

To: CPIC Knightville Fore & Aft Study Committee Members
From: Tex Haeuser, Planning Director 
Cc: Scott Morelli, City Manager
Joshua Reny, Assistant City Manager
Justin Barker, Community Planner
Date: September 17, 2018
Re: **Summary of Proposed Village Residential and Village Commercial Zone Amendments**

The following reflects progress made by the Zoning Subcommittee in bringing forward recommendations to the Knightville Fore & Aft Committee regarding amendments to the Village Residential and Village Commercial zoning districts.

The proposed changes are presented in table form on two separate documents:

- Provisional Amendments Proposed for the VR Zoning District 9-17-18
- Provisional Amendments Proposed for the VC Zoning District 9-17-18

Please **refer to these tables** as you read the narratives below.

Summary of Proposed Village Residential Zoning District Changes

The Zoning Subcommittee reviewed the VR zoning provisions first. The main changes being proposed include:

- Allow a minimum of 2 residential units per lot and then allow another unit for each additional tenth of an acre of lot size after that. This means that some lots will now be able to have a second unit that previously would only have been allowed as an accessory dwelling unit (ADU). It also means, however, that some properties with multiple units, such as several of the 3- and 6-unit apartment buildings, will still be nonconforming relative to density. In other words, the Subcommittee felt that 2 units per lot strikes a reasonable density balance.
- Reduce the required minimum lot size from 7,500 square feet, which is much larger than the size of the original lots and most existing lots, to 2,500 square feet. However, to reduce an incentive to aggregate lots and subdivide, the street frontage would be required to be 50 feet for combined lots instead of the 25 feet that is otherwise proposed.
- Keep the maximum building coverage limit of 33%, but allow up to 40% when counting sheds, garages, and other accessory buildings.
- Keep the rear yard setback of 15 feet as is, but reduce the front yard setback from 8 feet to 5 feet, the side yard for principal buildings from 15 feet to 6 feet, and side and rear setbacks for accessory buildings from 6 feet to 3 feet.
- Allow the required off-street parking standard to decrease from 2.0 spaces for detached single-family homes and 1.5 spaces for most multi-family units to 1.0 spaces per unit (or less for smaller multi-family units as is currently allowed).

Summary of Proposed Village Commercial Zoning District Changes

Here are the Subcommittee's (and staff's) provisional recommendations for the VC zone:

- Do not expand the VC zone further into the letter streets but clarify the zoning rules for lots bisected by the Village Residential/Village Commercial zone line.
- Do not replace the VC zone with the Village Extension zone, which would have eliminated the density limits and would have allowed greater building height.
- Do not change the maximum number of residential units per acre (24) but do allow a minimum of 8 units per lot.
- Do not change the height limit (50 feet) but require that any building or portion of a building within 50 feet of the VR zone be no taller than 40 feet. Also make it the lesser of 50' or 4 habitable floors (or, when within 50 feet of the VR zone), the lesser or 40' or 3 habitable floors.
- Remove the zoning distinctions between lots inside and outside the Design District.
- Except for short-term rentals, reduce required on-site residential parking from 1.5 spaces per unit to a maximum of 1.0 spaces per unit or 0.5 for units that are less than 800 sf or are 1-bedroom units or studios. [May want to require evidence be provided to the Planning Board that such a reduction in required spaces is feasible.]
- Add live-work units as an allowed first floor use.

The table contains two staff-recommended items that are intended to reduce the possibility of lot owners subdividing their lots to take further advantage of the 8 residential units per lot that would be allowed as a minimum in all cases:

- Rather than eliminating the minimum lot size, staff recommend keeping the existing 3,500 square foot requirement.
- Mimic the proposed wording from the VR zone to say that the minimum street frontage requirement is 25 feet, except 50 feet for combined lots.

For both side and rear yards, the staff recommendation is to take building height out of the equation in cases where the lot abuts a residential zone. There would continue to be no side yard setback requirement generally, but it would be 6 feet where abutting the VR zone (not including decks). For rear yards the standard would change from none to 6 feet, except 15 feet where abutting the VR zone (again, not including decks in either case). The recommended standard for accessory structures (sheds, garages, etc.) is the same as is proposed for the VR zone—3 feet.

Finally, there is a "minimum utilization of primary frontage" standard from the VE zone that would ensure that we don't end up with too many "missing teeth" along Ocean Street.

Proposed Revisions for Zone Line Bisected Lots

Here are the provisions proposed for clarifying how lots divided between the VR and VC zones would be treated (new text is underlined).

Sec. 27-112(e): When a lot of record at the time of enactment of this zoning ordinance is transected by a zoning district boundary the regulations set forth in this Chapter applying to the larger part by area of such lot may also be deemed to govern in the smaller area beyond such zoning district boundary but only to an extent not more than thirty (30) linear feet in depth beyond said zoning district boundary.

...

[Insert in both the VR and VC zoning district regulations]: Sec. 27-112(e) notwithstanding, the following provisions shall govern lots divided between the Village Commercial zoning district and the Village Residential zoning district:

A. Lots fronting on Ocean Street

1. The portion of the lot within the Village Commercial district shall be governed by all of the Village Commercial zoning standards.
2. The portion of the lot within the Village Residential district shall be governed by the Village Commercial district standards for permitted uses, special exception uses, and maximum net residential density. Otherwise, all other Village Residential zoning standards shall apply.
3. The portion of any side lot line within the Village Residential zone shall be treated as a rear lot line for setback purposes.

B. Lots not fronting on Ocean Street

1. The entire lot shall be governed by the Village Commercial district provisions for maximum net residential density.
2. The entire lot shall otherwise be governed by the Village Residential zoning standards.

The lot line provision is intended to deal with several lots, such as the Martin's Point Health lot, where we would not want to allow a building coming back from Ocean Street along a side line to come within 6 feet—the proposed VR side yard setback—of the backs of the C Street properties. Instead, we would want it to be at least the proposed VR rear yard setback of 15 feet.

Cape Vet Lot Example

Based on these proposed provisions for zone line bisected lots, the former Martin's Point Health lot, Lot 15-65 (now Cape Vet), would be allowed a maximum of 13 residential units for the entire lot, and the height couldn't exceed the VR zone limit of 40' for most of the lot.