

### zMOD Advertised Options for Consideration

The table below summarizes the staff recommendations, advertised options, and the Planning Commission's recommendation for the Board's consideration. Each row should be reviewed independently. The advertised options represent the range of considerations, and any selection within that range may be recommended. For example, staff recommends that freestanding accessory structures may be up to 12 feet in height when located five feet from a side or rear lot line, but the Board could adopt any height from 10 to 12 feet and remain within the scope of advertising. The full text of the standards is included in the February 17 [Strike-Through and Underlined Draft](#). Since the proposed changes may be adopted in full or in part, the Board may also retain the current Zoning Ordinance language. \*In the column with the Planning Commission recommendation, recommendations that are different from the staff recommendation are shown in **bold**.

Topic	Page and Line Numbers	Staff Recommendation	Advertised Options	Planning Commission Recommendation*
Freestanding Accessory Structures	Page 299, Lines 7 - 19	<b>Setbacks:</b> Structures up to <b>12 feet</b> in height may be located five feet from the side and rear lot lines; any structure greater than <b>12 feet</b> in height must meet side setback and distance in height from rear	10 – 12 feet in height	12 feet
	Page 300, Lines 15 - 18	<b>Maximum Height: 20 feet</b> for an enclosed accessory structure on a lot of 36,000 square feet or less with a single-family detached dwelling	15 – 25 feet	20 feet
Vehicle Storage	Page 306, Lines 23 - 25	In residential areas, up to <b>two</b> vehicles may be kept under a fitted vehicle cover	Zero – three vehicles	Two vehicles
Flags and Flagpoles	Page 307, Lines 14 - 27	<b>Number of Flags on Single-Family Lots:</b> On a lot developed with a single-family dwelling, <b>two</b> flags are permitted per lot	Two – three flags	<b>Recommendation of denial; would retain current regulation permitting a maximum of three flags on a lot</b>
		<b>Flagpole Height:</b> On a lot developed with a principal use other than a single-family dwelling, a flagpole is limited to <b>60 feet</b> in height	20 – 80 feet	
		<b>Size of Flags on Single-Family Lots:</b> On a lot developed with a single-family dwelling, each flag may be a maximum of <b>24 square feet</b>	15 – 50 SF	
		<b>Size of Flags on All Other Lots:</b> On a lot developed with any other principal use, each flag may be a maximum of <b>96 square feet</b> .	96 – 216 SF	
Accessory Living Units (ALUs)	Page 308, Lines 3 - 4	<b>Process:</b> Replace special permit requirement for interior ALUs with administrative permit	Retain special permit process for all ALUs	<b>Special permit for all ALUs</b>
	Page 308, Lines 15 - 17	<b>Size for Interior ALUs:</b> May not exceed <b>800 square feet</b> or 40% of the GFA of the principal dwelling (whichever is less)	<b>500 – 1,200 SF</b> , or 40% of the GFA of the principal dwelling (whichever is less)	800 square feet

	Page 308, Lines 22 - 23	<b>Basement:</b> The maximum size applies	Allow the size to be exceeded if the ALU is in a basement or cellar	ALU can occupy entire basement or cellar, <b>but only up to the size of the basement/cellar existing as of the effective date of this Ordinance</b>
	Page 308 - 309, Lines 29 - 30 and 1 - 2	<b>Age and Disability:</b> Retain the requirement that someone in the ALU be 55+ or a person with a disability	Remove the age or disability requirement; this would also remove the requirement of providing reasonable access and mobility	<b>Remove age/disability requirement and reasonable access/mobility standards</b>
	Page 310, Lines 20 - 22	<b>Size for Detached ALUs:</b> May not exceed <b>1,200 SF</b>	700 – 1,500 SF	1,200 SF
Caretaker Quarters	Page 311, Lines 1 - 2	<b>Use:</b> Retain this use and associated standards	Delete this use if the age/disability requirements are removed from ALUs	<b>Delete this use</b>
	Page 311, Lines 14 - 15	<b>Size:</b> May not exceed <b>800 square feet</b>	700 – 1,200 SF	
Home-Based Businesses (HBBs)	Page 317, Lines 5 – 6	<b>Size:</b> Area used for the HBB may not exceed <b>400 square feet</b>	200 – 750 SF	400 SF
	Page 317, Lines 13 – 19	<b>Employees:</b> One non-residential employee is permitted with <b>single-family detached dwellings</b>	One non-residential employee is permitted with all dwelling unit types	One non-residential employee only with SFD dwellings
	Page 317, Lines 21 – 23	<b>Customers or Clients:</b> A maximum of <b>two</b> customers at a time are permitted on-site	0 – 4 customers at a time	<b>Customers only permitted with instructional activities (4 at a time/8 in a day); all other customers require SP approval</b>
	Page 317, Lines 24 - 26	<b>Customers or Clients:</b> A maximum of <b>six</b> customers in a day are permitted on-site	0 – 8 customers in a day	
Fees	Page 595, Table 8102.1	<b>Waiver of Certain Sign Regulations:</b> <b>\$8,260</b>	\$8,260 - \$16,375	\$8,260
	Page 595, Table 8102.1	<b>Accessory Living Unit:</b> <b>\$200</b> administrative permit	\$0 - \$435	\$200
	Page 595, Table 8102.1	<b>Accessory Living Unit:</b> <b>\$70</b> administrative permit renewal fee	\$0 - \$70	\$70

	Page 596, Table 8102.1	<b>Accessory Living Unit: \$70</b> special permit renewal fee	\$0 - \$70	\$70
	Page 595, Table 8102.1	<b>Home-Based Business: \$100</b> administrative permit	\$50 - \$200	\$100
	Page 596, Table 8102.1	<b>Home-Based Business: \$435</b> special permit	\$435 - 910	\$435
	Page 597, Table 8102.1	<b>Alternative Use of Historic Building: \$8,180</b>	\$8,180 - \$16,375	\$8,180
	Page 597, Table 8102.1	<b>Congregate Living Facility: \$8,180</b>	\$8,180 - \$16,375	\$8,180
	Page 598, Table 8102.1	<b>Quasi-Public Park, Playground, or Athletic Field: \$8,180</b>	\$8,180 - \$16,375	\$8,180
	Page 599, Table 8102.1	<b>Addition to or Replacement of a Single-Family Detached Dwelling Existing as of the Effective Date of this Ordinance in a Floodplain: \$8,180</b>	\$8,180 - \$16,375	\$8,180
	Page 600, Table 8102.1	<b>Deletion of Land Area Only: ¼</b> the prevailing fee	¼ to ½ the prevailing fee	¼ the prevailing fee

Tables outlining the current versus proposed standards and PC recommendation for accessory living units and home-based businesses are also included below. Additional information about accessory living units and home-based businesses can be found in the FAQs on the [zMOD webpage](#) under Related Resources.

Current Accessory Dwelling Unit Regulations								
Age/Disability	Size	Approval Process	Location of Unit	Owner-Occupied	Max # of People	Parking	Renewal	Entrances
55+/ person with a disability	35% of principal structure	Special permit with public hearing	Interior; or Detached with 2+ acres	Yes – either principal or accessory unit must be owner-occupied	Two	Determined by BZA	Every five years with Zoning Administrator approval	Must be located on side or rear unless BZA approves alternative location
Staff Recommendation in Public Hearing Draft Accessory Living Unit Regulations								
Age/Disability	Size	Approval Process	Location of Unit	Owner-Occupied	Max # of People	Parking	Renewal	Entrances
No change <sup>1</sup>	Interior: 800 SF or 40% of the principal structure, whichever is less <sup>2</sup>  Detached: 1,200 SF <sup>3</sup>	Interior: Administrative Permit <sup>4</sup>  Detached: No change	No change	No change	No change	Interior: Must provide one additional off-street parking space above minimum required parking <sup>5</sup>  Detached: No change	Initial renewal: two years; subsequent renewals up to every five years based on record of compliance	Location on side or rear applies to new entrances <sup>6</sup>  Interior: any proposed garage/carport must be located immediately adjacent to any existing garage/carport and use the same driveway
Planning Commission Recommendation								
Age/Disability	Size	Approval Process	Location of Unit	Owner-Occupied	Max # of People	Parking	Renewal	Entrances
Remove age/disability requirement	Staff recommendation, except allow the size of the basement or cellar on the effective date of new Ordinance	No change from current regulations	No change from current regulations	No change from current regulations	No change from current regulations	Determined by BZA	Staff recommendation	Staff recommendation

<sup>1</sup> An option has been included to allow the Board to consider the removal of the age or disability requirement

<sup>2</sup> Advertised range from 500 – 1,200 SF or 40% of the principal structure, whichever is less. An option is included to allow the Board to consider allowing an interior ALU to exceed this size if the ALU is in the basement or cellar.

<sup>3</sup> Advertised range from 700 – 1,500 SF

<sup>4</sup> An option has been included to allow the Board to consider retaining the current special permit requirement.

<sup>5</sup> For example, a single-family detached dwelling on a public street is required to provide two off-street parking spaces. This standard would require there to be a total of three off-street parking spaces in order to have an ALU administrative permit. If three spaces could not be accommodated, a special permit could be requested.

<sup>6</sup> Modification of the entrance and access standards may be approved by special permit.

Current Home-Based Business Regulations								
Use Name	Process of Approval	Uses Allowed	Customers	Employees	Location and Size	Parking	Signage	Vehicles
Home Occupation	Administrative	Open-ended list of allowed uses and <a href="#">7 prohibited uses</a>	For instructional uses only: 4 at a time 8 in a day	1	Any type of dwelling; No specific size limit	No requirement	None (yard signs as allowed by the Ordinance could not be prohibited)	1 <a href="#">commercial vehicle</a>
Home Professional Office	Special Permit	Office for licensed or certified professional	Determined by the BZA	Up to 4; Up to 6 with 2+ ac.	Single-family detached; No size limit	No standard	No standard/ determined by the BZA	1 <a href="#">commercial vehicle</a>
Barbershop or Beauty Parlor	Special Permit	Barbershop or beauty parlor	1 patron at a time	0	Any type of dwelling; No size limit	No standard	No standard/ determined by the BZA	1 <a href="#">commercial vehicle</a>
Staff Recommendation in Public Hearing Draft Home-Based Business Regulations								
Use Name	Process of Approval	Uses Allowed	Customers	Employees	Location and Size	Parking	Signage	Vehicles
Home-Based Business	Administrative	May only include listed uses <sup>1</sup>	2 at a time; 8 in a day (see additional limits) <sup>2 3</sup>	1 in single-family detached <sup>4</sup> ; 0 in other dwellings <sup>5</sup>	Any type of dwelling; 400 sq. ft. <sup>6</sup>	Designate one space for on-site customers	None (other than yard signs as allowed for any residence)	No change (see additional limits) <sup>7</sup>
	Special Permit	Listed uses and certain outdoor uses	Determined by the BZA	Determined by the BZA	Determined by the BZA	Determined by the BZA		
Planning Commission Recommendation								
Use Name	Process of Approval	Uses Allowed	Customers	Employees	Location and Size	Parking	Signage	Vehicles
Home-Based Business	Administrative	Staff recommendation	For instructional uses only: 4 at a time 8 in a day	Staff recommendation				
	Special Permit	Staff recommendation	Determined by the BZA					

<sup>1</sup> Uses include: a) online or off-site retail sales; b) health and exercise; c) repairing small household items; d) office; e) barber or hair salon, sewing or tailoring; f) music, photography, or art studios; g) small-scale production and home-based food production with online or off-site sale and delivery; and h) instructional uses.

<sup>2</sup> Additional limits on customers include: a) none if a home child care is on-site; b) must include short-term lodging guests in the count; c) by appointment only; d) appointments must be spaced 15 minutes apart; e) hours 8:00 AM to 9:00 PM; and f) no on-site customers allowed for retail sales or small-scale production, except to view samples of items created on-site.

<sup>3</sup> Advertised range for Board consideration: 0 to 4 employees at a time and 0 to 8 in a day.

<sup>4</sup> Employee hours limited to 7:00 AM to 6:00 PM.

<sup>5</sup> Advertised to allow the Board to consider allowing one employee.

<sup>6</sup> Advertised range for Board consideration: 200 to 750 square feet.

<sup>7</sup> A standard has been added limiting vehicles delivering or distributing products to and from the business to a maximum length of 28 feet. Semitrailers are also prohibited.