



Zoning Ordinance Cleanup

Docket #126-22

Zoning and Planning Committee
February 14, 2022
Planning & Development



Overview

- Zoning Cleanup conducted regularly to correct inconsistencies, improve clarity, and fix typos or errors in Chapter 30
- Two changes proposed to fix significant Scrivener's errors
- One proposed policy related to sustainability goals

Sustainability- FAR and exterior insulation



Sustainability- FAR and exterior insulation in Residential Districts *(Sec. 1.5.5.B.1.b.iii)*

- In Residential Districts, the calculation of gross floor area is taken from the exterior face of the structural wall when exterior insulation is added to a building
- The thickness of exterior insulation is excluded from the measurement of FAR
- This exemption only applies to Residential Districts. Even residential buildings in other districts cannot take advantage of this sustainability incentive



Sustainability- FAR and exterior insulation in Other Districts *(Sec. 1.5.5.B.2)*

- Buildings in other districts cannot take advantage of this sustainability incentive, even if they are residential
- It appears to be a formatting mistake, not a policy choice, to limit this exemption to only Residential Districts

Exterior insulation calculation comparison

Residential Districts (*Sec. 1.5.5.B.1.b.iii*)

B. Floor Area, Gross.

1. Residential Districts.

b. Gross floor area shall not include:

- i. Unenclosed porches;
- ii. Doorway vestibules up to a maximum floor area of 24 square feet;
- iii. Exterior insulation added to a building, in which case gross floor area shall be taken from the exterior face of the structural wall;
- iv. Carports; and
- v. 1 detached accessory building equal to or less than 120 square feet in size.

All Other Districts (*Sec. 1.5.5.B.2*)

2. **All Other Districts.** The sum of the floor area of all principal and accessory buildings whether or not habitable shall be taken from the exterior face of the exterior walls of each building without deduction for hallways, stairs, closets, thickness of walls, columns or other features, except as excluded below:
 - a. Gross floor area shall not include any portion of a basement used for storage, parking, or building mechanicals.

Proposed Edits *(Sec. 1.5.5.B.2)*

Proposed Edits

2. All Other Districts. The sum of the floor area of all principal and accessory buildings whether or not habitable shall be taken from the exterior face of the exterior walls of each building without deduction for hallways, stairs, closets, thickness of walls, columns or other features, except as excluded below:
 - A. Gross floor area shall not include any portion of a basement used for storage, parking, or building mechanicals; and
 - B. Exterior insulation added to a building, in which case gross floor area shall be taken from the exterior face of the structural wall.

- Same deduction for exterior insulation that currently exists in Residential Districts would apply to “All Other Districts” for all buildings
- Makes the policy consistent
- Incentivizes higher levels of sustainability and does not penalize renovations of existing buildings

Scrivener's Errors in MU2 and MU4



Maximum Stories by Special Permit in MU2 and MU4

(Sec. 4.2.2.B.3)

- Listed maximum stories by special permit in MU2 and MU4 is incorrect
- Fixes a long-existing error that lists the maximum allowed stories by Special Permit in MU4 as 8, when it should say 5
- Changes proposed will have no impact on any existing or proposed projects, they will simply fix errors



Proposed Edits

Sec. 4.2.2.B.3

Stories	MU1	MU2	MU3/TOD	MU4
Stories (max) - by Right	3	2	3	3
Stories (max) -by Special Permit. See also Sec. 4.2.23	4	5 <u>4</u>	11	8 <u>5</u>



Maximum height by-right in MU4 *(Sec. 4.2.3)*

- The by-right maximum height in MU4 is listed incorrectly due to Scrivener's error
- Change proposed will align the by-right height in feet with the maximum number of floors allowed by-right
- Change proposed will have no impact on any existing or proposed projects



Proposed Edits

Sec. 4.2.3

Stories	MU1	MU2	MU3/TOD	MU4
Building and structure height				
Height (max)				
Height - by Right	36'	24'	36'	24' <u>36'</u>
Height - by Special Permit	48'	48'	170'	60'



Next Steps

- Set public hearing date for March 28, 2022