

Amendment 58 to Council Bill No. 32-2013

BY: Jennifer Terrasa

Legislative Day No: 9

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Amendment No. 58

*(This amendment would add the R-SA-H zoning district)*

1  
2 Make the following changes to the Comprehensive Zoning Plan attached to the Bill:

3 On the first page of the table of contents, immediately after line 14, insert "SECTION 111.1: R-  
4 SA-H (RESIDENTIAL: SINGLE FAMILY ATTACHED - HISTORIC) DISTRICT . . . . . 125".

5 On page 6, immediately after line 12, insert "R-SA-H - RESIDENTIAL: SINGLE FAMILY  
6 ATTACHED-HISTORIC".

7 Immediately after page 124, insert the following:

8 "SECTION 111.1: R-SA-H (RESIDENTIAL: SINGLE FAMILY ATTACHED - HISTORIC) DISTRICT

9 A. PURPOSE

10  
11 THE R-SA-H DISTRICT IS ESTABLISHED TO PROVIDE ATTACHED DWELLING UNITS IN  
12 HISTORIC NEIGHBORHOODS. IT IS THE INTENT OF THIS DISTRICT THAT THE ATTACHED  
13 DWELLINGS BE COMPATIBLE WITH THE HISTORIC CHARACTER OF THE AREA, AND BE  
14 DEVELOPED WITH SENSITIVITY TO THE NATURAL ENVIRONMENT. PROTECTION OF THE  
15 ENVIRONMENTAL AND HISTORIC RESOURCES IS TO BE ACHIEVED BY DIRECTING  
16 DEVELOPMENT AWAY FROM SENSITIVE RESOURCES.

17  
18 B. USES PERMITTED AS A MATTER OF RIGHT

- 19  
20 1. ONE SINGLE-FAMILY DETACHED DWELLING UNIT PER LOT.  
21 2. ONE ZERO LOT LINE DWELLING UNIT PER LOT.  
22 3. SINGLE-FAMILY ATTACHED DWELLING UNITS.  
23 4. FARMING.  
24 5. CONSERVATION AREAS, INCLUDING WILDLIFE AND FOREST PRESERVES,  
25 ENVIRONMENTAL MANAGEMENT AREAS, REFORESTATION AREAS, AND SIMILAR  
26 USES.  
27 6. CONVENTS AND MONASTERIES USED FOR RESIDENTIAL PURPOSES.

- 1                   7.     GOVERNMENT STRUCTURES, FACILITIES AND USES, INCLUDING PUBLIC SCHOOLS  
2                             AND COLLEGES.
- 3                   8.     PRIVATE RECREATIONAL FACILITIES, SUCH AS SWIMMING POOLS, BASKETBALL  
4                             COURTS AND TENNIS COURTS, RESERVED FOR THE USE OF ON-SITE RESIDENTS  
5                             AND THEIR GUESTS. SUCH FACILITIES MAY BE LOCATED WITHIN CONDOMINIUM  
6                             DEVELOPMENTS AS WELL AS WITHIN COMMUNITIES WHERE ALL PROPERTIES ARE  
7                             INCLUDED WITHIN RECORDED COVENANTS AND LIENS WHICH GOVERN AND  
8                             PROVIDE FINANCIAL SUPPORT FOR OPERATIONS OF THE FACILITIES.
- 9                   9.     CARNIVALS AND FAIRS SPONSORED BY AND OPERATED ON A NONPROFIT BASIS  
10                            FOR THE BENEFIT OF CHARITABLE, SOCIAL, CIVIC OR EDUCATIONAL  
11                            ORGANIZATIONS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.D.
- 12                   10.    SEASONAL SALES OF CHRISTMAS TREES OR OTHER DECORATIVE PLANT  
13                            MATERIALS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.D.
- 14                   11.    UNDERGROUND PIPELINES; ELECTRIC TRANSMISSION AND DISTRIBUTION LINES;  
15                            TELEPHONE, TELEGRAPH AND CATV LINES; MOBILE TRANSFORMER UNITS;  
16                            TELEPHONE EQUIPMENT BOXES; AND OTHER SIMILAR PUBLIC UTILITY USES NOT  
17                            REQUIRING A CONDITIONAL USE.
- 18                   12.    COMMERCIAL COMMUNICATION ANTENNAS ATTACHED TO STRUCTURES, SUBJECT  
19                            TO THE REQUIREMENTS OF SECTION 128.0.E.4. COMMERCIAL COMMUNICATION  
20                            TOWERS LOCATED ON GOVERNMENT PROPERTY, EXCLUDING SCHOOL BOARD  
21                            PROPERTY, AND WITH A HEIGHT OF LESS THAN 200 FEET MEASURED FROM  
22                            GROUND LEVEL, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.E.2 AND  
23                            SECTION 128.0.E.3. THIS HEIGHT LIMIT DOES NOT APPLY TO GOVERNMENT  
24                            COMMUNICATION TOWERS, WHICH ARE PERMITTED AS A MATTER OF RIGHT  
25                            UNDER THE PROVISIONS FOR "GOVERNMENT STRUCTURES, FACILITIES AND  
26                            USES."
- 27                   13.    VOLUNTEER FIRE DEPARTMENTS.

28  
29     **C.    ACCESSORY USES**

30  
31                   THE FOLLOWING ARE PERMITTED ACCESSORY USES IN THE R-SA-H DISTRICT. MORE  
32                   THAN ONE ACCESSORY USE SHALL BE PERMITTED ON A LOT, PROVIDED THAT THE  
33                   COMBINATION OF ACCESSORY USES REMAINS SECONDARY, INCIDENTAL AND

1 SUBORDINATE TO THE PRINCIPAL USE.

2  
3 1. ANY USE NORMALLY AND CUSTOMARILY INCIDENTAL TO ANY USE PERMITTED AS  
4 A MATTER OF RIGHT IN THIS DISTRICT. ACCESSORY STRUCTURES ARE SUBJECT TO THE  
5 REQUIREMENTS OF SECTION 128.0.A.

6  
7 3. FARM TENANT HOUSES, CARETAKERS' COTTAGES AND SIMILAR USES  
8 CUSTOMARILY ACCESSORY TO AGRICULTURAL AND RESIDENTIAL ESTATE USES,  
9 PROVIDED THAT THESE USES SHALL NOT BE PERMITTED ON PARCELS OF LESS THAN 50  
10 ACRES, AND FURTHER PROVIDED THAT ONE UNIT SHALL BE ALLOWED FOR EACH 50  
11 ACRES OF THAT PARCEL.

12  
13 4. THE HOUSING BY A RESIDENT FAMILY OF:

14  
15 A. NOT MORE THAN FOUR NON-TRANSIENT ROOMERS OR BOARDERS; OR

16  
17 B. NOT MORE THAN EIGHT MENTALLY AND/OR PHYSICALLY DISABLED  
18 PERSONS OR PERSONS 62 YEARS OF AGE OR OLDER, PROVIDED THE USE IS  
19 REGISTERED, LICENSED OR CERTIFIED BY THE STATE OF MARYLAND; OR

20  
21 C. A COMBINATION OF A AND B ABOVE, PROVIDED THAT THE TOTAL NUMBER  
22 OF PERSONS HOUSED IN ADDITION TO THE RESIDENT FAMILY DOES NOT  
23 EXCEED EIGHT.

24  
25 5. HOME OCCUPATIONS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.C.

26  
27 6. HOME CARE, PROVIDED THAT IF HOME CARE IS COMBINED WITH HOUSING OF  
28 MENTALLY OR PHYSICALLY DISABLED PERSONS OR PERSONS 62 YEARS OF AGE OR  
29 OLDER, AS ALLOWED BY SUBSECTION 4.B ABOVE, THE TOTAL NUMBER OF  
30 PERSONS RECEIVING HOME CARE AT ANY ONE TIME PLUS THE NUMBER OF  
31 PERSONS BEING HOUSED SHALL NOT EXCEED EIGHT.

32  
33 7. PARKING:

1  
2           A. OFF-STREET PARKING OF NO MORE THAN TWO COMMERCIAL VEHICLES ON  
3           LOTS OF THREE OR MORE ACRES AND NO MORE THAN ONE COMMERCIAL  
4           VEHICLE ON LOTS OF LESS THAN THREE ACRES. PRIVATE OFF-STREET  
5           PARKING IS RESTRICTED TO VEHICLES USED IN CONNECTION WITH OR IN  
6           RELATION TO A PRINCIPAL USE PERMITTED AS A MATTER OF RIGHT IN THE  
7           DISTRICT.

8  
9           B. OFF-STREET PARKING OR STORAGE OF UNREGISTERED, INOPERABLE,  
10          WRECKED, DISMANTLED OR DESTROYED MOTOR VEHICLES SHALL NOT BE  
11          PERMITTED, EXCEPT AS PROVIDED BY SECTION 128.0.D.

12  
13          8. STORAGE OF RECREATIONAL VEHICLES OR BOATS, PROVIDED THAT ON LOTS OF  
14          20,000 SQUARE FEET OR SMALLER, SUCH STORAGE SHALL BE LIMITED TO THE  
15          FOLLOWING:

16  
17           A. ONE RECREATIONAL VEHICLE WITH A LENGTH OF 30 FEET OR LESS; AND

18  
19           B. ONE BOAT WITH A LENGTH OF 20 FEET OR LESS.

20  
21          9. SNOWBALL STANDS, SUBJECT TO THE REQUIREMENTS OF SECTION 128.0.D.

22  
23          10. SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE-FAMILY  
24          DETACHED DWELLINGS AND NON-RESIDENTIAL STRUCTURES ONLY, SUBJECT TO  
25          THE REQUIREMENTS OF SECTION 128.0.L

26  
27          **D. BULK REGULATIONS**

28           (ALSO SEE SECTION 128.0.A, SUPPLEMENTARY BULK REGULATIONS, AND 128.0.G,  
29           ALTERNATIVE REGULATIONS FOR TRADITIONAL RESIDENTIAL NEIGHBORHOODS.)

30  
31          1. THE FOLLOWING MAXIMUM LIMITATIONS SHALL APPLY:

32  
33           A. HEIGHT

- (1) PRINCIPAL STRUCTURE.....40 FEET
- (2) ACCESSORY STRUCTURES ..... 15 FEET

B. LOT COVERAGE FOR STRUCTURES WITHIN SINGLE-FAMILY ATTACHED PROJECTS DEVELOPED WITH ONE DWELLING UNIT PER LOT.....60%

C. DENSITY..... 10.0 DWELLING UNITS PER NET ACRE

D. MAXIMUM UNITS PER STRUCTURE –

- (1) SINGLE-FAMILY ATTACHED DWELLING UNITS .....8 UNITS PER STRUCTURE
- (2) EXCEPT BACK TO BACK ATTACHED DWELLING UNITS ...16 UNITS PER STRUCTURE

E. BUILDING LENGTH - SINGLE-FAMILY ATTACHED..... 120 FEET

HOWEVER, THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND ZONING MAY APPROVE A GREATER LENGTH, UP TO A MAXIMUM OF 300 FEET, BASED ON A DETERMINATION THAT THE DESIGN OF THE BUILDING WILL MITIGATE THE VISUAL IMPACT OF THE INCREASED LENGTH.

2. MINIMUM LOT SIZE - SINGLE-FAMILY DETACHED DWELLINGS..... 6,000 SQ. FT.

3. MINIMUM LOT WIDTH AT BUILDING RESTRICTION LINE SINGLE-FAMILY DETACHED DWELLINGS..... 60 FEET

4. MINIMUM SETBACK REQUIREMENTS

A. FROM ARTERIAL OR MAJOR COLLECTOR PUBLIC STREET RIGHT-OF-WAY

(1) STRUCTURES

(A) FRONT OR SIDE..... 30 FEET

(B) REAR..... 50 FEET



- 1                                   (1) STRUCTURES IN ALL DEVELOPMENT PROJECTS EXCEPT SINGLE-
- 2   FAMILY ATTACHED
- 3   (A) FRONT.....20 FEET
- 4   (B) SIDE
- 5    DEVELOPMENT OTHER THAN ZERO
- 6    LOT LINE..... 7.5 FEET
- 7    (ii) ZERO LOT LINE DEVELOPMENT..... 0 FEET
- 8    A MINIMUM OF 15 FEET MUST BE PROVIDED BETWEEN
- 9    RESIDENTIAL STRUCTURES.
- 10   (C) REAR
- 11    (i) PRINCIPAL STRUCTURES ..... 30 FEET
- 12    (ii) ACCESSORY STRUCTURES ..... 10 FEET
- 13   (2) USES (OTHER THAN STRUCTURES) IN ALL DEVELOPMENT
- 14    PROJECTS EXCEPT SINGLE-FAMILY DETACHED OR ATTACHED.... 20 FEET

16                                   5. MINIMUM DISTANCES BETWEEN MULTI-FAMILY BUILDINGS, OR BETWEEN SINGLE-  
 17    FAMILY ATTACHED BUILDINGS AND SINGLE-FAMILY DETACHED DWELLINGS:

- 18
- 19                                   A. FACE TO FACE..... 30 FEET
- 20
- 21                                   B. FACE TO SIDE/REAR TO SIDE..... 30 FEET
- 22
- 23                                   C. SIDE TO SIDE..... 15 FEET
- 24
- 25                                   D. REAR TO REAR ..... 60 FEET
- 26
- 27                                   E. REAR TO FACE..... 100 FEET
- 28
- 29

30                                   **E. USABLE OUTDOOR SPACE**

31

32                                   SINGLE FAMILY ATTACHED UNITS SHALL HAVE USABLE OUTDOOR SPACE EQUAL TO  
 33                                   A 15 FOOT DEEP YARD. ALTERNATIVELY THE RECREATION OPEN SPACE

1 REQUIREMENT IN SECTION 16.121(A)(4) OF THE SUBDIVISION AND LAND  
2 DEVELOPMENT REGULATIONS SHALL BE INCREASED BY 300 SQUARE FEET PER UNIT.

3  
4 **F. MODERATE INCOME HOUSING UNITS**

5  
6 AT LEAST 10% OF THE DWELLINGS IN EACH R-SA-H DEVELOPMENT SHALL BE  
7 MODERATE INCOME HOUSING UNITS.

8  
9 **G. OTHER PROVISIONS**

10  
11 **1. HISTORIC DISTRICT COMMISSION**

12 THE DESIGN OF NEW STRUCTURES SHALL BE DETERMINED BY THE HISTORIC DISTRICT  
13 COMMISSION TO BE COMPATIBLE WITH THE HISTORIC CHARACTER OF THE AREA.

14  
15 **2. ZERO LOT LINE DWELLINGS**

16  
17 A ZERO LOT LINE DWELLING UNIT MAY BE LOCATED ON THE PROPERTY LINE  
18 PROVIDED THAT NO PART OF THE BUILDING SHALL PROTRUDE ONTO THE  
19 ADJOINING LOT, AND PROVIDED THAT AT THE TIME OF RECORDATION OF THE  
20 FINAL SUBDIVISION PLAN, EASEMENTS SHALL BE RECORDED TO PERMIT ACCESS  
21 TO THE ADJOINING LOT FOR PURPOSES OF MAINTENANCE TO THE SIDE OF ANY  
22 ZERO LOT LINE DWELLING WHICH FACES A SIDE YARD OF LESS THAN SEVEN AND  
23 ONE-HALF FEET. FURTHER, A MAINTENANCE AGREEMENT SHALL BE INCLUDED IN  
24 THE DEED WHERE APPROPRIATE.

25  
26 **H. CONDITIONAL USES**

27  
28 THE FOLLOWING ARE CONDITIONAL USES IN THE R-SA-H DISTRICT, SUBJECT TO THE  
29 DETAILED REQUIREMENTS FOR CONDITIONAL USES GIVEN IN SECTION 131. IF THERE IS A  
30 CONFLICT BETWEEN THIS SECTION AND SECTION 131, SECTION 131 SHALL PREVAIL.

31  
32 **1. AGE-RESTRICTED ADULT HOUSING;**

33 **2. ATHLETIC FACILITIES, OUTDOOR;**



- 1                    3.     BED AND BREAKFAST INNS;
- 2                    4.     CEMETERIES AND MAUSOLEUMS;
- 3                    5.     COMMUNICATIONS TOWERS OR ANTENNAS (COMMERCIAL);
- 4                    6.     COUNTRY CLUBS AND GOLF COURSES;
- 5                    7.     COUNTRY INNS;
- 6                    8.     CHILD DAY CARE CENTERS AND NURSERY SCHOOLS, DAY TREATMENT AND  
7                    CARE FACILITIES;
- 8                    9.     HISTORIC BUILDING USES: APARTMENTS, BUSINESS AND PROFESSIONAL  
9                    OFFICES AND COMMUNITY MEETING HALLS;
- 10                   10.    HOME OCCUPATIONS
- 11                   11.    NON-PROFIT CLUBS, LODGES, COMMUNITY HALLS, AND CAMPS;
- 12                   12.    NURSING HOMES AND RESIDENTIAL CARE FACILITIES;
- 13                   13.    RELIGIOUS ACTIVITIES, STRUCTURES USED PRIMARILY FOR;
- 14                   14.    SCHOOLS, COLLEGES, UNIVERSITIES- PRIVATE (ACADEMIC;
- 15                   15.    SMALL WIND ENERGY SYSTEM, BUILDING MOUNTED, ON SINGLE FAMILY  
16                   ATTACHED DWELLINGS; AND
- 17                   16.    UTILITY USES, PUBLIC.”

18  
19                    Renumber the remaining pages accordingly.

20