

Proposed Text Amendments To Create an R1-2A District

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

* * * indicates where unchanged text appears in the Zoning Resolution

* * *

Article 1

General Provisions

Chapter 1

Title, Establishment of Controls and Interpretation of Regulations

* * *

11-12

Establishment of Districts

In order to carry out the purposes and provisions of this Resolution, the following districts are hereby established:

Residence Districts

R1-1 Single-Family Detached Residence District

R1-2 Single-Family Detached Residence District

R1-2A Single-Family Detached Residence District

* * *

11-335

Building permits for other construction in R1-2A and R2A Districts

In R1-2A Districts established on or before (effective date) and R2A Districts established on or after December 20, 2006, if a building permit for other construction has been lawfully issued prior to the date establishing such ~~R2A~~ District, such construction may be continued, notwithstanding the provisions of paragraph (a) of Section 11-332 (Extension of period to complete construction), provided that the Department of Buildings determines that all of the requisite structural framing to perform the work authorized under the permit was completed on or before the date establishing such ~~R2A~~ District. If the Commissioner of Buildings determines that such framing was not complete on such date, the provisions of paragraph (a) of Section 11-332 shall apply.

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Article 1
Chapter 2
Construction of Language and Definitions

* * *

12-10
Definitions

* * *

Floor area

"Floor area" is the sum of the gross areas of the several floors of a #building# or #buildings#, measured from the exterior faces of exterior walls or from the center lines of walls separating two #buildings#. In particular, #floor area# includes:

* * *

- (i) floor space used for #accessory# off-street parking spaces provided in any #story# after June 30, 1989:
 - (1) within #detached# or #semi-detached single-# or #two-family residences# in R1-2A, R2A, R2X, R3, R4 or R5 Districts, except that:
 - (i) in R2A Districts, #floor area# within such #residences# shall include only floor space in excess of 300 square feet for one such space; and
 - (ii) in R3, R4A and R4-1 Districts in #lower density growth management areas#, and in all R1-2A Districts, #floor area# within such #residences# shall include only floor space in excess of 300 square feet for one such space and in excess of 500 square feet for two such spaces;

* * *

(o) any other floor space not specifically excluded.

However, the #floor area# of a #building# shall not include:

* * *

- (6) floor space used for #accessory# off-street parking spaces provided in any #story#:
 - (i) up to 200 square feet per required space existing on June 30, 1989, within #residential buildings# in R3, R4 or R5 Districts, and up to 300 square feet for one required space in R2A Districts. However, for #detached# or #semi-detached single-# or #two-family residences# in R3, R4A and R4-1 Districts within #lower density growth management areas#, and in all R1-

2A Districts, #floor area# shall not include up to 300 square feet for one ~~required~~ space and up to 500 square feet for two ~~required~~ spaces;

* * *

- (8) floor space used for mechanical equipment, except that such exclusion shall not apply in R2A Districts, and in R1-2A, R2X, R3, R4, or R5 Districts, such exclusion shall be limited to 50 square feet for the first #dwelling unit#, an additional 30 square feet for the second #dwelling unit# and an additional 10 square feet for each additional #dwelling unit#. For the purposes of calculating floor space used for mechanical equipment, #building segments# on a single #zoning lot# may be considered to be separate #buildings#;
- (9) except in R1-2A, R2A, R2X, R3, R4 and R5 Districts, the lowest #story# (whether a #basement# or otherwise) of a #residential building#, provided that:
 - (i) such #building# contains not more than two #stories# above such #story#;

* * *

Article II
Chapter 3
Bulk Regulations for Residential Buildings in Residence Districts

* * *

23-12
Permitted Obstructions in Open Space

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In the districts indicated, the following shall not be considered obstructions when located in any #open space# required on a #zoning lot#, except that no portion of such #open space# which is also a required #yard# or #rear yard equivalent#, or is needed to satisfy the minimum required area or dimensions of a #court#, may contain any obstructions not permitted in such #yard#, #rear yard equivalent# or #court#:

* * *

- (e) Parking spaces, off-street, enclosed, #accessory#, not to exceed one space per dwelling unit#, when #accessory# to a #single-family#, #two-family# or three-#family residence#, provided that the total area occupied by a #building# used for such purposes does not exceed 20 percent of the total required #open space# on the #zoning lot#. However, two such spaces for a #single-family residence# may be permitted in #lower density growth management areas# and in R1-2A Districts;

* * *

23-141
Open space and floor area regulations in R1, R2, R3, R4 or R5 Districts

R1 R2 R3 R4 R5

Except as otherwise provided in paragraph (a) of Section 23-147 (For non-profit residences for the elderly), in the districts indicated, the minimum required #open space# or #open space ratio#, the maximum #lot coverage# and the maximum #floor area ratio# for any #building# on a #zoning lot# shall be as set forth in the following tables:

(a)

| District | Minimum Required #Open Space Ratio# | Maximum #Floor Area Ratio# |
|----------|-------------------------------------|----------------------------|
| R1 * R2* | 150.0 | 0.50 |

* R1-2A, R2A and R2X are subject to the provisions of paragraph (b).

(b)

| District | Maximum #Lot Coverage# (in percent) | Minimum Required #Open Space# (in percent) | Maximum #Floor Area Ratio# |
|--------------|-------------------------------------|--|----------------------------|
| <u>R1-2A</u> | <u>30</u> | <u>70</u> | <u>.50</u> |
| R2A | 30 | 70 | .50 |
| R2X | governed by #yard# requirements | | .85 |
| R3-1 R3-2 | 35 | 65 | .50 |
| R3A R3X | governed by #yard# requirements | | .50 |
| R4 | 45 | 55 | .75 |
| R4A R4-1 | governed by #yard# requirements | | .75 |
| R4B | 55 | 45 | .90 |
| R5 | 55 | 45 | 1.25 |
| R5A | governed by #yard# requirements | | 1.10 |
| R5B | 55 | 45 | 1.35 |
| R5D | 60* | 40* | 2.00 |

* For #corner lots#, the maximum #lot coverage# shall be 80 percent and the minimum required #open space# shall be 20 percent.

In addition, the following rules shall apply:

* * *

- (4) In R3, R4A and R4-1 Districts within #lower density growth management areas#, and in all R1-2A Districts, the permitted #floor area# of a #single-# or #two-family detached# or #semi-detached residence# may be increased by up to 300 square feet for one parking space and up to 500 square feet for two parking spaces provided such spaces are in a garage located, wholly or partly, in the #side lot ribbon# pursuant to Sections 23-12, paragraph (e), 23-441 or 23-442, except that in R1-2A Districts, such parking spaces need not be located in the #side lot ribbon#.

* * *

23-22

Maximum Number of Dwelling Units or Rooming Units

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, the maximum number of #dwelling units# or #rooming units# shall equal the maximum #residential floor area# permitted on the #zoning lot# divided by the applicable factor in the following table. In R1 through R5 Districts, no #rooming units# shall be permitted and any #dwelling unit# shall be occupied by only one #family#. Fractions equal to or greater than three-quarters resulting from this calculation shall be considered to be one #dwelling unit# or #rooming unit#.

* * *

FACTOR FOR DETERMINING MAXIMUM NUMBER OF DWELLING UNITS OR ROOMING UNITS

| District | Factor for #Dwelling Units# | Factor for #Rooming Units# |
|--------------------|-----------------------------|----------------------------|
| R1-1 | 4,750 | |
| R1-2, <u>R1-2A</u> | 2,850 | |
| R2, R2A | 1,900 | |

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23-30

LOT AREA AND LOT WIDTH REGULATIONS

* * *

23-32

Minimum Lot Area or Lot Width for Residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

In all districts, as indicated, except as provided in Section 23-33 (Special Provisions for Existing Small Lots), no #residence# is permitted on a #zoning lot# with a total #lot area# or #lot width# less than as set forth in the following table:

REQUIRED MINIMUM
LOT AREA AND LOT WIDTH

| Type of #Residence# | Minimum #Lot Area# (in sq. ft.) | Minimum #Lot Width# (in feet) | District |
|---|---------------------------------------|-------------------------------------|---------------------------|
| #Single-family detached# | 9,500 | 100 | R1-1 |
| | 5,700 | 60 | R1-2 <u>R1-2A</u> |
| | 3,800 | 40 | R2 R2A |
| | 2,850 | 30 | R2X |
| #Single-# or #two- family detached# or #zero lot line# where permitted | 3,800 | 40 | R3-1 R3-2 R4- R10 |
| | 3,325 | 35 | R3X |
| | 2,850 | 30 | R4A* R5A |
| | 2,375 | 25 | R3A* R4B R4-1* R5B R5D |
| Any other permitted | 1,700 | 18 | R3-R10* |

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**23-40
YARD REGULATIONS**

* * *

**23-45
Minimum Required Front Yards**

R1 R2 R3 R4 R5

- (a) In the districts indicated, #front yards# shall be provided as set forth in the following table, except that for a #corner lot# in an R1-2 District, one #front yard# may have a depth of 15 feet and, for a #corner lot# in an R3 District, one #front yard# may have a depth of 10 feet.

| <u>Front Yard</u> | <u>District</u> |
|-------------------|----------------------|
| 20 feet | R1 |
| <u>20 feet*</u> | <u>R1-2A</u> |
| 15 feet | R2 R2X R3-1 R3-2 |
| 15 feet* | R2A |
| 10 feet* | R3A R3X R4-1 R4A R5A |
| 10 feet** | R4 R5 |
| 5 feet* | R4B R5B R5D |

* Except as provided in paragraphs (b) and (c) of this Section.

** If the depth of a #front yard# exceeds 10 feet or the #zoning lot# is #developed# pursuant to the optional regulations applicable in a #predominantly built-up area#, the depth of a #front yard# shall be at least 18 feet. However, on a #corner lot#, if one #front yard# has a depth of at least 18 feet, the other #front yard# shall have a depth of at least 10 feet.

Furthermore, if an opening to an #accessory# off-street parking space is located within the #street wall# of a #residential building#, there shall be an open area

between the opening and the #street line# which is at least 8 and 1/2 feet in width by 18 feet in depth, except this provision shall not apply in R5D Districts.

R2A R3A R3X R4-1 R4A R4B R5A R5B R5D

- (b) For the purpose of paragraphs (b) and (c) the area between the #street line# and the front building wall of adjacent #buildings# on the same or adjoining #zoning lots# shall be considered adjacent #front yards#.

Except as provided in paragraph (c) of this Section, in the districts indicated, if adjacent #residential buildings# on the same or on adjoining #zoning lots# fronting on the same #street# have #front yards# greater than the minimum set forth in paragraph (a) of this Section, then a #front yard# shall be provided which:

- (1) in R1-2A, R2A, R3A, R3X, R4A, R4-1 or R5A Districts is at least as deep as an adjacent #front yard#; and
- (2) in R4B, R5B or R5D Districts is no deeper than the deepest adjacent #front yard# and no shallower than the shallowest adjacent #front yard#.

However, a #front yard# need not exceed 20 feet in depth, except that in R1-2A Districts, a #front yard# need not exceed 25 feet in depth.

In determining the depth of the adjacent #front yards#, balconies, and projections from the front building wall that do not exceed 33 percent of the aggregate width of the #building#, shall be disregarded.

For new #developments# or #enlargements#, projections into the required #front yard# are permitted provided that the aggregate width of all projections at the level of any #story# does not exceed 33 percent of the aggregate width of the #building#. The depth of such projections shall not exceed three feet into the #front yard#. However, balconies shall be subject to the provisions of Sections 23-13 (Balconies) and 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents).

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23-461

Side yards for single- or two-family residences

R1 R2 R3 R4 R5 R6 R7 R8 R9 R10

- (a) In all districts, as indicated, for #single-family detached residences# or, where permitted, for #two-family detached residences#, #side yards# shall be provided

as set forth in the table in this paragraph, except that on #corner lots# in R1, R2, R3, R4 and R5 Districts, one #side yard# shall be at least 20 feet in width:

MINIMUM REQUIRED SIDE YARDS

| Number Required | Required Total Width (in feet) | Required Minimum Width of any #Side Yard# (in feet) | District |
|-----------------|--------------------------------|---|-------------------------|
| 2 | 35 | 15 | R1-1 |
| 2 | 20 | 8 | R1-2 <u>R1-2A</u> |
| 2 | 13 | 5 | R2 R2A R3-1 R3-2 R4-R10 |

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23-631

Height and setback in R1, R2, R3, R4 and R5 Districts

R1 R2

- (a) In the districts indicated, except R1-2A, R2A and R2X Districts, the front wall or any other portion of a #building or other structure# shall not penetrate the #sky exposure plane# set forth in the following table:

* * *

R1-2A R2A R2X R3 R4 R4A R4-1 R5A

- (b) In the districts indicated, the height and setback of a #building or other structure# shall be as set forth herein except where modified pursuant to paragraphs (h) and (i) of this Section.

For the purposes of this Section, where #base planes# of different elevations apply to different portions of a #building or other structure#, each such portion of the #building# may be considered to be a separate #building#. Furthermore, for the purposes of this Section, #building segments# may be considered to be separate #buildings# and abutting #semi-detached buildings# may be considered to be one #building#.

The perimeter walls of a #building or other structure# are those portions of the outermost walls enclosing the #floor area# within a #building or other structure#

at any level and height is measured from the #base plane#. Perimeter walls are subject to setback regulations at a maximum height above the #base plane# of:

21 feet

R2A R2X R3 R4A

25 feet

R1-2A R4 R4-1 R5A

26 feet*

R3 R4A R4-1 within #lower density growth management areas#