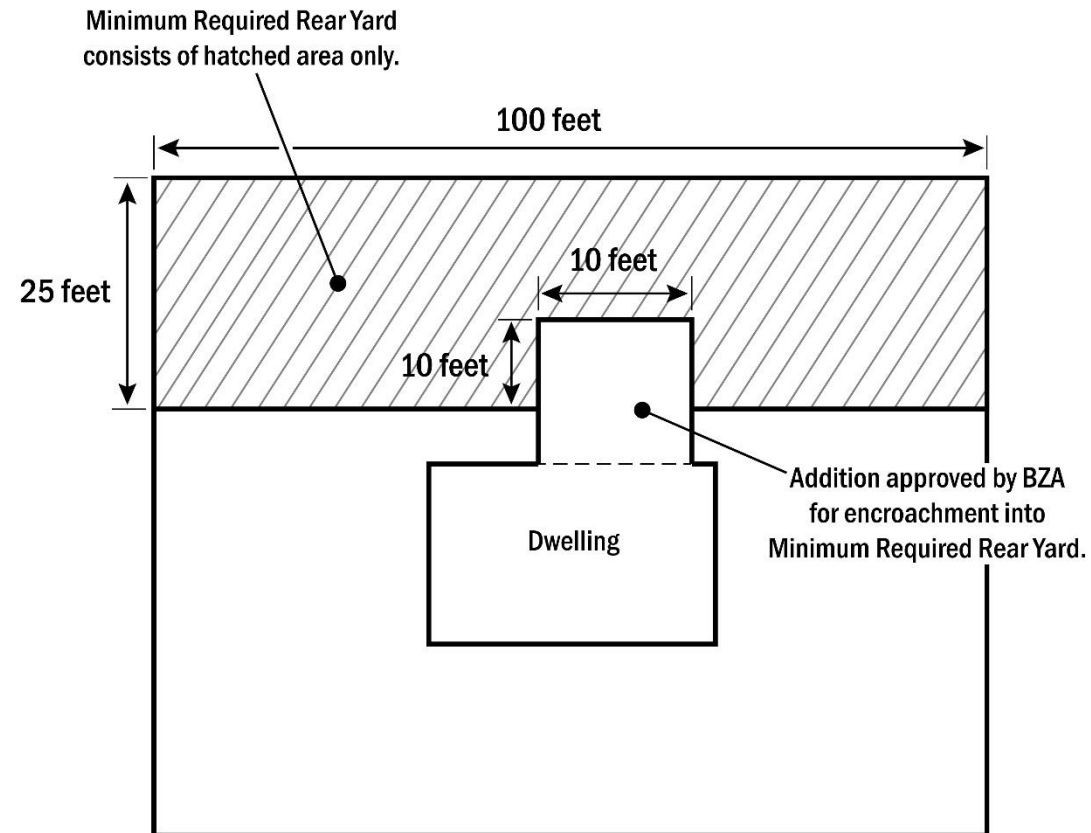
Horizontal Projections from Principal Dwelling

Clarify Coverage Calculations

Portions of the dwelling approved to extend into the minimum required rear yard by other zoning approvals would not count, and such structures would reduce the yard area from which to calculate coverage (see *Plate 4*).

Illustration 6
Plate 4

Maximum Coverage Limitation for Minimum Required Rear Yards



Minimum Required Rear Yard area = (25 times 100) minus (10 times 10) = 2500 sf minus 100 sf = 2400 sf

Minimum Required Rear Yard with Previously Approved Encroachment Excluded

Rear Yard Coverage Examples



Rear Yard Coverage Examples

