



## MEMORANDUM

**To:** Mayor and Town Council

**From:** David B. Levy, Director of Planning and Zoning  
Kelly O'Brien, Deputy Director of Planning and Zoning

**Date:** February 27, 2023

**Re:** March 8, 2023, Code Create Discussion: Article 4 - Development Standards – Single-Unit Detached Residential Uses and Discussion of Staff Briefing on Maple Avenue Setbacks and Building Heights

This memorandum provides a summary of the attachments provided for the Planning Commission's discussion during the March 8, 2023 work session agenda item on Code Create. Staff proposes that this session include a review of Article 4 – Development Standards – Single-Unit Detached Residential Uses and a discussion of the staff briefing on Maple Avenue setbacks and building heights.

This article establishes development standards for the single-unit detached residential zones for features including accessory structures, decks, driveways, exterior lighting, fences, walls, frontage improvements, overnight parking of commercial vehicles, patios, sight triangle, signs, swimming pools, hot tubs, and tree canopy coverage. (As a reminder, heights, setbacks and other dimensional standards are in Article 2.)

The first version of Article 4 was presented to the Planning Commission at a work session on January 26, 2022. The attached draft is the second version.

The following attachments are provided for Council's review and discussion:

### **Attachment 01 – Cover Memo for March 8 Work Session**

This cover memorandum introduces the topic and provides background on the attachments.

### **Attachment 02 – Article 4 - Dev Standards - Single Unit Detached Residential - 02.20.23 - DRAFT with notes**

This is the latest draft of Article 4, which includes revisions since the February 2, 2022 draft. Staff has done our best to annotate all changes made to arrive at this draft. Notes and changes are coded as follows:

- The yellow-filled boxes are comments that were called out in the previous drafts.
- The blue-filled boxes are new notes calling out changes since the last draft.
- Text in boxes with no fill, but in blue-outlined boxes, where appropriate, are references to existing code.

This draft incorporates comments made by the Town Council and Planning Commission during its previous discussions, as well as public comments received during engagement efforts.

Revisions since the last draft include:

- **Accessory Structures**
  - Specific examples of accessory structures were added to clarify what is regulated by this section.
  - The setbacks that were previously listed in sentence form have now been formatted into a chart for clarity.
  - Staff proposes a clearly defined setback of 35 feet from the property line for clarity and consistency. The current code defines the setback in relation to the location of principal structures on adjacent lots which can change over time. A setback of 35 feet is proposed as it is the most restrictive front yard setback in the single-unit detached residential zones.
  - The setbacks graphic was revised to clearly show where accessory structures are permitted in multiple scenarios including on corner lots.
- **Driveways and Off-Street Parking**
  - Added text allowing flexibility for additional permeable materials to be used for driveways subject to approval.
  - Added language to establish the required dimensions of residential parking spaces for the purpose of determining the number of off-street parking spaces provided.
  - Based on Council comments, reduced the required minimum width of driveway where it meets the right-of-way and for the entire length of the driveway from 14 feet (previously proposed) to 12 feet. Current code requires 12 feet at the right-of-way but has not standard for the rest of the driveway.
  - Added clarifying language related to driveway design and sufficient turning radius.
  - Revised graphics to include side-load three-car garage scenario and to show typical transition from two-car garage entrance down to 12-foot driveway width.
- **Exterior Lighting**
  - Added more standards per comments from Council, Planning Commission, and public, including directional shielding of lights, prohibition of nuisance lighting, and standards for temporary holiday lighting.
- **Frontage Improvements**
  - Added code section that is currently located in subdivision code, which also regulates individual residential lot development related to frontage improvements, including sidewalk, curb, and gutter.
- **Signs**
  - Revised sign standards to simplify yard signs. Current code language related to short duration, limited duration, and non-commercial types of yard signs are not realistic for zoning enforcement. Proposed revisions intended to bring clarity.
- **Swimming Pools and Outdoor Hot Tubs**
  - The setbacks that were listed in sentence form previously have now been formatted into a chart for clarity.

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- The setbacks graphic was revised to clearly show where pools and hot tubs are permitted in multiple scenarios including on corner lots.
- **Tree Canopy Coverage**
  - Added clarifying language that 20% minimum tree canopy coverage is required to be achieved within 20 years.

#### **Attachment 03 – Staff Briefing – Maple Ave Setbacks and Building Heights - 02.25.23**

On Saturday, February 25, 2023, staff led a tour of selected sites along Maple Avenue to explore the interactions between heights, setbacks, building placement and other building standards. This tour was a staff briefing and not a meeting; as such, the Planning Commissioners could ask questions directly to staff but not discuss the topics amongst themselves during this event. March 8<sup>th</sup> is the first meeting of the Planning Commission since that on-site briefing occurred. This attachment includes the materials that were handed out during the briefing showing the site plans with the property lines and buildings highlighted in color along with aerial views of the buildings. The Planning Commission may wish to offer some thoughts about what they viewed during the event, and staff will provide updates on the process.

#### **Attachment 04 – Town Calendar – DRAFT Project Timeline – 02.28.23**

Staff will provide additional information regarding how each article is getting addressed.