

INFILL TASK FORCE
CHANGES TO ADOPTED INFILL REGULATIONS

~~7-1002 Residential front setback and front door threshold in line with existing development.~~ [These provisions are retained, but moved to section 7-2503.]

- (A) ~~Unless a different rule is specified for a particular zone, wherever the major portion of a block is developed, and the majority of the buildings built on one side of a street between two intersecting streets or between one intersecting street and a street dead end have been built at a uniform front setback forward or behind the minimum front setback prescribed for the zone in which such buildings are located, residential buildings hereafter erected or altered shall conform to the setback line so established. Absent a majority of buildings at a uniform front setback, the setback shall be established by the average of the front setbacks of the buildings on one side of the street of a block as described above. The board of zoning appeals is authorized to grant a special exception under the provisions of Section 11-1300 to modify the strict application of this requirement.~~
- (B) ~~Whenever the major portion of a block is developed, no front door threshold of a single family, two family or townhouse residential building erected or altered after [January 20, 2007] shall exceed the average height of the front door threshold of the residential buildings built on that block (one side of a street between two intersecting streets or one intersecting street and a street dead end) by more than 20 percent, provided, that additional front door threshold height may be permitted if a special use permit is approved pursuant to section 11-500 of this ordinance, and city council determines that the proposed construction will not detract from the value of and will be of substantially the same residential character as adjacent and nearby properties. For the purpose of this paragraph, the height of the front door threshold is defined as the vertical distance between the average pre-construction grade along the front of the building to the top of the threshold. The front door threshold shall accurately reflect the actual location of the first floor of the building, and in all cases the front door threshold shall be measured to the top of the threshold or the top of the highest elevation of the finished first floor, whichever is greater.~~
- (C) ~~For the purposes of this section 7-1002, where the number of buildings on one side of a street between two intersecting streets or between one intersecting street and a street dead end is either fewer than five or where the distance between streets as specified above is less than 200 feet or where the number of buildings is greater than 15 or where the distance between streets as specified above is greater than 600 feet, the director may designate an appropriate block for purposes of calculating front door threshold height without regard to intersecting streets subject to an~~

~~administrative protocol similar to that applied in substandard lot cases, and subject to city council approval as part of the special use permit, if there is one, granted pursuant to this section 7-1002.~~

7-2500 Supplemental Regulations for Certain Residential Zones.

7-2501 *Applicability.* The supplemental regulations in this section 7-2500 apply to residential dwellings in the R-20, R-12, R-8, R-5, R-2-5, and single-family and two-family dwellings in the RA and RB zones (not including property located within the Old and Historic Alexandria and Parker-Gray Districts). These regulations supplement the residential zone regulations in Article III of this zoning ordinance.

7-2502 *Height in line with existing development.*

- (A) The height of a residential building erected or altered after [effective date] shall not exceed the greater of:
 - (1) 25 feet, or
 - (2) The average height along the front of the building of the residential buildings existing on that block (one side of a street between two intersecting streets or one intersecting street and a street dead end) by more than 20 percent.
- (B) A height greater than that calculated in Section 7-2502(A) may be permitted if a special use permit is approved pursuant to section 11-500 of this ordinance, and city council determines that the proposed construction will be of substantially the same residential character and design as adjacent and nearby properties. For purposes of this subsection, the recommendation of the planning commission on the special use permit shall be deemed a final decision of the city council, unless any person files with the city clerk a request for hearing by council within 5 working days after the action of the commission. In the event such request is filled, the application shall be docketed for consideration at the next available council public hearing meeting. All notice for applications under this subsection shall include a description of the procedure herein provided, in such form as the director shall require.
- (C) For the purposes of this section 7-2502, where the number of buildings on one side of a street between two intersecting streets or between one intersecting street and a street dead end is either fewer than five or where the distance between streets as specified above is less than 200 feet or where the number of buildings is greater than 15 or where the distance between streets as specified above is greater than 600 feet, the director may designate an appropriate block for purposes of calculating height without regard to

intersecting streets subject to an administrative protocol ~~similar to that applied in substandard lot cases~~, and subject to city council approval as part of the special use permit, if there is one, granted pursuant to this section 7-2502.

7-2503 ~~Front door threshold height in line with existing development. See threshold height regulations in Section 7-1002 (B) and (C). Residential front setback and front door threshold in line with existing development.~~ [The following is existing language from 7-1002(A), (B) and (C). New language is shown in bold.]

- (A) Unless a different rule is specified for a particular zone, wherever the major portion of a block is developed, and the majority of the buildings built on one side of a street between two intersecting streets or between one intersecting street and a street dead end have been built at a uniform front setback forward or behind the minimum front setback prescribed for the zone in which such buildings are located, new residential buildings hereafter erected or altered shall conform to the setback line so established. Absent a majority of buildings at a uniform front setback, the setback shall be established by the average of the front setbacks of the buildings on one side of the street of a block as described above. **For all other residential construction, including without limitation, porches and additions, the director may designate an appropriate front setback no closer to the front property line than the established or average setback line.** The board of zoning appeals is authorized to grant a special exception under the provisions of Section 11-1300 to modify the strict application of this requirement.

- (B) Whenever the major portion of a block is developed, no front door threshold of a single family, two-family or townhouse residential building erected or altered after [January 20, 2007] shall exceed the average height of the front door threshold of the residential buildings built on that block (one side of a street between two intersecting streets or one intersecting street and a street dead end) by more than 20 percent, provided, that additional front door threshold height may be permitted if a special use permit is approved pursuant to section 11-500 of this ordinance, and city council determines that the proposed construction will not detract from the value of and will be of substantially the same residential character as adjacent and nearby properties. For the purpose of this paragraph, the height of the front door threshold is defined as the vertical distance between the average pre-construction grade along the front of the building to the top of the threshold. The front door threshold shall accurately reflect the actual location of the first floor of the building, and in all cases the front door threshold shall be measured to the top of the threshold or the top of the highest elevation of the finished first floor, whichever is greater.

(C) For the purposes of this section 7-2503, where the number of buildings on one side of a street between two intersecting streets or between one intersecting street and a street dead end is either fewer than five or where the distance between streets as specified above is less than 200 feet or where the number of buildings is greater than 15 or where the distance between streets as specified above is greater than 600 feet, the director may designate an appropriate block for purposes of calculating **front setback and** front door threshold height without regard to intersecting streets subject to an administrative protocol similar to that applied in ~~substandard lot cases~~, and subject to city council approval as part of the special use permit, if there is one, granted pursuant to this section 7-2502.

7-2504 *Open front porches and porticos.*

- (A) Ground level covered front porches and porticos constructed under the standards of this section 7-2504 shall be excluded from floor area calculated under the provisions of Section 2-145(A)(5).
- (B) *Standards for porches.*
 - (1) *Extent of front porch exclusion.* No portion of the floor area of the porch to be excluded under this section shall extend beyond the side walls of the front building façade.
 - (2) *Size of porch.* To be excluded under this section, a porch shall be a minimum of 5 feet deep and a maximum of 8 feet deep. The maximum floor area to be excluded shall be 240 square feet.
 - (3) *Construction above not permitted.* To be excluded under this section, no second floor balcony, deck, or enclosed construction shall be permitted above the front porch or portico.
 - (4) *Must remain open.* A ground level front porch or portico shall remain open and shall at no time be enclosed with building walls, glass, screens, or otherwise. Railings shall be permitted no higher than the minimum height required by the building code, and with balusters evenly spaced so as to leave at least 50 percent of the perimeter length of the railings open.
- ~~(C) For front porches and porticos that cannot meet the front setback requirements, the board of zoning appeals is authorized to grant a special exception under the provisions of Section 11-1300.~~

7-2505 *Free-standing garages to the rear of the main building.*

- (A) Regardless of other regulations in this zoning ordinance, a free-standing private garage is permitted to the rear of the main building in accordance with the regulations in this section 7-2505 so long as it is the only garage on the lot or adjacent vacant lot under common ownership. The floor area of such a garage constructed in accordance with the standards of this section will be excluded from floor area calculated under the provisions of Section 2-145(A)(6).
- (B) *Standards.*
- (1) *Size.* For lots with a minimum of 5,000 square feet and with less than 8,000 square feet lot area, the garage shall have a floor area not greater than 250 square feet and a height not greater than ~~10~~ 11.50 feet. For lots 8,000 square feet or larger, the garage shall have a floor area not greater than 500 square feet and a height not greater than ~~12~~ 13.50 feet.
 - (2) *Setback.* The garage shall be set back a minimum of 3 feet from the side or rear property line if windows face the property line; otherwise the minimum setback is 1 foot.
 - (3) *Access.* If there is no direct access to the garage from an alley, a permeable-surfaced driveway is permitted in the side yard for access to the garage. Permeable-surfaced driveways can be composed of grass with ring and grid structure, gravel with a grid structure beneath, paving strips, a grid based surface, or other treatments without significant compaction of the base, but must be approved by the department of planning and zoning and the department of transportation and environmental services. Either the department of planning and zoning or the department of transportation and environmental services can grant an exemption to the permeable-surfaced driveway requirement in cases of steep slopes, adverse soil conditions, constructability, or other conditions that for safety or environmental reasons would require use of a non-permeable surfacing material. Tandem parking in the driveway is permitted. Curb cuts must be approved in accordance with Section 5-2-2 of the City Code and section 8-200(C)(5) of this zoning ordinance. The number of vehicles permitted on the lot is limited by Section 8-200(C)(6).
 - (4) *Compatibility.* The accessory garage shall be compatible with the main dwelling in regard to materials and design.

- (5) *Use.* The accessory garage shall be dedicated to the use and storage of motor vehicles.

7-2506 *Attached garages.* Private garages that are an integral part of the main residential dwelling are only permitted under the following standards.

(A) Access to garage.

~~(A)(1) Lot with width 65 feet or more. If the lot width is 65 feet or more,~~
An attached garage shall have the vehicle opening facing the side yard. Such a garage may be no closer to the front property line than the plane of the front building wall. In the case of a corner lot, an attached garage may face a secondary front yard if the proposed location and design of the door is consistent with the block and neighborhood character. Such a garage may be no closer to the front property line than the plane of the front building wall.

~~(B) (2) Lot with width less than 65 feet. If the lot width is less than 65 feet,~~
An attached garage with a vehicle entrance facing the front yard is permitted, but must be set back a minimum of 8 feet from the plane of the front building wall. No roof or covering is permitted in front of such a garage and any construction above shall not extend forward of the front plane of the garage. The garage door shall be compatible with the design of the residence.

~~(C)~~(B) Driveway Surface. A non-tandem parking or garage access arrangement is permitted only if the parking area is a permeable surface, unless the department of planning and zoning or the department of transportation and environmental services determines that a permeable-surfaced driveway is not appropriate due to steep slopes, adverse soil conditions, constructability, or other conditions that for safety or environmental reasons would require use of a non-permeable surfacing material.

11-1300 Special exception.

11-1301 *Authority.* The board of zoning appeals is authorized to review applications for those special exceptions established by this section 11-1300.

11-1302 *Special exception established.* A lot in a single family, two family or townhouse zone may be the subject of a special exception from the following zoning requirements pursuant to this section 11-1300.

(A) Fences on corner lots.

(B) Yard and setback requirements for enlargement of a dwelling...

- (C) Yard and setback requirements for a ground level, single story, covered front porch...
- (D) ~~Average~~ Established front yard setback requirements for a main dwelling required by section 7-2503, subject to the following requirements:
 - (1) Limitation on front setback increase or decrease.
 - ~~(a) No main dwelling shall be closer to the front property line than the average front setback line calculated for the proposed dwelling.~~
 - ~~(b)~~ (a) An adjustment is allowed of as much as 10% from the average front setback line calculated for the project or 5 feet, whichever is less.
 - ~~(c)~~ (b) The front setback increase or decrease shall be the minimum necessary to achieve the desired result.
 - (2) The applicant shall demonstrate by clear and convincing evidence that the proposed change in front setback for the dwelling is necessary for environmental and/or critical construction reasons and that the dwelling in the proposed location will be compatible with the character of the rest of the neighborhood block and will not be detrimental to the maintenance of a an established setback along the street.