

Revised Recommendations Proposed for Heights in Residential Districts
10-12-10

Maximum Height Within Single Family Residential Zoning Districts. For the purposes of this section, the following districts shall be considered single family districts: R-3, R-4, R-5, R-6, R-8, UR-1, R-MH, and single family residential portions of MX-1, MX-2 and MX-3. The maximum building height shall be determined as follows:

1. **Residential Structures.** The base maximum height for all residential structures at the required side yard line shall be 30 feet measured to the top of the wall plane. One additional foot of height is allowed for every additional one foot of distance measured from the required side yard line. Construction below this height plane is allowed. In no case shall the maximum height for a residential structure exceed 48 feet, **except on lots that slope down from the front building line to the rear building line. In this circumstance, the maximum height along the rear building line may increase to a maximum of 60 feet.**
2. **Nonresidential Structures.** The base maximum height for all non-residential structures shall be 40 feet measured to the top of the wall plane at the required yard/setback line along the boundary adjacent to a single family zoning district. A base maximum height is only required along the boundary of a parcel when the nonresidential structure is adjacent to a single family zoning district. One additional foot of height is allowed for every additional two feet of distance measured from the required yard/setback line that is along the boundary adjacent to a single family zoning district. Construction below this height plane is allowed. In no case shall the maximum height exceed 100 feet.
3. **Height Plane Exceptions.** The following elements may exceed the height plane but may not exceed the maximum height:
 - a. A dormer that meets the following standards:
 - (i) The ridge or roof line is below the primary roof ridge.
 - (ii) The face is less than 16' wide or no more than 50% of the wall plane length, whichever is less.
 - (iii) More than one dormer is acceptable on a wall plane, but the total combined dormer face width shall be no more than 50% of the wall plane length.
 - b. A single side gable not exceeding 24 feet in width may exceed the height plane on each side of the building.
4. **Accessory Structures.** The maximum height for all accessory structures shall not exceed 24 feet.

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Maximum Height Within Multi-Family Residential Zoning Districts. For the purposes of this section, the following districts shall be considered multi-family districts: R-8MF, R-12MF, R-17MF, R-22MF, R-43MF, UR-2, UR-3, and multi-family portions of MX-1, MX-2, and MX-3. The maximum building height shall be determined as follows:

1. **Residential Structures in R-8MF, R-12MF, and Multi-Family Residential Portions of MX-1 Districts.** The base maximum height for all residential structures at the required side yard line shall be 30 feet measured to the top of the wall plane. One additional foot of height is allowed for every additional one foot of distance measured from the required side yard line. Construction below this height plane is allowed. In no case shall the maximum height exceed 48 feet, except on lots that slope down from the front building line to the rear building line. In this circumstance, the maximum height along the rear building line may increase to a maximum of 60 feet.
2. **Residential Structures in all other Multi-Family Districts.** The base maximum height for all residential structures shall be 40 feet measured to the top of the wall plane at the required yard/setback line along the boundary adjacent to a single family zoning district. A base maximum height is only required along the boundary of a parcel when the residential structure is adjacent to a single family zoning district, and is not applicable if the single family district is located across a thoroughfare classified as a major arterial or greater. One additional foot of height is allowed for every additional two feet of distance measured from the required yard/setback line that is along the boundary adjacent to a single family zoning district. Construction below this height plane is allowed. In no case shall the maximum height exceed 100 feet.
3. **Nonresidential Structures in all Multi-Family Districts.** The base maximum height for all non-residential structures shall be 40 feet measured to the top of the wall plane at the required yard/setback line along the boundary adjacent to a single family zoning district. A base maximum height is only required along the boundary of a parcel when the nonresidential structure is adjacent to a single family zoning district. One additional foot of height is allowed for every additional two feet of distance measured from the required yard/setback line that is along the boundary adjacent to a single family zoning district. Construction below this height plane is allowed. In no case shall the maximum height exceed 100 feet.
4. **Height Plane Exceptions.** The following elements may exceed the height plane but may not exceed the maximum height:
 - a. A dormer that meets the following standards:
 - (i) The ridge or roof line is below the primary roof ridge.
 - (ii) The dormer face is less than 16' wide or no more than 50% of the wall plane length, whichever is less.
 - (iii) More than one dormer is acceptable on a wall plane, but the total combined dormer face width shall be no more than 50% of the wall plane length.

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- b. A single side gable not exceeding 24 feet in width may exceed the height plane on each side of the building.
5. **Accessory Structures.** The maximum height for all accessory structures shall not exceed 24 feet.

ALSO REVISE:

- 1) Provide a definition for "wall plane".
Wall plane. The exterior surface of a wall along the building lines.
- 2) Modify the definition of "height" to exclude chimneys from the measurement.
Height. The vertical distance between the average grade at the base of a structure along each building line and the highest part of the structure, but not including chimneys, sky lights, and roof structures for elevators, stairways, tanks, heating, ventilation and air –conditioning equipment, or similar equipment for the operation and maintenance of a building.
- 3) Provide a definition for "average grade".
Average grade. The average grade is calculated by adding the lowest point and highest point along the base of each building elevation and dividing the total by two. Each building elevation along a building line will have an average grade. The average grade along a building line may also be calculated by adding the spot elevations, at one foot intervals, along the base of the building and dividing the total by the number of spot elevation measurements.
- 4) Eliminate the word "chimney" from section 12.108(5).
- 5) Add a definition for "dormer" and "gable":
Dormer. A structural element of a building that protrudes from the plane of a sloping roof surface.
Gable. A portion of a wall between the edges of a sloping roof.
- 6) Increase the yard requirements for nonresidential uses within single family and multi-family residential zoning districts. Provide a minimum side yard of 20 feet and a minimum rear yard of 35 feet.

Single Family Zoning Districts

	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>R-6</u>	<u>R-8</u>
(f) Minimum side yard (feet) ⁴					
- residential	6	5	5	5	5
- <u>nonresidential</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>
(g) Minimum rear yard (feet)					
- residential	45	40	35	30	20
- <u>nonresidential</u>	<u>45</u>	<u>40</u>	<u>35</u>	<u>35</u>	<u>35</u>

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Multi-Family Zoning Districts

	<u>R-8MF</u>	<u>R-12MF</u>	<u>R-17MF</u>	<u>R-22MF</u>	<u>R-43MF</u>
(f) Minimum side yard (feet) ⁴					
- Detached, duplex, triplex and quadraplex dwellings	5	5	5	5	5
- All other buildings, including planned multi-family developments (except as required below)	10	10	10	5	5
- <u>All other buildings, including</u> planned multi-family developments adjoining single family zoned land ⁵	20	20	<u>20</u>	<u>20</u>	<u>20</u>

- 7) Modify section 7.103(7) regarding the time period for when a building permit is required to repair or restore a nonconforming residential structure, based on height, after it is destroyed or damaged.

Nonconforming Structures

(7) Where a nonconforming structure is destroyed or damaged by fire, flood, wind, other act of God, the structure may be repaired or restored to its original dimensions and conditions as long as a building permit for the repair or restoration is issued within 12 months of the date of the change. Residential structures made nonconforming due to the adoption of the heights in residential districts text amendment (Petition No. 2011-???) can be repaired or restored to the original height dimensions as long as a building permit for the repair or restoration is issued within 24 months of the date of the change, and shall be deemed in compliance with the Zoning Ordinance.